

2022-011-FC

FILED FOR RECORD  
SHELBY COUNTY, TEXAS

2022 JUN -2 10:07 AM

JENNIFER L. F. BENY  
COUNTY CLERK

BY: *J. Beny*

### 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: ALL THAT CERTAIN LOT OR PARCEL OF LAND SITUATED IN SHELBY COUNTY, TEXAS, IN THE WESLEY HILL SURVEY, A-282 AND THE THOMAS APPLEWHITE SURVEY, A-25, AND BEING THE REMAINDER OF THE CALLED 24 ACRE TRACT CONVEYED FROM JIMMY WARD AND WIFE, SHERRY WARD AND BOBBY R. HOLLAND AND WIFE, HELEN HOLLAND TO GEORGE R. CLARK, SR. AND WIFE, JANET CLARK, DATED JULY 21, 1995, AND RECORDED IN VOLUME 789 PAGE 609 OF THE REAL PROPERTY RECORDS OF SHELBY COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

NOTE: IN THE FOLLOWING DESCRIPTION

BEARINGS REFER TO GRID NORTH OF THE TEXAS COORDINATE SYSTEM OF 1983 (CENTRAL ZONE 4203).

BEGINNING AT A 5/8 INCHES IRON ROD FOUND FOR THE NORTHEAST CORNER OF THE TRACT TWO, CALLED 6.011 ACRE TRACT CONVEYED TO CHRIS CLARK AND RECORDED IN CLERK FILE NO. 2013002236 OF THE OFFICIAL PUBLIC RECORDS OF SHELBY COUNTY, TEXAS, AND BEING IN THE SOUTH BOUNDARY LINE OF THE CALLED 66.95 ACRE TRACT CONVEYED TO THE INTERNATIONAL PAPER COMPANY AND RECORDED IN VOLUME 180 PAGE 165 OF THE DEED RECORDS OF SHELBY COUNTY, TEXAS;

THENCE NORTH 85 DEGREES 39 MINUTES 53 SECONDS EAST WITH THE SOUTH BOUNDARY LINE OF THE CALLED 66.95 ACRE INTERNATIONAL PAPER TRACT, AT 840.47 FEET PASS A 5/8 INCHES IRON ROD SET FOR REFERENCE WITH CAP STAMPED "FSE ENGINEERING CENTER, TX" AND CONTINUING ON FOR A TOTAL DISTANCE OF 854.92 FEET TO A POINT FOR CORNER IN THE CENTERLINE OF COUNTY ROAD 1548;

THENCE WITH THE CENTERLINE OF COUNTY ROAD 1548 AS FOLLOWS:

SOUTH 21 DEGREES 16 MINUTES 06 SECONDS WEST A DISTANCE OF 28.60 FEET TO A POINT FOR CORNER;

SOUTH 29 DEGREES 38 MINUTES 06 SECONDS WEST A DISTANCE OF 75.21 FEET TO A POINT FOR CORNER;

SOUTH 34 DEGREES 12 MINUTES 17 SECONDS WEST A DISTANCE OF 87.85 FEET TO A POINT FOR CORNER;

SOUTH 41 DEGREES 11 MINUTES 58 SECONDS WEST A DISTANCE OF 356.55 FEET TO A POINT FOR CORNER;

SOUTH 33 DEGREES 51 MINUTES 14 SECONDS WEST A DISTANCE OF 133.93 FEET TO A POINT FOR CORNER;

SOUTH 25 DEGREES 00 MINUTES 36 SECONDS WEST A DISTANCE OF 24.10 FEET TO A POINT FOR CORNER;

THENCE SOUTH 81 DEGREES 05 MINUTES 14 SECONDS WEST WITH A NORTH BOUNDARY LINE OF THE CALLED 297.67 ACRE TRACT CONVEYED TO ROY R. DEES AND WIFE, SAMMYE L. DEES AND RECORDED IN VOLUME 793 PAGE 98 OF THE REAL PROPERTY RECORDS OF SHELBY COUNTY, TEXAS, A DISTANCE OF 49.18 FEET TO A 1/2 INCHES IRON ROD FOUND FOR CORNER;

THENCE NORTH 60 DEGREES 43 MINUTES 25 SECONDS WEST WITH A NORTH BOUNDARY LINE OF THE CALLED 297.67 ACRE DEES TRACT, AS DISTANCE OF 377.20 FEET TO A 36 INCH POST OAK STUMP FOUND FOR CORNER FROM WHICH A 5/8 INCHES IRON ROD FOUND FOR REFERENCE BEARS SOUTH 80 DEGREES 27 MINUTES 28 SECONDS WEST A DISTANCE OF 5.57 FEET;

THENCE NORTH 04 DEGREES 29 MINUTES 05 SECONDS WEST WITH THE SOUTHEAST BOUNDARY LINE OF THE TRACT TWO, CALLED 6.011 ACRE CHRIS CLARK TRACT, A DISTANCE OF 143.30 FEET TO A 5/8 INCHES IRON ROD FOUND FOR CORNER;

THENCE NORTH 14 DEGREES 31 MINUTES 11 SECONDS WEST WITH THE NORTHEAST BOUNDARY LINE OF THE TRACT TWO, CALLED 6.011 ACRE CHRIS CLARK TRACT, A DISTANCE OF 187.68 FEET TO THE POINT OF BEGINNING BEING 6.666 ACRES OF LAND MORE OR LESS.

2. *Instrument to be Foreclosed.* The instrument to be foreclosed is the Deed of Trust dated 07/01/2013 and recorded in Document 2013002960 real property records of Shelby County, Texas. Re-filed in Document 2014001460 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:

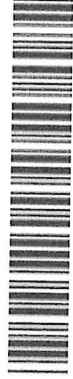
Date: 08/02/2022

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.

21-000586-210-1 // 780 COUNTY ROAD 1548, CENTER, TX



4751136

ServiceInk

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 GEORGE R. CLARK SR. AND JANET E. CLARK, provides that it secures the payment of the indebtedness in the original principal amount of \$189,000.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. AMERICAN ADVISORS GROUP is the current mortgagee of the note and deed of trust and AMERICAN ADVISORS GROUP is mortgage servicer. A servicing agreement between the mortgagee, whose address is AMERICAN ADVISORS GROUP c/o AMERICAN ADVISORS GROUP, 3900 Capital City Blvd., Lansing, MI 48906 and the mortgage servicer and Texas Property Code § 51.0025 authorizes the mortgage servicer to collect the debt.

6. **Order to Foreclose.** AMERICAN ADVISORS GROUP obtained a Order from the 273rd District Court of Shelby County on 05/26/2022 under Cause No. 22CV35937. The mortgagee has requested a Substitute Trustee conduct this sale pursuant to the Court's Order.

7. **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

Ester Gonzales, Attorney at Law

Karla Balli, Attorney at Law

Parkway Office Center, Suite 900

14160 Dallas Parkway

Dallas, TX 75254

Certificate of Posting

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 June 02, 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.



Sheryl La Mont, June 02, 2022