

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: ALL THE FOLLOWING DESCRIBED REAL PROPERTY IN LIBERTY COUNTY, TEXAS, TO-WIT: LOT NO. TWENTY-THREE (23), BLOCK NO. THREE (3), OF THE GUNN SUBDIVISION OF A PART OF THE SMITH ADDITION TO THE CITY OF CLEVELAND, LIBERTY COUNTY, TEXAS (ALSO DESCRIBED AS LOT NO. TWENTY TWO (22), SOUTH HALF (1/2) OF BLOCK NO. SEVENTEEN (17), AND BEING THE SAME PROPERTY DESCRIBED IN DEED FROM K. MCCARDELL ETUX., TO JOHN HENRY MCCARDELL, DATED MAY 17, 1945, RECORDED IN VOLUME 280, PAGE 158, DEED RECORDS OF LIBERTY COUNTY, TEXAS. BEING KNOWN AS 803 GUNN STREET, CLEVELAND, TX 77327, APN: 004820-000055-009

2. *Instrument to be Foreclosed.* The instrument to be foreclosed is the Deed of Trust dated 05/03/2018 and recorded in Document 2018016007 real property records of Liberty County, Texas.

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

Date: 12/07/2021

Time: 10:00 AM

Place: Liberty County, Texas at the following location: SOUTH SIDE OF THE COURTHOUSE-1923 SAM HOUSTON-ON THE FRONT STEPS 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

5. *Obligations Secured.* The Deed of Trust executed by JOHN HENRY MCCARDELL, JR, provides that it secures the payment of the indebtedness in the original principal amount of \$127,500.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. AMERICAN ADVISORS GROUP is the current mortgagee of the note and deed of trust and AMERICAN ADVISORS GROUP is mortgage servicer. A servicing agreement between the mortgagee, whose address is AMERICAN ADVISORS GROUP c/o AMERICAN ADVISORS GROUP, 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, L.L.C. 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

1:15 P



Certificate of Posting

I am Tammy Jackson 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 12-21-21 I filed this Notice of Foreclosure Sale at the office of the Liberty County Clerk and caused it to be posted at the location directed by the Liberty County Commissioners Court.

