

NOTICE OF FORECLOSURE SALE

FILED FOR RECORD
2024 SEP 10 A 11:42
COUNTY CLERK TITUS CO TX
DEPUT

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 TRACT OF LAND LOCATED IN THE BERRY MERCHANT SURVEY, ABSTRACT NO. 358, TITUS COUNTY, TEXAS, AND BEING PART OF LOT NO. 3 OF BLOCK NO. 9 OF THE PETERMAN ADDITION TO THE CITY OF MOUNT PLEASANT, THE SAME BEING PART OF CITY BLOCK NO. 116 OF THE CITY OF MOUNT PLEASANT (AS SHOWN ON THE 1929 OFFICIAL MAP OF THE CITY OF MOUNT PLEASANT AS SURVEYED BY GEO. G. EHRENBORG), AND BEING ALL OF A TRACT CONVEYED TO THOMAS WHATLEY AND KATHY WHATLEY IN A DEED FOUND IN VOLUME 1516, PAGE 242 OF THE REAL PROPERTY RECORDS OF TITUS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2 INCH IRON ROD FOUND AT THE NORTHWEST CORNER OF SAID WHATLEY TRACT, LOT NO. 3, BLOCK NO. 9 (PETERMAN ADDITION), AND CITY BLOCK NO. 116, THE SAME BEING THE SOUTHEAST CORNER OF THE INTERSECTION OF NORTH MILLER AVENUE AND WEST SEVENTH STREET; THENCE NORTH 88 DEGREES 31 MINUTES 51 SECONDS EAST ALONG THE NORTH LINE OF SAID WHATLEY TRACT, LOT NO. 3, BLOCK NO. 9 (PETERMAN ADDITION), AND CITY BLOCK NO. 116, AND THE SOUTH LINE OF WEST SEVENTH STREET FOR A DISTANCE OF 60.03 FEET TO A 1/2 INCH IRON ROD WITH A CAP MARKED "DCA" FOUND AT THE NORTHEAST CORNER OF SAID WHATLEY TRACT AND THE NORTHWEST CORNER OF A CALLED 0.16 ACRE TRACT CONVEYED TO ANA AIDA R. GARCIA IN A DEED KNOWN AS INSTRUMENT NO. 20087130 OF THE REAL PROPERTY RECORDS OF TITUS COUNTY, TEXAS, FROM WHICH A Y2" IRON ROD WITH A CAP MARKED "DCA" FOUND AT THE NORTHEAST CORNER OF SAID 0.16 ACRE TRACT BEARS NORTH 88 DEGREES 31 MINUTES 51 SECONDS EAST A DISTANCE OF 57.80 FEET, AND A BRIDGE NAIL FOUND BEARS SOUTH 74 DEGREES 41 MINUTES 18 SECONDS WEST A DISTANCE OF 1.86 FEET; THENCE SOUTH 01 DEGREES 03 MINUTES 49 SECONDS EAST ALONG THE EAST LINE OF SAID WHATLEY TRACT AND THE WEST LINE OF SAID 0.16 ACRE TRACT, AND AT A DISTANCE OF 115.00 FEET PASSING THE SOUTHWEST CORNER OF SAID 0.16 ACRE TRACT AND THE NORTHWEST CORNER OF A CALLED 8700.463 SQUARE FEET TRACT CONVEYED TO ALEX J. GRUBBS IN A DEED KNOWN AS INSTRUMENT NO. 20113558 OF THE REAL PROPERTY RECORDS OF TITUS COUNTY, TEXAS, THEN CONTINUING ON ALONG THE WEST LINE OF SAID GRUBBS TRACT, AND AT A DISTANCE OF APPROXIMATELY 126 FEET PASSING NEAR A CHAIN LINK FENCE CORNER AND A WOODEN FENCE CORNER, THEN CONTINUING ON FOR A TOTAL DISTANCE OF 130.51 FEET TO A 1/2 INCH IRON ROD FOUND, IN THE SOUTH LINE OF LOT NO. 3 AND THE NORTH LINE OF LOT NO. 4, AT THE SOUTHEAST CORNER OF SAID WHATLEY TRACT AND THE NORTHEAST CORNER OF A RESIDUE OF LOT NO. 4, FROM WHICH A 1/2 INCH IRON ROD FOUND AT OR NEAR THE SOUTHWEST CORNER OF SAID GRUBBS TRACT AND THE SOUTHEAST CORNER OF A TRACT CONVEYED TO GLEN WAYNE PORTER IN A DEED KNOWN AS INSTRUMENT NO. 20122425 OF THE REAL PROPERTY RECORDS OF TITUS COUNTY, TEXAS; THENCE SOUTH 88 DEGREES 31 MINUTES 51 SECONDS WEST ALONG THE SOUTH LINE OF SAID WHATLEY TRACT AND LOT NO. 3 AND THE NORTH LINE OF LOT NO. 4 AND SAID RESIDUE, GENERALLY SOUTH OF AND PARALLEL TO A WOODEN FENCE AND A CHAIN LINK FENCE, FOR A DISTANCE OF 60.00 FEET TO A 1/2 INCH IRON ROD WITH A CAP MARKED "DENNEY" SET AT THE SOUTHWEST CORNER OF SAID WHATLEY TRACT AND LOT NO. 3 AND THE NORTHWEST CORNER OF SAID RESIDUE AND LOT NO. 4, THE SAME LYING IN THE WEST LINE OF BLOCK NO. 9 (PETERMAN ADDITION) AND CITY BLOCK NO. 116 AND THE EAST LINE OF NORTH MILLER AVENUE; THENCE NORTH 01 DEGREES 04 MINUTES 43 SECONDS WEST ALONG THE WEST LINE OF SAID WHATLEY TRACT, LOT NO. 3, BLOCK NO. 9 (PETERMAN ADDITION), AND CITY BLOCK NO. 116, AND THE EAST LINE OF NORTH MILLER AVENUE, AND AT A DISTANCE OF APPROXIMATELY 4.7 FEET PASSING NEAR A CHAIN LINK FENCE CORNER, THEN CONTINUING ON AND AT A DISTANCE OF APPROXIMATELY 5 FEET PASSING NEAR A WOODEN FENCE CORNER, THEN CONTINUING ON FOR A TOTAL DISTANCE OF 130.51 FEET TO THE PLACE OF BEGINNING, AND CONTAINING 0.1798 ACRES OF LAND.

