

2023-03FC

## 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 2.9994 ACRES OF LAND, MORE OR LESS, A PART OF THE WILLIAM MARTIN SURVEY, A-998, SHELBY COUNTY, TEXAS, AND BEING THE LAND DESCRIBED IN THE WARRANTY DEED FROM BARBARA JOHNSON YOUNGBLOOD AND HUSBAND, JIMMY YOUNGBLOOD TO 4 H LITTER SERVICES, LLC, DATED OCTOBER 26, 2012, RECORDED UNDER INSTRUMENT NO. 2012005994, OFFICIAL PUBLIC RECORDS, SHELBY COUNTY, TEXAS; AND BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS, TO-WIT:

BEGINNING AT AN AXLE FOUND FOR THE NORTHEAST CORNER OF SAID CALLED 10 ACRE TRACT AND BEING THE EAST CORNER OF A CALLED 2 ACRE TRACT DESCRIBED IN A WARRANTY DEED FROM JAMES RAY NEAL TO BILLY NEAL, DATED DECEMBER 21, 2009, AND RECORDED UNDER DOCUMENT NO. 2009011440, IN THE OFFICIAL PUBLIC RECORDS OF SHELBY COUNTY; TEXAS, AND BEING IN THE APPARENT EAST LINE OF SAID MARTIN SURVEY AND THE APPARENT WEST LINE OF THE JOHN INRUSH. SURVEY, ABSTRACT 378, SHELBY COUNTY, TEXAS, AND IN THE WEST LINE OF A CALLED 87 ACRE TRACT OF LAND DESCRIBED IN A WARRANTY DEED FROM W. C. HUGHES AND O. H. FLEMING TO TILMON WART; DATED FEBRUARY 5, 1937, AND RECORDED IN VOLUME 184, PAGE 581, IN THE DEED RECORDS OF SHELBY COUNTY, TEXAS;

THENCE SOUTH: WITH THE EAST LINE OF SAID CALLED 10 ACRE TRACT AND SAID APPARENT EAST LINE OF THE MARTIN SURVEY AND SAID APPARENT WEST LINE OF THE INMAN SURVEY AND SAID WEST LINE OF THE CALLED 87 ACRE TRACT, A DISTANCE OF 937.32 FEET TO ITS INTERSECTION WITH SAID CENTERLINE OF COUNTY ROAD 1265, FROTH WHICH A 1/2-INCH IRON PIPE FOUND FOR THE SOUTHEAST CORNER OF SAID CALLED 10 ACRE TRACT BEARS SOUTH, 49.53 FEET;

THENCE WITH SAID CENTERLINE OF COUNTY ROAD 1265 AS FOLLOWS:

