

## 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 ALL OF THAT CERTAIN ONE-HALF (1/2) ACRE TRACT OR PARCEL OF LAND OUT OF AND A PART OF A 1.985 ACRE TRACT OF LAND KNOWN AS TRACT NO. 15 OF THE PARTITION OF THE JAMES LAUBACH, TRUSTEE, 112.933 ACRE TRACT OF LAND (CALLED 112.850 ACRES) SITUATED IN THE WILLIAM HODGE LEAGUE, ABSTRACT NO. 13, CHAMBERS COUNTY, TEXAS, SAID 1/2 ACRE TRACT OF LAND BEING MORE FULLY DESCRIBED BY METES AND BOUNDS, AS FOLLOWS, TO-WIT: COMMENCING AT THE NORTHEAST CORNER OF LAWRENCE SCHAFER ET AL 68.560 ACRE TRACT, AND THE NORTHWEST CORNER AFORESAID JAMES LAUBACH, TRUSTEE, 112.933 ACRE TRACT, SAID COMMENCING POINT SITUATED AT THE SOUTH RIGHT-OF-WAY LINE OF STATE FH HIGHWAY NO. 565; THENCE NORTH 56 DEGREES 53 MINUTES 10 SECONDS EAST ALONG THE SOUTH RIGHT-OF-WAY LINE OF STATE PM HIGHWAY NO. 565, AND THE NORTH LINE AFORESAID 112.933 ACRE TRACT A DISTANCE OF 432.44 FEET TO THE CENTERLINE OF A 70.0 FOOT RIGHT-OF-WAY FOR EGRESS AND INGRESS, THENCE SOUTH 32 DEGREES 53 MINUTES 47 SECONDS EAST ALONG THE CENTERLINE OF SAID 70.0 FOOT RIGHT-OF-WAY, SAID LINE PARALLEL WITH THE WEST BOUNDARY LINE AFORESAID 112.933 ACRE TRACT PASSING AT 1,411.38 FEET THE NORTHWEST CORNER AFORESAID TRACT NO. 15, CONTINUING ALONG SAME LINE IN ALL A TOTAL DISTANCE OF 1,549.38 FEET TO THE NORTHWEST CORNER AND POINT OF BEGINNING OF HEREIN DESCRIBED TRACT; THENCE SOUTH 32 DEGREES 53 MINUTES 47 SECONDS EAST ALONG THE CENTERLINE OF 70.0 FOOT RIGHT-OF-WAY, THE WEST LINE OF TRACT NO. 15 AND THE WEST LINE OF TRACT DESCRIBED, SAID LINE PARALLEL WITH THE WEST LINE OF THE JAMES LAUBACH, TRUSTEE, 112.933 ACRE TRACT, A DISTANCE OF 62.0 FEET TO THE SOUTHWEST CORNER OF TRACT NO. 15 AND THE SOUTHWEST CORNER OF TRACT DESCRIBED, THENCE NORTH 56 DEGREES 53 MINUTES 10 SECONDS EAST ALONG THE SOUTH LINE OF TRACT NO. 15 AND THE SOUTH LINE OF TRACT DESCRIBED, PASSING AT 35.0 FEET A 5/8 INCH STEEL ROD IN THE EAST RIGHT-OF-WAY LINE OF 70.0 FOOT RIGHT-OF-WAY, CONTINUING ALONG SAME LINE IN ALL A TOTAL DISTANCE OF 351.29 FEET TO A 1/2 INCH STEEL ROD SET FOR THE SOUTHEAST CORNER OF TRACT DESCRIBED THENCE NORTH 32 DEGREES 53 MINUTES 47 SECONDS WEST ALONG THE EAST LINE OF TRACT DESCRIBED, SAID LINE PARALLEL WITH THE WEST LINE OF THE JAMES LAUBACH, TRUSTEE, 112.933 ACRE TRACT, A DISTANCE OF 62.0 FEET TO A 1/2 INCH STEEL ROD SET FOR THE NORTHEAST CORNER OF TRACT DESCRIBED; THENCE SOUTH 56 DEGREES 53 MINUTES 10 SECONDS WEST ALONG THE NORTH LINE OF TRACT DESCRIBED, SAID LINE PARALLEL WITH THE SOUTH LINE OF JAMES LAUBACH, TRUSTEE, 112.933 ACRE TRACT, PASSING AT 316.29 FEET A 1/2 INCH STEEL ROD SET IN THE EAST LINE OF 70.0 FOOT RIGHT-OF-WAY, CONTINUING ALONG SAME LINE IN ALL AND TOTAL DISTANCE OF 351.29 FEET TO THE POINT OF BEGINNING, ENCLOSING WITHIN THE BOUNDARY LINES OF TRACT DESCRIBED ONE-HALF (1/2) ACRE OF LAND, MORE OR LESS.

2. *Instrument to be Foreclosed.* The instrument to be foreclosed is the Deed of Trust dated 12/23/2010 and recorded in Book 1247 Page 635 Document 63088 real property records of Chambers County, Texas. Re-filed in Document 2022-188515 real property records of Chambers County, Texas.

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

Date: 03/07/2023

Time: 10:00 AM

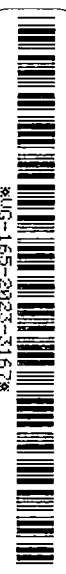
Place: Chambers County, Texas at the following location: ON THE EASTERN-MOST STEPS OF THE SECOND LEVEL (MIDDLE FLOOR) OF CHAMBERS COUNTY COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE or as designated by the County Commissioners Court.

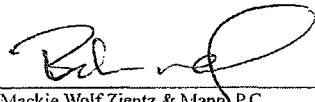
4. *Terms of Sale.* The sale will be conducted as a public auction to the highest bidder for cash. Pursuant to the deed of trust, the mortgagee has the right to direct the Trustee to sell the property in one or more parcels and/or to sell all or only part of the property. Pursuant to section 51.009 of 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 ALFRED FRANZ AND MARGIE FRANZ, provides that it secures the payment of the indebtedness in the original principal amount of \$147,000.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. CAG National Fund II LLC is the current mortgagee of the note and deed of trust and RUSHMORE LOAN MANAGEMENT SERVICES, LLC is mortgage servicer. A servicing agreement between the mortgagee, whose address is CAG National Fund II LLC c/o RUSHMORE LOAN MANAGEMENT SERVICES, LLC, 15480 Laguna Cyn Road, Suite 100, IRVINE, CA 92618 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

Certificate of Posting

I am Tommy 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 2-23-23 I filed this Notice of Foreclosure Sale at the office of the Chambers County Clerk and caused it to be posted at the location directed by the Chambers County Commissioners Court.

FILED FOR RECORD IN:  
Chambers County  
On: 2/3/2023 10:59:10 AM  
Doc Number: 2023-3167  
Number of Pages: 2  
Amount: 10.00  
Order#: 20230203000015  
By: TW



Heather H. Hawthorne, County Clerk

Recorded: T Walker