

MORRIS COUNTY, TEXAS

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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 TRACT OR PARCEL CONTAINING 1.069 ACRES OF LAND IN THE THEOPH A. GRAHAM SURVEY, A-125, MORRIS COUNTY, TEXAS, BEING ALL OF A TRACT WHICH WAS CALLED 1.074 ACRES CONVEYED FROM LANCE W. DAVIS, ET UX TO MOTE HOLDINGS, LLC SERIES 41 CR 2242, BY AN INSTRUMENT OF RECORD IN VOLUME 534, PAGE 32, MORRIS COUNTY OFFICIAL PUBLIC RECORD (MCOPR), SAID 1.069 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, BASING BEARINGS ON THE TEXAS COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE, TO WIT:

BEGINNING AT A 1/2 INCH IRON PIPE FOUND FOR NORTHWEST CORNER, BEING THE NORTHWEST CORNER OF SAID 1.074 ACRE TRACT AND THE NORTHEAST CORNER OF TRACT WHICH WAS CALLED 8.050 ACRES CONVEYED FROM RICKY L. TOLAND, ET UX TO TIJUANA WALLER, VOLUME 537, PAGE 9, MCOPR, LYING IN THE SOUTH LINE OF LONE OAK ACRES, A SUBDIVISION OF RECORD IN VOLUME 2, PAGE 49, MORRIS COUNTY PLAT RECORDS (MCPR);

THENCE N 87 DEGREES 38 MINUTES 13 SECONDS E, 151.27 FEET ALONG THE COMMON LINE OF SAID 1.074 ACRE TRACT AND SAID LONE OAK ACRES TO A 5/8 INCH IRON ROD SET FOR NORTHEAST CORNER, BEING THE NORTHEAST CORNER OF SAID 1.074 ACRE TRACT AND NORTHWEST CORNER OF A TRACT WHICH WAS CALLED 5.847 ACRES CONVEYED FROM BILLY JOE OWENS TO NORMAN DALE HARRELL, BY AN INSTRUMENT OF RECORD IN VOLUME 161, PAGE 625, MCOPR;

THENCE S 02 DEGREES 21 MINUTES 47 SECONDS E, 307.80 FEET ALONG THE COMMON LINE OF SAID 1.074 ACRE TRACT, SAID 5.847 ACRE TRACT AND A TRACT WHICH WAS CALLED 5.847 ACRES CONVEYED FROM JONATHAN DAVID KILWIEN, ET AL TO JONATHAN DAVID KILWIEN, ET AL (KILWIEN TRACT), BY AN INSTRUMENT OF RECORD IN VOLUME 557, PAGE 23, MCOPR, TO A 5/8 INCH IRON ROD FOUND FOR SOUTHEAST CORNER, BEING THE SOUTHEAST CORNER OF SAID 1.074 ACRE TRACT AND A NORTHEAST CORNER OF SAID 8.050 ACRE TRACT;

THENCE S 87 DEGREES 38 MINUTES 13 SECONDS W, 151.27 FEET ALONG THE COMMON LINE OF SAID 1.074 ACRE TRACT AND SAID 8.050 ACRE TRACT TO A 5/8 INCH IRON ROD SET FOR SOUTHWEST CORNER, BEING THE SOUTHWEST CORNER OF SAID 1.074 ACRE TRACT AND INTERIOR CORNER OF SAID 8.050 ACRE TRACT;

THENCE N 02 DEGREES 21 MINUTES 47 SECONDS W, 307.80 FEET ALONG THE COMMON LINE OF SAID 1.074 ACRE TRACT AND SAID 8.050 ACRE TRACT TO THE PLACE OF BEGINNING, CONTAINING 1.069 ACRES OF LAND, MORE OR LESS.

TOGETHER WITH THE FOLLOWING EASEMENT:

ALL THAT CERTAIN ACCESS EASEMENT CONTAINING 0.166 ACRE OF LAND IN THE THEOPH A. GRAHAM SURVEY, A-125, MORRIS COUNTY, TEXAS, BEING THE 20 FOOT EASEMENT AS SHOWN ON A PARTITION PLAT OF RECORD IN VOLUME 169, PAGE 227, MORRIS COUNTY DEED RECORD (MCDR) ALSO BEING A PORTION OF A TRACT WHICH WAS CALLED TRACT WHICH WAS CALLED 8.050 ACRES CONVEYED FROM RICKY L. TOLAND, ET UX TO TIJUANA WALLER, VOLUME 537, PAGE 9, MORRIS COUNTY OFFICIAL PUBLIC RECORD (MCOPR), SAID 0.166 ACRE BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, BASING BEARINGS ON THE TEXAS COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE, TO WIT:

BEGINNING AT A 1/2 INCH IRON ROD FOUND FOR NORTHEAST CORNER, BEING THE NORTHEAST CORNER OF SAID 8.050 ACRE TRACT AND NORTHWEST CORNER OF A TRACT WHICH WAS CALLED 1.074 ACRES CONVEYED FROM LANCE W. DAVIS, ET UX TO MOTE HOLDINGS, LLC SERIES 41 CR 2242, BY AN INSTRUMENT OF RECORD IN VOLUME 594, PAGE 32, MCOPR, LYING IN THE SOUTH LINE OF LONE OAK ACRES, A SUBDIVISION OF RECORD IN VOLUME 2, PAGE 49, MORRIS COUNTY PLAT RECORDS (MCPR);

THENCE S 02 DEGREES 21 MINUTES 47 SECONDS E, 20.00 FEET ALONG THE COMMON LINE OF SAID 8.050 ACRE TRACT AND SAID 1.074 ACRE TRACT TO A POINT FOR SOUTHEAST CORNER;

THENCE S 87 DEGREES 38 MINUTES 13 SECONDS W, 361.30 FEET CROSSING SAID 8.050 ACRE TRACT TO A POINT FOR SOUTHWEST CORNER, LYING IN THE WEST LINE OF SAID 8.050 ACRE TRACT;

THENCE N 02 DEGREES 19 MINUTES 10 SECONDS W, 20.00 FEET ALONG THE WEST LINE OF SAID 8.050 ACRE TRACT TO A POINT FOR NORTHWEST CORNER, BEING THE NORTHWEST CORNER OF SAID 8.050 ACRE TRACT, LYING IN THE SOUTH LINE OF SAID LONE OAK ACRES;

THENCE N 87 DEGREES 38 MINUTES 13 SECONDS E, 361.29 FEET ALONG THE COMMON LINE OF SAID 8.050 ACRE TRACT AND SAID LONE OAK ACRES TO THE PLACE OF BEGINNING, CONTAINING 0.166 ACRE OF LAND, MORE OR LESS.

2. *Instrument to be Foreclosed.* The instrument to be foreclosed is the Deed of Trust dated 03/23/2022 and recorded in Book 607 Page 127 Document 2022-000505 real property records of Morris County, Texas.

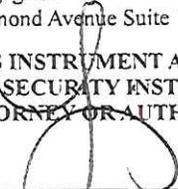
3. *Date, Time, and Place of Sale.* The sale is scheduled to be held at the following date, time, and place:

Date: 01/02/2024

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

For additional sale information visit: www.auction.com or (800) 280-2832

Certificate of Posting

I am Harriett Fletcher 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 October 26, 2023 I filed this Notice of Foreclosure Sale at the office of the Morris County Clerk and caused it to be posted at the location directed by the Morris County Commissioners Court.



Harriett Fletcher, October 26, 2023