

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: THE LAND DESCRIBED HEREIN IS SITUATED IN THE STATE OF TEXAS, COUNTY OF LEE, CITY OF GIDDINGS, AND IS DESCRIBED AS FOLLOWS:
TRACT ONE:
BEING 10.00 ACRES, MORE OR LESS, OUT OF THE DREW CHAMPION SURVEY, A-358, LEE COUNTY, TEXAS, MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS ON EXHIBIT "A" CONSISTING OF 1 PAGE ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES: SAVE AND EXCEPT 8.601 ACRES OF LAND MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS ON EXHIBIT "B" CONSISTING OF 1 PAGE ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES.
EXHIBIT A: BEGINNING AT THE NORTH CORNER OF THE HARLEY GOERLITZ 31.868 ACRE TRACT DESCRIBED IN VOL. 194, PAGE 40, LEE COUNTY DEED RECORDS FOR THE EAST CORNER OF THIS TRACT; THENCE SOUTH 42 DEGREES 34 MINUTES WEST WITH THE NORTHWEST LINE OF SAID 31.868 ACRE TRACT; 457.25 VARAS TO AN IRON PIPE SET FOR THE WEST CORNER OF SAID TRACT AND THE SOUTH CORNER OF THIS TRACT; THENCE NORTH 48 DEGREES 07 SECONDS WEST 138 VARAS TO A STAKE FOR THE WEST CORNER OF THIS TRACT; THENCE NORTH 45 DEGREES EAST 465.84 VARAS TO A STAKE FOR THE NORTH CORNER HEREOF OF THE NORTH LINE OF AFORESAID 450 ACRE TRACT; THENCE SOUTH 45 EAST WITH SAID LINE. 121.32 VARAS TO THE PLACE OF BEGINNING, CONTAINING 10 ACRES OF LAND, MORE OR LESS.
EXHIBIT B: SAVE AND EXCEPT TRACT:
BEING 8.601 ACRES OF LAND, A PART OF THE DREW CHAMPION SURVEY, ABSTRACT 358, LEE COUNTY, TEXAS AND BEING A PART OF A CALLED 10 ACRE TRACT CONVEYED TO J.C. HELMER ET UX BY DEED RECORDED IN VOLUME 243, PAGE 199, LESS A 1.000 ACRE TRACT DESCRIBED IN A TEXAS HOME EQUITY AFFIDAVIT AND AGREEMENT BETWEEN J.C. HELMER ET UX AND FIRSTPLUS FINANCIAL, INC. RECORDED IN VOLUME 824, PAGE 437 OF THE REAL PROPERTY RECORDS OF LEE COUNTY, TEXAS SAID 1.000 ACRE TRACT RELEASTED BY CITIFINANCIAL MORTGAGE COMPANY, INC. BY RELEASE OF LIEN RECORDED IN VOLUME 937, PAGE 25 OF THE REAL PROPERTY RECORDS OF LEE COUNTY, TEXAS,
BEGINNING AT A 3/4 INCH IRON PIPE FOUND IN THE SOUTHWEST MARGIN OF LEE COUNTY ROAD 133, FOR THE NORTH CORNER OF A 31.868 ACRE TRACT CONVEYED TO HARLEY GOERLITZ ET UX BY DEED RECORDED IN VOLUME 194, PAGE 40, THE EAST CORNER OF SAID 10 ACRE HELMER TRACT, AND THE NORTHERLY EAST CORNER HEREOF;
THENCE WITH THE NORTHWEST LINE OF SAID 31.868 ACRE GOERLITZ TRACT THE SOUTHEAST LINE OF SAID 10 ACRE HELMER TRACT, SOUTH 39 DEGREES 35 MINUTES 31 SECONDS WEST - 619.53 FEET TO A 5/8 INCH REBAR TH PLASTIC CAP MARKED "4428" SET FOR THE EAST CORNER OF A 1.546 ACRE TRACT 2 THIS DAY SURVEYED, AND THE EASTERLY SOUTH CORNER HEREOF;
