

047

AUG 05 2021

AT 10:30 O'CLOCK A M  
 CARLA KERN  
 County Clerk, Mitchell County, Texas  
 By Deputy

**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 ALL OF LOTS ONE (1), TWO (2), THREE (3), FOUR (4), FIVE (5), SIX (6), SEVEN (7), EIGHT (8), NINE (9), TEN (10), ELEVEN (11), TWELVE (12) IN BLOCK THREE (3) OF THE TEMPLETON ADDITION TO THE TOWN OF LORAIN, MITCHELL COUNTY, TEXAS, AS SHOWN UPON PLAT OF RECORD AS VOLUME 21, PAGE 642, PLAT RECORDS OF MITCHELL COUNTY, TEXAS, SAME NOW APPEARING AS SLIDE 64, SLIDE CABINET, OFFICE OF THE COUNTY CLERK, MITCHELL COUNTY, TEXAS, INCLUDING ALL IMPROVEMENTS THEREON AND APPURTENANCES THERETO;

SAVE AND EXCEPT: THE RIGHT AND INTEREST IN 0.443 ACRES OF LAND CONVEYED BY RIGHT-OF-WAY DEED FROM J.A. FINLEY AND WIFE, LILLIE FINEY, TO THE STATE OF TEXAS DATED SEPTEMBER 7, 1949, OF RECORD AS VOLUME 143, PAGE 304, DEED RECORDS OF MITCHELL COUNTY, TEXAS.

**2. Instrument to be Foreclosed.** The instrument to be foreclosed is the Deed of Trust dated 07/24/2013 and recorded in Document 2611 real property records of Mitchell County, Texas.

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

Date: 09/07/2021

Time: 10:00 AM

Place: Mitchell County, Texas at the following location: AREA INCLUDES THE FRONT STEPS OF THE COURTHOUSE, THIS WAS AMENDED BECAUSE OF THE POSSIBILITY OF THE COURTHOUSE BEING CLOSED FOR A HOLIDAY 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 GARY STRICKLAND AND LINDA STRICKLAND, provides that it secures the payment of the indebtedness in the original principal amount of \$108,450.00, 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, 1Mortgage 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. Order to Foreclose.** PHH MORTGAGE CORPORATION obtained a Order from the 32nd District Court of Mitchell County on 06/30/2021 under Cause No. 17704. 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

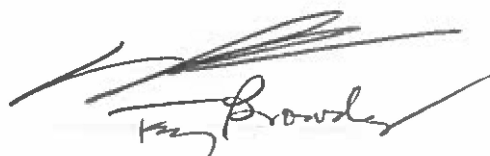
Chelsea Schneider, Attorney at Law

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 Mitchell County Clerk and caused it to be posted at the location directed by the Mitchell County Commissioners Court.