

2022-019 FC

NOTICE OF FORECLOSURE SALE

ASSERT AND PROTECT YOUR RIGHTS AS A MEMBER OF THE ARMED FORCES OF THE UNITED STATES. IF YOU ARE OR YOUR SPOUSE IS SERVING ON ACTIVE MILITARY DUTY, INCLUDING ACTIVE MILITARY DUTY AS A MEMBER OF THE TEXAS NATIONAL GUARD OR THE NATIONAL GUARD OR ANOTHER STATE OR AS A MEMBER OF A RESERVE COMPONENT OF THE ARMED FORCES OF THE UNITED STATES, PLEASE SEND WRITTEN NOTICE OF THE ACTIVE DUTY MILITARY SERVICE TO THE SENDER OF THIS NOTICE IMMEDIATELY.

1. *Property to Be Sold.* The property to be sold is described as follows: BEING 0.6018 OF AN ACRE OF LAND SITUATED IN THE ESTEVAN CARZENAVA SURVEY, ABSTRACT 96, SHELBY COUNTY, TEXAS, AND BEING THE SAME CALLED 0.602 OF AN ACRE TRACT DESCRIBED IN A WARRANTY DEED WITH VENDOR'S LIEN FROM NOTRA BELLE JOBE TO GALE L. ASHLEY AND WIFE, JEANETTE R. ASHLEY, DATED JULY 27, 2001, AND RECORDED IN VOLUME 917, PAGE 684, IN THE OFFICIAL PUBLIC RECORDS OF SHELBY COUNTY, TEXAS, SAID 0.6018 OF AN ACRE BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:
BEGINNING AT A 3/8-INCH IRON ROD FOUND FOR THE SOUTHEAST CORNER OF SAID CALLED 0.602 OF AN ACRE TRACT AND BEING THE NORTHEAST CORNER OF ANOTHER CALLED 0.602 OF AN ACRE TRACT DESCRIBED IN A WARRANTY DEED WITH VENDOR'S LIEN FROM JAMES ROBIN DAVIS AND WIFE, JEANNETTE DAVIS, TO AMBER D. DODD, DATED OCTOBER 13, 2000, AND RECORDED IN VOLUME 898, PAGE 592, IN THE OFFICIAL PUBLIC RECORDS OF SHELBY COUNTY, TEXAS, AND BEING IN THE WEST MARGIN OF COUNTY ROAD 3668 (FORMERLY NORTHWOOD DRIVE, BASED ON 50 FOOT RIGHT-OF-WAY), FROM WHICH A 1/2-INCH IRON ROD FOUND FOR THE SOUTHEAST CORNER OF SAID DODD CALLED 0.602 OF AN ACRE TRACT BEARS SOUTH 14 DEGREES 22 MINUTES 23 SECONDS EAST, 150.21 FEET;

THENCE SOUTH 74 DEGREES 52 MINUTES 49 SECONDS WEST, WITH THE SOUTH LINE OF SAID ASHLEY CALLED 0.602 OF AN ACRE TRACT (CALLED NORTH 74 DEGREES 51 MINUTES 08 SECONDS EAST) AND THE NORTH LINE OF SAID DODD CALLED 0.602 OF AN ACRE TRACT, A DISTANCE OF 175.14 FEET (CALLED 175 FEET) TO A 3/8-INCH IRON ROD FOUND FOR THE SOUTHWEST CORNER OF SAID ASHLEY CALLED 0.602 OF AN ACRE TRACT AND THE NORTHWEST CORNER OF SAID DODD CALLED 0.602 OF AN ACRE TRACT AND BEING IN THE EAST LINE OF A CALLED 1.835 ACRE TRACT DESCRIBED IN A WARRANTY DEED FROM WINSTON SMITH AND WIFE, JOYCE SMITH, TO BETTY J. MOONEY, DATED MARCH 17, 1999, AND RECORDED IN VOLUME 855, PAGE 289, IN THE OFFICIAL PUBLIC RECORDS OF SHELBY COUNTY, TEXAS, AND BEING NORTH 14 DEGREES 21 MINUTES 11 SECONDS WEST, 150.14 FEET FROM A 1-1/2 INCH IRON PIPE FOUND FOR THE SOUTHWEST CORNER OF SAID DODD CALLED 0.602 OF AN ACRE TRACT;

THENCE NORTH 15 DEGREES 08 MINUTES 52 SECONDS WEST, WITH THE WEST LINE OF SAID ASHLEY CALLED 0.602 OF AN ACRE TRACT (BASIS OF BEARING ORIENTATION) AND SAID EAST LINE OF THE CALLED 1.835 ACRE TRACT, A DISTANCE OF 149.72 FEET (CALLED 150 FEET) TO A 3/8-INCH IRON ROD FOUND FOR THE NORTHWEST CORNER OF SAID ASHLEY CALLED 0.602 OF AN ACRE TRACT AND BEING THE SOUTHWEST CORNER OF A CALLED 0.65 OF AN ACRE TRACT DESCRIBED IN A WARRANTY DEED WITH VENDOR'S LIEN FROM DAVID PIGG TO ANTHONY L. TOMLIN AND WIFE, CYNTHIA A. TOMLIN, DATED OCTOBER 1, 2001, AND RECORDED IN VOLUME 922, PAGE 506, IN THE OFFICIAL PUBLIC RECORDS OF SHELBY COUNTY, TEXAS, FROM WHICH A 3/8-INCH IRON ROD FOUND FOR THE NORTHWEST CORNER OF SAID CALLED 0.65 OF AN ACRE TRACT BEARS NORTH 15 DEGREES 30 MINUTES 56 SECONDS WEST, 172.95 FEET;