THENCE ACROSS SAID 10 ACRE HELMER TRACT, WITH THE NORTHEAST LINE OF SAID 1.546 ACRE TRACT 2 THIS DAY SURVEYED, NORTH 50 DEGREES 24 MINUTES 29 SECONDS WEST AT 158.63 FEET PASS A 5/8 INCH REBAR WITH PLASTIC CAP MARKED "4428" SET FOR THE POINT OF TERMINATION OF A THIRTY (30) FOOT WIDE PERMANENT EASEMENT AND RIGHT OF WAY SURVEYED, AND CONTINUING FOR A TOTAL DISTANCE OF 180.01 FEET TO A 5/8 INCH REBAR WITH PLASTIC CAP MARKED "4428" SET, FOR THE NORTH CORNER OF SAID 1.546 ACRE TRACT 2 THIS DAY SURVEYED, AND AN INTERIOR CORNER HEREOF;
THENCE CONTINUING ACROSS SAID 10 ACRE HELMER TRACT, WITH THE NORTHWEST LINE OF SAID 1.546 ACRE TRACT 2 THIS DAY SURVEYED AS FOLLOWS:
SOUTH 55 DEGREES 51 MINUTES 00 SECONDS WEST - 132.49 FEET TO A 5/8 INCH REBAR WITH PLASTIC CAP MARKED "4428" SET, SOUTH 20 DEGREES 51 MINUTES 08 SECONDS WEST - 170.13 FEET TO A 5/8 INCH REBAR WITH PLASTIC CAP MARKED "4428" SET, SOUTH 39 DEGREES 58 MINUTES 44 SECONDS WEST - 71.95 FEET TO A 5/8 INCH REBAR WITH PLASTIC CAP MARKED "4428" SET FOR A WEST CORNER OF SAID 1.546 ACRE TRACT 2 THIS DAY SURVEYED, AND AN INTERIOR CORNER HEREOF;
THENCE CONTINUING ACROSS SAID 10 ACRE HELMER TRACT, WITH THE SOUTHWEST LINE OF SAID 1.546 ACRE TRACT 2 THIS DAY SURVEYED, SOUTH 50 DEGREES 24 MINUTES 29 SECONDS EAST - 162.00 FEET TO A 5/8 INCH REBAR WITH PLASTIC CAP MARKED "4428" SET IN THE NORTHWEST LINE OF SAID 31.868 ACRE GOERLITZ TRACT, THE SOUTHEAST LINE OF SAID 10 ACRE HELMER TRACT, FOR THE SOUTH CORNER OF SAID 1.546 ACRE TRACT 2 THIS DAY SURVEYED, AND THE SOUTHERLY EAST CORNER HEREOF;
THENCE WITH THE NORTHWEST LINE OF SAID 31.868 ACRE GOERLITZ TRACT, THE SOUTHEAST LINE OF SAID 10 ACRE HELMER TRACT, SOUTH 39 DEGREES 35 MINUTES 31 SECONDS WEST - 292.04 FEET TO A 5/8 INCH REBAR WITH PLASTIC CAP MARKED "4428" SET IN THE NORTHEAST LINE OF A 12.778 ACRE TRACT CONVEYED TO GERLINE KIESCHNICK ET VIR BY DEED RECORDED IN VOLUME 520, PAGE 703, FOR THE WEST CORNER OF SAID 31.868 ACRE GOERLITZ TRACT, THE SOUTH CORNER OF SAID 10 ACRE HELMER TRACT, AND THE WESTERLY SOUTH CORNER HEREOF;
THENCE WITH THE NORTHEAST LINE OF SAID 12.778 ACRE KIESCHNICK TRACT, THE SOUTHWEST LINE OF SAID 10 ACRE HELMER TRACT, NORTH 51 DEGREES 59 MINUTES 17 SECONDS WEST - 344.62 FEET TO A 1/2 INCH REBAR FOUND FOR THE SOUTH CORNER OF A 16.817 ACRE TRACT CONVEYED TO MILTON ENDER ET UX BY DEED RECORDED IN VOLUME 617, PAGE 86, THE WEST CORNER OF SAID 10 ACRE HELMER TRACT, AND THE WEST CORNER HEREOF;
THENCE WITH THE SOUTHEAST LINE OF SAID 16.817 ACRE ENDER TRACT, THE NORTHWEST LINE OF SAID 10 ACRE HELMER TRACT, NORTH 39 DEGREES 38 MINUTES 23 SECONDS EAST - 1298.63 FEET TO A 1/2 INCH REBAR FOUND IN THE SOUTHWEST MARGIN OF LEE COUNTY ROAD 133, FOR THE EAST CORNER OF SAID 16.817 ACRE ENDER TRACT, THE NORTH CORNER OF SAID 10 ACRE HELMER TRACT, AND THE NORTH CORNER HEREOF;
THENCE WITH THE SOUTHWEST MARGIN OF LEE COUNTY ROAD 133, THE NORTHEAST LINE OF SAID 10 ACRE HELMER TRACT, SOUTH 47 DEGREES 28 MINUTES 07 SECONDS EAST AT 181.81 FEET PASS A 5/8 INCH

