

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 A BOUNDARY SURVEY OF 0.22 GRID ACRES, MORE OR LESS, LYING IN BREWSTER COUNTY, TEXAS, AND BEING OUT OF AND A PART OF THE WEST ONE-HALF (WEST 1/2) OF BLOCK 1, HURLEY ADDITION TO THE CITY OF ALPINE, RECORDED IN PLAT ENVELOPE 112 OF THE BREWSTER COUNTY PLAT RECORDS, AND ALSO BEING THE SAME CERTAIN TRACT DESCRIBED IN CONVEYANCE DOCUMENT TO MARIA D. WATERS, RECORDED IN VOLUME 5, PAGE 34 OF THE BREWSTER COUNTY OFFICIAL PUBLIC RECORDS, BREWSTER COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

(THE COURSES, DISTANCES, AREAS AND ANY COORDINATES CITED HEREIN OR SHOWN ON THE CORRESPONDING SURVEY PLAT CONFORM TO THE TEXAS COORDINATE SYSTEM, NORTH AMERICAN DATUM 1927, TEXAS SOUTH CENTRAL ZONE.)

BEGINNING AT A FOUND 1/2 INCH DIAMETER REBAR LOCATED AT S.P.C. NORTH EQUAL 946916.86 INCH AND EAST EQUAL 527206.39 INCH, AT A POINT ON THE NORTHWESTERLY MARGIN OF WEST SOUTHWEST ROSS AVENUE, MARKING THE SOUTHEAST CORNER OF THAT SAME CERTAIN TRACT CALLED 77.47 FEET BY 115 FEET OUT OF THE WEST ONE-HALF (WEST 1/2) OF BLOCK 1, HURLEY ADDITION TO THE CITY OF ALPINE DESCRIBED IN CONVEYANCE DOCUMENT TO JACOB T. OSKIN, RECORDED IN VOLUME 273, PAGE: 272 OF THE BREWSTER COUNTY OFFICIAL PUBLIC RECORDS. AND MARKING THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE: NORTH 16 DEGREES 55 MINUTES 17 SECONDS WEST WITH THE COMMON LINE OF SAID JACOB T. OSKIN TRACT AND THE HEREIN DESCRIBED TRACT A DISTANCE OF 115.00 FEET TO A SET 1/2 INCH DIAMETER REBAR AT A POINT ON THE SOUTHEASTERLY LINE OF THAT SAME CERTAIN TRACT CALLED 66.66 FEET BY 158.66 FEET TRACT OUT OF THE WEST ONE-HALF (WEST 1/2) OF BLOCK 1, HURLEY ADDITION TO THE CITY OF ALPINE DESCRIBED IN CONVEYANCE DOCUMENT TO CATHERINE S. CRUMPTON, RECORDED IN VOLUME 230, PAGE 482 OF THE BREWSTER COUNTY DEED RECORDS, MARKING THE NORTHEAST CORNER OF SAID JACOB T. OSKIN TRACT, AND MARKING THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE: NORTH 73 DEGREES 04 MINUTES 43 SECONDS EAST WITH THE COMMON LINE OF SAID CATHERINE S. CRUMPTON TRACT AND THE HEREIN DESCRIBED TRACT A DISTANCE OF 82.00 FEET TO A SET 1/2 INCH DIAMETER REBAR AT A POINT ON THE SOUTHWESTERLY LINE OF THAT SAME CERTAIN TRACT CALLED 0.196 ACRE DESCRIBED IN CONVEYANCE DOCUMENT TO MARK J. PADILLA AND BLANCA T. PADILLA, RECORDED IN VOLUME 324, PAGE 606 OF THE BREWSTER COUNTY OFFICIAL PUBLIC RECORDS, AND MARKING THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT, FROM WHICH A FOUND 1 INCH DIAMETER PIPE BEARS NORTH 17 DEGREES 27 MINUTES 37 SECONDS WEST A DISTANCE OF 5.69 FEET;

THENCE: SOUTH 16 DEGREES 55 MINUTES 17 SECONDS EAST WITH THE COMMON LINE OF SAID 0.196 ACRE TRACT AND THE HEREIN DESCRIBED TRACT FOR A DISTANCE OF 115.00 FEET TO A SET 1/2 INCH DIAMETER REBAR AT A POINT ON THE NORTHWESTERLY MARGIN OF WEST SUL ROSS AVENUE, MARKING THE SOUTHWEST CORNER OF SAID 0.196 ACRE TRACT, AND MARKING THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE: SOUTH 73 DEGREES 04 MINUTES 43 SECONDS WEST WITH THE NORTHWESTERLY MARGIN OF WEST SUL ROSS AVENUE AND THE HEREIN DESCRIBED TRACT FOR A DISTANCE OF 82.00 FEET TO THE PLACE OF BEGINNING AND CONTAINING 0.22 GRID ACRES, MORE OR LESS, OF LAND WITHIN THE HEREIN DESCRIBED BOUNDARY, ACCORDING TO AN ACTUAL ON THE GROUND SURVEY MADE BY D. G. SMYTH AND CO., INC. AND COMPLETED ON JULY 17, 2018. APN: 11154

2. *Instrument to be Foreclosed.* The instrument to be foreclosed is the Deed of Trust dated 08/15/2018 and recorded in Book 358 Page 341 real property records of Brewster County, Texas.

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

Date: 09/06/2022

Time: 01:00 PM

Place: Brewster County, Texas at the following location: THE EAST DOOR OF THE COURTHOUSE 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.





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5. **Obligations Secured.** The Deed of Trust executed by FRANCES M. RICE, provides that it secures the payment of the indebtedness in the original principal amount of \$109,650.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. PHH MORTGAGE CORPORATION is the current mortgagee of the note and deed of trust and PHH MORTGAGE CORPORATION is mortgage servicer. A servicing agreement between the mortgagee, whose address is PHH MORTGAGE CORPORATION c/o PHH MORTGAGE CORPORATION, 1 Mortgage Way, Mail Stop SV-22, Mt. Laurel, NJ 08054 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

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 7-28-22 I filed this Notice of Foreclosure Sale at the office of the Brewster County Clerk and caused it to be posted at the location directed by the Brewster County Commissioners Court.

Certificate of Posting

At 11:53 FILED o'clock A M
Date 7-28-22

SARAH VASQUEZ
County Clerk, Brewster County, TX
By  Deputy