

NOTICE OF TRUSTEE'S SALE AND APPOINTMENT OF SUBSTITUTE TRUSTEE

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 of 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. Sender is: Codilis & Moody, P.C., 400 North Sam Houston Parkway East, Suite 900A, Houston, Texas 77060

INSTRUMENT BEING FORECLOSED AND MORTGAGE SERVICER INFORMATION

Deed of Trust dated March 13, 2019 and recorded under Vol. 744, Page 855, or Clerk's File No. 55656, in the real property records of WHEELER County Texas, with Max Davis and wife, Christine Davis as Grantor(s) and Mortgage Electronic Registration Systems, Inc., as beneficiary, as nominee for American Financial Resources, Inc., its successors and assigns as Original Mortgagee.

Deed of Trust executed by Max Davis and wife, Christine Davis securing payment of the indebtedness in the original principal amount of \$159,556.00 and obligation therein described including but not limited to the promissory note and all modifications, renewal and extensions of the promissory note (the "Note") executed by Max Davis and Christine Davis. Lakeview Loan Servicing, LLC is the current mortgagee (the "Mortgagee") of the Note and Deed of Trust or Contract Lien.

The Mortgage Servicer is authorized to represent the Mortgagee by virtue of a servicing agreement with the Mortgagee. Pursuant to the Servicing Agreement and Texas Property Code 51.0025, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the property securing the above referenced loan. LoanCare, LLC is acting as the Mortgage Servicer for the Mortgagee. LoanCare, LLC, is representing the Mortgagee, whose address is: 3637 Sentara Way, Virginia Beach, VA 23452.

Legal Description:

A 10.00 ACRE TRACT OF LAND OUT OF THE NORTH ONE-HALF (N/2) OF THE NORTHWEST ONE-QUARTER (NW/4) OF THE SOUTHWEST ONE-QUARTER (SW/4) OF SECTION 10, BLOCK A-4, H&GN RY. CO. SURVEY, WHEELER COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES

SALE INFORMATION

Date of Sale: 12/06/2022

Earliest Time Sale Will Begin: 10:00 AM

Location of Sale: The place of the sale shall be: WHEELER County Courthouse, Texas at the following location: On the first floor at the intersection where the north-south and east-west halls intersect in the Wheeler County Courthouse, or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner's Court

TERMS OF SALE

A default has occurred in the payment of said herein referenced indebtedness, and the same is now wholly due, and the Mortgagee and/or Mortgage Servicer has requested the hereinafter appointed Substitute Trustee to sell said property to the highest bidder for cash and to distribute or apply the proceeds of said sale in accordance with the terms of said Deed of Trust.

The Sale will be conducted as a public auction to the highest bidder for cash, except that Mortgagee's bid may be by credit against the indebtedness secured by the lien of the Deed of Trust. 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.

The sale will begin at the earliest time stated above, or within three (3) hours after that time. If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the funds paid. The Purchaser shall have no further recourse against the Mortgagor, the Mortgagee or the Mortgagee's attorney.

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.

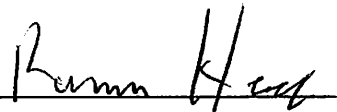
WHEREAS, in my capacity as attorney for the Mortgagee and/or Its Mortgage Servicer, and pursuant to Section 51.0076 of the Texas Property Code, I HEREBY APPOINT AND DESIGNATE Ronnie Heck, Shannon Heck, Antonio Bazaldua, Jay Jacobs, Jose A. Bazaldua, Kevin Key, Susan Bowers, Gabrielle Carrier, Thomas Delaney, Danya Gladney, Aaron Demuth, Codilis & Moody, P.C., or Xome, as Substitute Trustee.

The address for the Substitute Trustee for purposes of Section 51.0075(e) of the Texas Property Code is:
Codilis & Moody, P.C.
400 N. Sam Houston Pkwy E, Suite 900A
Houston, TX 77060
(281) 925-5200

Executed on 10/03/2022.

/s/ Danya F. Gladney SBOT No. 24059786, Attorney at Law
Codilis & Moody, P.C.
400 N. Sam Houston Pkwy E, Suite 900A
Houston, TX 77060
(281) 925-5200

Posted and filed by:



Printed Name:

Ronnie Heck

C&M No. 44-22-2390

EXHIBIT A

A 10.00 acre tract of land out of the North One-Half (N/2) of the Northwest One-Quarter (NW/4) of the Southwest One-Quarter (SW/4) of Section 10, Block A-4, H&GN Ry. Co. Survey, Wheeler County, Texas.

Beginning at a 1/2" iron rod set with a yellow cap in County Road 10 which bears N. 00° 50' 31" W. a distance of 1984.75 feet from a 5/8" iron rod found at the Southwest corner of said Section 10 for the Southwest corner of this tract.

Thence N. 00° 50' 31" W., along said county road, a distance of 660.00 feet to a 1/2" iron rod set with a yellow cap for the Northwest corner of this tract.

Thence N. 89° 16' 58" E., at 15.00 feet pass a 1/2" iron rod set with a yellow cap in the East margin of said county road, a total distance of 660.00 feet to a 1/2" iron rod set with a yellow cap for the Northeast corner of this tract.

Thence S. 00° 50' 31" E. a distance of 660.00 feet to a 1/2" iron rod set with a yellow cap for the Southeast corner of this tract.

Thence S. 89° 16' 58" W., at 644.00 feet pass a 1/2" iron rod set with a yellow cap in said East margin of said county road, a total distance of 660.00 feet to the place of beginning and containing 10.00 acres of land.

FILED FOR RECORD

2022 OCT -6 PM 1:49

MARGARET DORMAN
COUNTY CLERK
WHEELER COUNTY, TEXAS

By *Bobbie Walker*