THENCE NORTH 74 DEGREES 50 MINUTES 06 SECONDS EAST, WITH THE NORTH LINE OF SAID ASHLEY CALLED 0.602 OF AN ACRE TRACT (CALLED SOUTH 74 DEGREES 51 MINUTES 08 SECONDS WEST) AND THE SOUTH LINE OF SAID CALLED 0.65 OF AN ACRE TRACT, A DISTANCE OF 174.91 FEET (CALLED 175 FEET) TO A 3/8-INCH IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAID ASHLEY CALLED 0.602 OF AN ACRE TRACT AND THE SOUTHEAST CORNER OF SAID CALLED 0.65 OF AN ACRE TRACT AND BEING IN SAID WEST MARGIN OF COUNTY ROAD 3668;

THENCE SOUTH 15 DEGREES 14 MINUTES 04 SECONDS EAST, WITH THE EAST LINE OF SAID ASHLEY CALLED 0.602 OF AN ACRE TRACT (CALLED NORTH 15 DEGREES 08 MINUTES 52 SECONDS WEST) AND SAID WEST MARGIN OF COUNTY ROAD 3668, A DISTANCE OF 149.85 FEET (CALLED 150 FEET) TO THE POINT OF BEGINNING AND CONTAINING 0.6018 OF AN ACRE OF LAND WITHIN THESE CALLS.

2. *Instrument to be Foreclosed.* The instrument to be foreclosed is the Deed of Trust dated 10/07/2014 and recorded in Document 2014003811 real property records of Shelby County, Texas.

3. *Date, Time, and Place of Sale.* The sale is scheduled to be held at the following date, time, and place:

Date: 11/01/2022

Time: 01:00 PM

Place: Shelby County, Texas at the following location: THE AREA WITHIN A RADIUS OF 100 FEET OF THE SOUTHEASTERN DOOR OF THE HOUSE PROVIDED FOR THE HOLDING OF THE DISTRICT COURT IN THE CITY OF CENTER, IN SHELBY COUNTY, TEXAS OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE or as designated by the County Commissioners Court.

4. *Terms of Sale.* The sale will be conducted as a public auction to the highest bidder for cash. Pursuant to the deed of trust, the mortgagee has the right to direct the Trustee to sell the property in one or more parcels and/or to sell all or only part of the property. Pursuant to section 51.009 of the Texas Property Code, the property will be sold in AS IS, WHERE IS condition, without any express or implied warranties, except as to the warranties of title, if any, provided for under the deed of trust.



5. *Obligations Secured.* The Deed of Trust executed by EDITH GONZALEZ, provides that it secures the payment of the indebtedness in the original principal amount of \$131,572.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. SFMC, LP DBA SERVICE FIRST MORTGAGE COMPANY is the current mortgagee of the note and deed of trust and SERVICE FIRST MORTGAGE COMPANY is mortgage servicer. A servicing agreement between the mortgagee, whose address is SFMC, LP DBA SERVICE FIRST MORTGAGE COMPANY c/o SERVICE FIRST MORTGAGE COMPANY, 1 Corporate Dr., Ste 360, Lake Zurich, IL 60047 and the mortgage servicer and Texas Property Code § 51.0025 authorizes the mortgage servicer to collect the debt.

6. *Substitute Trustee(s) Appointed to Conduct Sale.* In accordance with Texas Property Code Sec. 51.0076, the undersigned attorney for the mortgage servicer has named and appointed, and by these presents does name and appoint AVT Title Services, LLC, located at 5177 Richmond Avenue Suite 1230, Houston, TX 77056, Substitute Trustee to act under and by virtue of said Deed of Trust.

THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE(S) IDENTIFIED TO SELL THE PROPERTY DESCRIBED IN THE SECURITY INSTRUMENT IDENTIFIED IN THIS NOTICE OF SALE. THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY OR AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.



Mackie Wolf Zientz & Mann, P.C.

Brandon Wolf, Attorney at Law
L. Keller Mackie, Attorney at Law
Michael Zientz, Attorney at Law
Lori Liane Long, Attorney at Law
Chelsea Schneider, Attorney at Law
Esfer Gonzales, Attorney at Law
Karla Balli, Attorney at Law
Parkway Office Center, Suite 900
14160 Dallas Parkway
Dallas, TX 75254

I am Sheryl La Mont whose address is c/o AVT Title Services, LLC, 5177 Richmond Avenue, Suite 1230, Houston, TX 77056. I declare under penalty of perjury that on September 29, 2022 I filed this Notice of Foreclosure Sale at the office of the Shelby County Clerk and caused it to be posted at the location directed by the Shelby County Commissioners Court.

Certificate of Posting


Sheryl La Mont, September 29, 2022

FILED FOR RECORD
SHELBY COUNTY, TEXAS
2022 SEP 29 AM 11:54
JENNIFER L. FOUNTAIN
COUNTY CLERK
BY  DEPUTY