20-006321-210-1 // 4632 COUNTY RD 133, GIDDINGS, TX 78942

FILED AND RECORDED

APR 13 2021



Sharon Blasig
SHARON BLASIG,
COUNTY CLERK, LEE COUNTY TEXAS

REBAR WITH PLASTIC CAP MARKED "4428" SET FOR THE BEGINNING OF A THIRTY (30) FOOT PERMANENT EASEMENT AND RIGHT OF WAY THIS DAY SURVEYED, AND CONTINUING FOR A TOTAL DISTANCE OF 343.86 FEET TO THE PLACE OF BEGINNING AND CONTAINING 8.601 ACRES OF LAND. BEARINGS ARE GRID NAD 83, TEXAS COORDINATE SYSTEM, CENTRAL ZONE. REFERENCE IS HEREBY MADE TO A PLAT ATTACHED HERETO AND MADE A PART HEREOF.

TRACT TWO:

BEING A 30 FOOT WIDE ROAD EASEMENT, OUT OF THE DREW CHAMPION SURVEY, A-358, LEE COUNTY, TEXAS. MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS ON EXHIBIT "C" CONSISTING OF 1 PAGE ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES.

EXHIBIT C: ROAD EASEMENT

BEING A THIRTY (30) FT WIDE ROAD EASEMENT, A PART OF THE DREW CHAMPION SURVEY, ABSTRACT 358, AND BEING A PART OF A 10 ACRE TRACT CONVEYED TO J.C. HELMER, ET UX BY DEED RECORDED IN VOLUME 243, PAGE 199 OF THE DEED RECORDS OF LEE COUNTY, TEXAS. THE CENTERLINE OF SAID THIRTY (30) FOOT WIDE ROAD EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 60D NAIL SET IN THE NORTHEAST LINE OF SAID 10 ACRE HELMER TRACT, AND THE SOUTHWEST MARGIN OF COUNTY ROAD 133, SAID POINT BEARS NORTH 45 DEGREES 00 MINUTES 00 SECONDS WEST 162.05 FEET FROM A 3/4 INCH STEEL PIPE FOUND NEXT TO A 30 INCH LIVE OAK TREE FOR THE NORTH CORNER OF SAID 31.868 ACRE GOERLITZ TRACT, AND THE EAST CORNER OF SAID 10 ACRE HELMER TRACT;

THENCE ACROSS SAID 10 ACRE HELMER TRACT, SOUTH 41 DEGREES 44 MINUTES 36 SECONDS WEST 633.38 FEET, TO A 60D NAIL SET IN THE NORTHEAST LINE OF A 1.000 ACRE TRACT THIS DAY SURVEYED, FOR THE POINT OF TERMINATION OF THE HEREIN DESCRIBED THIRTY (30) FOOT ROAD EASEMENT, SAID POINT BEARS SOUTH 47 DEGREES 57 MINUTES 50 SECONDS EAST 59.20 FEET FROM A 60D NAIL SET FOR THE NORTH CORNER OF SAID 1.000 ACRE TRACT.

BEARINGS ARE BASED ON RECORD CALL FOR THE NORTHEAST LINE OF SAID 10 ACRE HELMER TRACT (243/199) AS APPPEED TO FOUND MONUMENTATION.

PARCEL NUMBER(S): 12778

2. Instrument to be Foreclosed. The instrument to be foreclosed is the Deed of Trust dated 10/07/2008 and recorded in Document 2008-04366 real property records of Lee County, Texas. Re-filed in Document 2021-00824 real property records of Lee County, Texas.

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

Date: 06/01/2021

Time: 01:00 PM


Place: Lee County, Texas at the following location: THE NORTHEAST CORNER OF THE COURTHOUSE, 200 S. MAIN, GIDDINGS, TEXAS 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 J.C. HELMER AND DOROTHY HELMER, provides that it secures the payment of the indebtedness in the original principal amount of \$300,240.00, 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. 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

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SHARON BLASIG
COUNTY CLERK, LEE COUNTY TEXAS

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

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