2. **Instrument to be Foreclosed.** The instrument to be foreclosed is the Deed of Trust dated 04/24/2015 and recorded in Document 20151529 real property records of Titus County, Texas.

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

- Date: 02/04/2025
- Time: 10:00 AM
- Place: Titus County, Texas at the following location: AT THE SOUTH COURTHOUSE STEPS OF THE TITUS COUNTY COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S COURT 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 THOMAS WHATLEY AND KATHY WHATLEY, provides that it secures the payment of the indebtedness in the original principal amount of \$144,750.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. Carrington Mortgage Services LLC is the current mortgagee of the note and deed of trust and CARRINGTON MORTGAGE SERVICES LLC is mortgage servicer. A servicing agreement between the mortgagee, whose address is Carrington Mortgage Services LLC c/o CARRINGTON MORTGAGE SERVICES LLC, 1600 South Douglass Road, Suite 200-A, Anaheim, CA 92806 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.

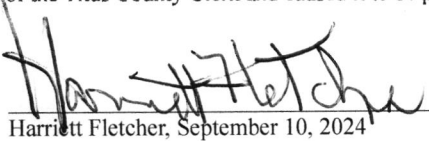


Mackie Wolf Zientz & Mann, P.C.
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For additional sale information visit: www.mwzmlaw.com/tx-investors

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 September 10, 2024 I filed this Notice of Foreclosure Sale at the office of the Titus County Clerk and caused it to be posted at the location directed by the Titus County Commissioners Court.



Harriett Fletcher, September 10, 2024