NORTH 58 DEGREES 55 MINUTES 25 SECONDS WEST, 19.55 FEET;  
NORTH 36 DEGREES 22 MINUTES 35 SECONDS WEST, 48.97 FEET;  
NORTH 13 DEGREES 42 MINUTES 04 SECONDS WEST, 50.11 FEET;  
NORTH 03 DEGREES 53 MINUTES 27 SECONDS WEST, 50.84 FEET;  
NORTH 00 DEGREES 10 MINUTES 21 SECONDS EAST, 49.31 FEET;  
NORTH 03 DEGREES 12 MINUTES 07 SECONDS WEST, 49.30 FEET;  
NORTH 04 DEGREES 57 MINUTES 22 SECONDS WEST, 50.69 FEET;  
NORTH 06 DEGREES 26 MINUTES 28 SECONDS WEST, 50.02 FEET;  
NORTH 07 DEGREES 41 MINUTES 19 SECONDS WEST, 49.34 FEET;  
NORTH 10 DEGREES 08 MINUTES 34 SECONDS WEST, 49.89 FEET;  
NORTH 13 MINUTES 53 MINUTES 23 SECONDS WEST, 50.74 FEET;  
NORTH 19 DEGREES 23 MINUTES 50 SECONDS WEST 52.10 FEET;  
NORTH 24 DEGREES 09 MINUTES 38 MINUTES WEST, 49.31 FEET;  
NORTH 28 DEGREES 41 MINUTES 34 SECONDS WEST, 51.40 FEET;  
NORTH 32 DEGREES 40 MINUTES 02 SECONDS WEST, 48.75 FEET;  
NORTH 32 DEGREES 14 MINUTES 26 SECONDS WEST, 49.76 FEET;  
NORTH 36 DEGREES 45 MINUTES 07 SECONDS WEST, 51.41 FEET;  
NORTH 44 DEGREES 13 MINUTES 26 SECONDS WEST, 49.97 FEET;  
NORTH 53 DEGREES 25 MINUTES 25 SECONDS WEST, 49.96 FEET;  
NORTH 60 DEGREES 59 MINUTES 35 SECONDS WEST, 50.06 FEET;  
NORTH 68 DEGREES 55 MINUTES 54 SECONDS WEST, 53.48 FEET; AND  
NORTH 76 DEGREES 11 MINUTES 06 SECONDS WEST, 39.03 FEET TO ITS INTERSECTION WITH THE CENTERLINE OF FARM-TO-MARKET ROAD 711 (BASED ON 80-FOOT RIGHT-OF-WAY) AND IN THE WEST LINE OF SAID CALLED 10 ACRE TRACT;

THENCE NORTH 04 DEGREES 41 MINUTES 21 SECONDS EAST, WITH SAID CENTERLINE OF FARM-TO-MARKET ROAD 711, A DISTANCE OF 12.73 FEET TO THE NORTHWEST CORNER OF SAID CALLED 10 ACRE TRACT AND THE SOUTHWEST CORNER OF SAID NEAL CALLED 2 ACRE TRACT FROM WHICH A 1/2-INCH IRON ROD WITH PLASTIC CAP SET FOR WITNESS BEARS NORTH 83 DEGREES 58 MINUTES 24 SECONDS EAST 40.71 FEET;

THENCE NORTH 83 DEGREES 58 MINUTES 24 SECONDS EAST: WITH THE NORTH LINE OF SAID CALLED 10 ACRE TRACT AND THE SOUTH LINE OF SAID CALLED 2 ACRE TRACT, A DISTANCE OF 455.08 FEET TO THE POINT OF BEGINNING AND CONTAINING 2.9994 ACRES OF LAND, MORE OR LESS.

2. *Instrument to be Foreclosed.* The instrument to be foreclosed is the Deed of Trust dated 08/13/2018 and recorded in Document 2018002712 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: 03/07/2023

Time: 01:00 PM



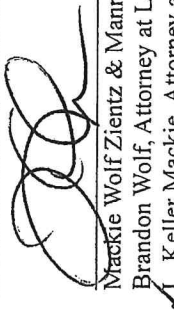
Place: Shelby County, Texas at the following location: THE AREA WITHIN A RADIUS OF 100 FEET OF THE SOUTHEASTERN DOOR OF THE HOUSE PROVIDED FOR THE HOLDING OF THE DISTRICT COURT IN THE CITY OF CENTER, IN SHELBY COUNTY, TEXAS OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE or as designated by the 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 PAUL PHILLIP GIANNANDREA, provides that it secures the payment of the indebtedness in the original principal amount of \$45,000.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. NewRez LLC d/b/a Shellpoint Mortgage Servicing is the current mortgagee of the note and deed of trust and SHELLPOINT MORTGAGE SERVICING is mortgage servicer. A servicing agreement between the mortgagee, whose address is NewRez LLC d/b/a Shellpoint Mortgage Servicing c/o SHELLPOINT MORTGAGE SERVICING, 2020 S. Dairy Ashford #200, Houston, TX 77077 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  
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 January 12, 2023 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, January 12, 2023

FILED FOR RECORD  
SHELBY COUNTY, TEXAS

2023 JAN 12 AM 11:09

JENNIFER L. FOUNTAIN  
COUNTY CLERK

BY  DEPUTY