

Filed this 9th day of Nov 2023
12:20 P M

TERESA RODRIGUEZ
COUNTY CLERK, CALDWELL COUNTY, TEXAS
By Sandra Guerra Deputy
Sandra Guerra

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.

5965-958

NOTICE OF FORECLOSURE SALE

1 THE PROPERTY TO BE SOLD

COMMONLY KNOWN AS

736 SOUTH BLANCO STREET, LOCKHART, TEXAS 78644

LEGAL DESCRIPTION

SEE EXHIBIT A.

2 THE DEED OF TRUST TO BE FORECLOSED UPON

RECORDED IN REAL PROPERTY RECORDS OF CALDWELL COUNTY

RECORDED ON OCTOBER 19, 2007

UNDER DOCUMENT# 075293

3 THE SALE IS SCHEDULED TO BE HELD

PLACE

DATE

TIME

OUTSIDE THE MAIN ENTRANCE OF THE NEW CALDWELL COUNTY JUSTICE CENTER, LOCATED AT 1703 S. COLORADO ST., LOCKHART, TEXAS 78644

JANUARY 2, 2024

1:00 pm - 4:00 pm

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 § 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.

OBLIGATIONS SECURED

The Deed of Trust executed by JAMES B. PROFFITT and JOANNE C. SMITH-PROFFITT, provides that it secures the payment of the indebtedness in the original principal amount of \$164,400.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. MORTGAGE ASSETS MANAGEMENT, LLC is the current mortgagee of the note and deed of trust and PHH MORTGAGE CORPORATION is the current mortgage servicer. A servicing agreement between the mortgager, whose address is 1661 Worthington Road, Suite #100, West Palm Beach, Florida 33409, and the mortgage service exists. TEXAS PROPERTY CODE § 51.0025 authorizes the mortgage servicer to collect the debt.

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.

In accordance with Texas Property Code § 51.0076, the undersigned attorney for the mortgage servicer has named and appointed, and by these presents does name and appoint the following as Substitute Trustee to act under and by virtue of said Deed of Trust:

SHARLET WATTS, ANGELA ZAVALA, MICHELLE JONES, RICHARD ZAVALA, JR., DEANNA RAY, NICHOLAS S. CAMPBELL, ANNAROSE M. HARDING, SARA A. MORTON, RICHARD McCUTCHEON, HALEY SHEPPARD, and/or BRANCH M. SHEPPARD.

ATTORNEYS AT LAW
Branch M. Sheppard
Annarose M. Harding
Sara A. Morton
Richard McCutcheon

Annarose Harding
GALLOWAY, JOHNSON, TOMPKINS, BURR & SMITH
A PROFESSIONAL LAW CORPORATION
1301 McKinney Street, Suite 1400
Houston, Texas 77010
(713) 599-0700

CERTIFICATE OF POSTING

I declare under penalty of perjury that I filed this Notice of Foreclosure Sale at the office of the County Clerk and caused it to be posted at the location directed by the County Commissioners Court.

POSTED _____

NAME _____ 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.

5965-958

**EXHIBIT A - LEGAL DESCRIPTION
for 736 South Blanco Street, Lockhart, Texas 78644**

BEING .284 ACRES OF LAND, MORE OR LESS, OUT OF THE BYRD LOCKHART SURVEY, ABSTRACT NO. 17, CITY OF LOCKHART, CALDWELL COUNTY, TEXAS, BEING ALL OF A TRACT CALLED 0.280 ACRES AND CONVEYED TO ORAN VENABLE BY DEED RECORDED IN VOLUME 354, PAGE 939, OFFICIAL RECORDS, CALDWELL COUNTY, TEXAS, MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO.

BEGINNING AT A 1/2" IRON PIN FOUND USED FOR BASIS OF BEARING IN THE NW CORNER OF THE SAID 0.280 ACRE TRACT AND THE EAST LINE OF BLANCO STREET AND THE APPARENT SW CORNER OF LOT 10, IN BLOCK 2 OF HUDSON'S ADDITION ACCORDING TO THE MAP OR PLAT RECORDED IN VOLUME 24, PAGE 210 OF THE DEED RECORDS OF CALDWELL COUNTY, TEXAS FOR THE NW CORNER THIS TRACT AND FROM SAID 1/2" IRON PIN FOUND A RAILROAD SPIKE FOUND USED FOR BASIS OF BEARING BEARS N 10 DEGREES 00 MINUTES 00 SECONDS W 263.0 FEET.

THENCE: N 80 DEGREES 00 MINUTES 00 SECONDS E WITH THE NORTH LINE OF THE SAID 0.280 ACRE TRACT AND THE APPARENT SOUTH LINE OF THE ABOVE MENTIONED LOT 10 138.40 FEET TO A CAPPED 1/2" IRON PIN SET IN THE NE CORNER OF THE SAID 0.280 ACRE TRACT AND THE APPARENT NW CORNER OF A TRACT OF LAND CALLED 0.290 ACRES AND CONVEYED TO ANGEL CASTILLO JR. BY DEED RECORDED IN VOLUME 83, PAGE 565 OF THE SAID OFFICIAL RECORDS FOR THE NE CORNER THIS TRACT.

THENCE S 10 DEGREES 00 MINUTES 00 SECONDS E WITH THE EAST LINE OF THE SAID 0.280 ACRE TRACT AND THE APPARENT WEST LINE OF THE ABOVE MENTIONED 0.290 ACRE TRACT 89.39 FEET TO A CAPPED 1/2" IRON PIN SET IN THE SE CORNER OF THE SAID 0.280 ACRE TRACT AND THE APPARENT NORTH LINE OF LOT 1 IN BLOCK 4 OF COOPWOOD AND CONNOLY ADDITION ACCORDING TO THE MAP OR PLAT RECORDED IN VOLUME 50, PAGE 346-347 OF THE SAID DEED RECORDS FOR THE SE CORNER THIS TRACT.

THENCE S 80 DEGREES 00 MINUTES 00 SECONDS W WITH THE SOUTH LINE OF THE SAID 0.280 ACRE TRACT AND THE NORTH LINES OF THE ABOVE MENTIONED LOT 1 AND LOT 2 OF THE ABOVE MENTIONED COOPWOOD AND CONNOLY ADDITION 138.40 FEET TO A CAPPED 1/2" IRON PIN SET IN THE SW CORNER OF THE SAID 0.280 ACRE TRACT AND THE EAST LINE OF BLANCO STREET AND THE NW CORNER OF THE ABOVE MENTIONED LOT 2 FOR THE SW CORNER THIS TRACT.

THENCE N 10 DEGREES 00 MINUTES 00 SECONDS W WITH THE WEST LINE OF THE SAID 0.280 ACRE TRACT AND THE EAST LINE OF BLANCO STREET 89.39 FEET TO THE PLACE OF BEGINNING CONTAINING 0.284 ACRES OF LAND MORE OR LESS.

CERTIFICATE OF POSTING

I declare under penalty of perjury that I filed this Notice of Foreclosure Sale at the office of the County Clerk and caused it to be posted at the location directed by the County Commissioners Court.

POSTED 11/09/2023

NAME Sharlet Watts

Sharlet Watts TRUSTEE