

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: TRACT 1

4.500 ACRES OF LAND OUT OF THE JEPHTHA BOYCE SURVEY, ABSTRACT NO. 33, LEE COUNTY, TEXAS, COMPRISED OF A PORTION OF THAT TRACT CONVEYED AS 19.919 ACRES TO DAMON JEFF JACKSON AND ANNA LADELLE JACKSON PER VOLUME 803, PAGE 913, DEED RECORDS OF LEE COUNTY AND MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS SURVEYED UNDER THE SUPERVISION OF C. RICHARD RALPH, R.P.L.S. NO. 4758 DURING MAY, 2012:

BEGINNING AT AN IRON ROD SET FOR THE SOUTHEAST CORNER HEREOF AND A POINT ON THE WEST LINE OF COUNTY ROAD NO. 302, WHICH BEARS, FOR REFERENCE, SOUTH 29 DEGREES 30 MINUTES 30 SECONDS WEST (BEARING BASIS PER SAID VOLUME 803, PAGE 913) 312.77 FEET ALONG THE WEST LINE OF SAID COUNTY ROAD NO. 302 FROM AN IRON ROD FOUND FOR THE COMMON EAST CORNER OF SAID 19.919 ACRES AND THAT TRACT CONVEYED AS 86.808 ACRES TO WILLIAM C. KAINER AND ELIZABETH A. KAINER PER VOLUME 870, PAGE 743 OF SAID DEED RECORDS AND FROM WHICH, FOR REFERENCE, AN IRON ROD FOUND FOR THE SOUTHEAST CORNER OF SAID 19.919 ACRES BEARS SOUTH 29 DEGREES 30 MINUTES 30 SECONDS WEST 312.77 FEET;

THENCE THE FOLLOWING FIVE (5) COURSES OVER AND ACROSS SAID 19.919 ACRES:

- 1) NORTH 60 DEGREES 29 MINUTES 30 SECONDS WEST, 300.00 FEET TO AN IRON ROD SET;
- 2) NORTH 29 DEGREES 30 MINUTES 30 SECONDS EAST, 91.78 FEET TO AN IRON ROD SET;
- 3) NORTH 60 DEGREES 42 MINUTES 23 SECONDS WEST, 153.25 FEET TO AN IRON ROD SET;
- 4) SOUTH 29 DEGREES 17 MINUTES 37 SECONDS WEST, 172.98 FEET TO AN IRON ROD SET;
- 5) NORTH 60 DEGREES 42 MINUTES 23 SECONDS WEST, 233.32 FEET TO AN IRON ROD SET FOR THE SOUTHWEST CORNER HEREOF AND A POINT ON THE EAST LINE OF A 2.973 ACRE TRACT OUT OF SAID 19.919 ACRES;

THENCE NORTH 29 DEGREES 17 MINUTES 37 SECONDS EAST, PASS AT 236.09 FEET AN IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAID 2.973 ACRES, CONTINUE FOR A TOTAL OF 389.04 FEET TO AN IRON ROD FOUND FOR THE NORTHWEST CORNER HEREOF AND A POINT ON THE COMMON LINE OF SAID 19.919 ACRES AND SAID 86.808 ACRES;

THENCE THE FOLLOWING THREE (3) COURSES:

- 1) SOUTH 61 DEGREES 01 MINUTES 27 SECONDS EAST, 542.20 FEET TO AN IRON ROD SET FOR THE NORTHWEST CORNER OF A 0.500 ACRE TRACT OUT OF A SAID 19.919 ACRES (TRACT 2);
- 2) SOUTH 29 DEGREES 30 MINUTES 30 SECONDS WEST, 150.00 FEET TO AN IRON ROD SET FOR THE SOUTHWEST CORNER OF SAID 0.500 ACRE;
- 3) SOUTH 61 DEGREES 01 MINUTES 27 SECONDS EAST, 145.21 FEET TO AN IRON ROD SET FOR THE SOUTHEAST CORNER OF SAID 0.500 ACRE AND A POINT ON THE WEST LINE OF SAID COUNTY ROAD NO. 302;

THENCE SOUTH 29 DEGREES 30 MINUTES 30 SECONDS WEST, 162.77 FEET ALONG THE WEST LINE OF SAID COUNTY ROAD NO. 302 TO THE POINT OF BEGINNING CONTAINING 4.500 ACRES OF LAND, MORE OR LESS.

