

NOTICE OF FORECLOSURE SALE

RECEIVED AND FILED
FOR POSTING
At 11:02 O'clock P. M.
APR 8 2021
STEPHENS COUNTY TEXAS
Clerk
Stephens County

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: THE LAND DESCRIBED HEREIN IS SITUATED IN THE STATE OF TEXAS, COUNTY OF STEPHENS, DESCRIBED AS FOLLOWS:

SURFACE OF LOTS 275, BLOCK B, TANGLEWOOD ISLAND SUBDIVISION OUT OF TE&L CO. SURVEYS 1262 AND 1271, STEPHENS COUNTY, TEXAS ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN CABINET 1, SLIDE 70-A OF THE PLAT RECORDS OF STEPHENS COUNTY, TEXAS.

2. *Instrument to be Foreclosed.* The instrument to be foreclosed is the Deed of Trust dated 08/26/2015 and recorded in Book 2094 Page 254 Document 00001778 real property records of Stephens County, Texas.

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

Date: 05/04/2021

Time: 01:00 PM

Place: Stephens County, Texas at the following location: THE SOUTH ENTRANCE STEPS OF THE COURTHOUSE, AS KNOWN AS THE WALKER STREET ENTRANCE 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 BRENDA W. SMITH AND ALBERT A. SMITH, provides that it secures the payment of the indebtedness in the original principal amount of \$518,250.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. Reverse Mortgage Funding LLC is the current mortgagee of the note and deed of trust and REVERSE MORTGAGE FUNDING, LLC is mortgage servicer. A servicing agreement between the mortgagee, whose address is Reverse Mortgage Funding LLC c/o REVERSE MORTGAGE FUNDING, LLC, 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.* Reverse Mortgage Funding LLC obtained a Order from the 90th District Court of Stephens County on 01/19/2021 under Cause No. CV32670. 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
Parkway Office Center, Suite 900
14160 Dallas Parkway
Dallas, TX 75254

Certificate of Posting

I am _____ 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 _____ I filed this Notice of Foreclosure Sale at the office of the Stephens County Clerk and caused it to be posted at the location directed by the Stephens County Commissioners Court.

