

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: BEING THE SURFACE AND SURFACE ESTATE ONLY IN AND TO ALL OF BLOCKS NOS. THIRTY-FIVE (35), THIRTY-SEVEN (37), THIRTY-NINE (39), FORTY-ONE (41), FORTY-THREE (43), FORTY-FIVE (45), ALL OUT OF THE WILLIAMS ADDITION TO THE TOWN OF NEWCASTLE, YOUNG COUNTY, TEXAS, AND ALL THAT PORTION OF BLOCK NO. FORTY-SEVEN (47) OF THE WILLIAMS ADDITION TO THE TOWN OF NEWCASTLE, YOUNG COUNTY, TEXAS, DESCRIBED AS BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES.

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BEING 1.0 ACRES, MORE OR LESS, OUT OF BLOCK 47, WILLIAMS ADDITION, CITY OF NEWCASTLE, YOUNG COUNTY, TEXAS. SAID WILLIAMS ADDITION RECORDED IN VOLUME 51, PAGE 482 OF THE DEED RECORDS OF SAID COUNTY. THE SAID 1.0 ACRES BEING DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID BLOCK 47 AND IN THE WEST RIGHT-OF-WAY LINE OF HIGH STREET;

THENCE SOUTH 9 DEGREES 50 MINUTES WEST 103.8 FEET WITH THE EAST LINE OF SAID BLOCK 47 AND WITH SAID RIGHT-OF-WAY LINE TO 1/2 INCH IRON ROD SET IN THE CENTERLINE OF RATTLE SNAKE CREEK;

THENCE IN A WESTERLY DIRECTION WITH THE CENTERLINE OF SAID RATTLE SNAKE CREEK APPROXIMATELY 435 FEET TO THE INTERSECTION OF THE CENTERLINES OF SAID RATTLE SNAKE CREEK AND PEEVLEY CREEK;

THENCE IN A NORTHEASTERLY DIRECTION WITH THE CENTERLINE OF SAID PEEVLEY CREEK APPROXIMATELY 115 FEET TO A POINT IN THE NORTH LINE OF SAID BLOCK 47 FEET

THENCE EAST 369.77 FEET WITH THE NORTH LINE OF SAID BLOCK 47 TO THE POINT OF BEGINNING CONTAINING 1.0 ACRES, MORE OR LESS.

2. *Instrument to be Foreclosed.* The instrument to be foreclosed is the Deed of Trust dated 03/27/2020 and recorded in Document 20000798 real property records of Young County, Texas.

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

Date: 09/05/2023

Time: 01:00 PM


Place: Young County, Texas at the following location: UNDER THE PORTICO AT THE NORTH ENTRANCE OF THE YOUNG COUNTY 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 BRYCE WILCHENSKI AND KOLLEEN WILCHENSKI, provides that it secures the payment of the indebtedness in the original principal amount of \$284,747.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. MIDFIRST BANK is the current mortgagee of the note and deed of trust and MIDFIRST BANK is mortgage servicer. A servicing agreement between the mortgagee, whose address is MIDFIRST BANK c/o MIDFIRST BANK, 999 N.W. Grand Blvd, Oklahoma City, OK 73118 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

For additional sale information visit: www.xome.com or (844) 400-9663

Certificate of Posting

23-000086-365-1 // 906 HIGH ST, NEWCASTLE, TX 76372-0000

FILED FOR RECORD

JUL 20 2023

ANN FORD, COUNTY CLERK
YOUNG COUNTY, TEXAS