TRACT 2

0.500 ACRE OF LAND OUT OF THE JEPHTHA BOYCE SURVEY, ABSTRACT 33 IN LEE COUNTY, TEXAS COMPRISED OF THAT TRACT CONVEYED AS 0.500 ACRE TO CHARLES C. HENRY AND HELEN A. GREGORY PER VOLUME 1097, PAGE 290, DEED RECORDS OF LEE COUNTY AND MORE PARTICULARLY DESCRIBED BY THE FOLLOWING METES AND BOUNDS OF SURVEY DURING OCTOBER 2018:

BEGINNING AT AN IRON ROD FOUND FOR THE NORTHEAST CORNER HEREOF, THE COMMON EAST CORNER OF SAID 0.500 ACRE AND THAT TRACT CONVEYS AS 86.808 ACRES TO WILLIAM C. KAINER AND ELIZABETH A. KAINER PER VOLUME 870, PAGE 749 OF SAID DEED RECORDS AND A POINT ON THE WEST LINE OF COUNTY ROAD 302;

THENCE SOUTH 27 DEGREES 48 MINUTES 09 SECONDS WEST, (HORIZONTAL CONTROL (BEARING BASIS) PER GRID NORTH, TEXAS CENTRAL COORDINATE ZONE, NAD83) 150.00 FEET ALONG THE WEST LINE OF SAID COUNTY ROAD 302 TO AN IRON ROD FOUND FOR THE SOUTHEAST CORNER HEREOF AND THE COMMON CORNER OF SAID 0.500 ACRE AND THAT TRACT CONVEYED AS 4.500 ACRES TO SAME SAID CHARLES C. HENRY AND HELEN A. GREGORY PER SAID VOLUME 1097, PAGE 290;

THENCE NORTH 62 DEGREES 30 MINUTES 55 SECONDS WEST, 145.21 FEET ALONG THE COMMON LINE OF SAID 0.500 ACRE AND SAID 4.500 ACRES TO AN IRON ROD SET FOR THE SOUTHWEST CORNER HEREOF;

THENCE NORTH 27 DEGREES 48 MINUTES 09 SECONDS EAST, 150.00 FEET TO AN IRON ROD SET FOR THE NORTHWEST CORNER HEREOF, THE COMMON NORTH CORNER OF SAID 0.500 ACRE AND SAID 4.500 ACRES AND A POINT ON THE SOUTH LINE OF SAID 86.808 ACRES;

THENCE SOUTH 62 DEGREES 30 MINUTES 55 SECONDS EAST, 145.21 FEET ALONG THE COMMON LINE OF SAID 0.500 ACRE AND SAID 86.808 ACRES TO THE POINT OF BEGINNING, CONTAINING 0.500 ACRE OF LAND, MORE OR LESS.

2. Instrument to be Foreclosed. The instrument to be foreclosed is the Deed of Trust dated 11/12/2018 and recorded in Document 2018-04812 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: 04/04/2023

Time: 01:00 PM

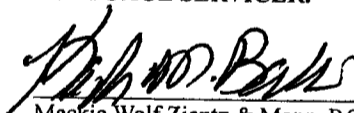
Place: Lee County, Texas at the following location: THE WEST SIDE OF 843 E. INDUSTRY (THE COUNTY CLERK'S BUILDING), S OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE or as designated by the County Commissioners Court.

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 HELEN A. GREGORY, provides that it secures the payment of the indebtedness in the original principal amount of \$630,000.00, 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, 14405 Walters Road, Suite 200, Houston, TX 77014 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

FILED AND RECORDED

FEB 14 2023



Sharon Blasig
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.