

FILED FOR RECORD

APR 20 2023

SUSAN STRICKLAND  
COUNTY CLERK, VAN ZANDT CO., TX  
BY \_\_\_\_\_ DEP

## 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 1.200 ACRES OF LAND OF SITUATED IN THE HENRY ASHMORE SURVEY, ABSTRACT 10, VAN ZANDT COUNTY, TEXAS, AND BEING A PART OF THAT CERTAIN CALLED 85-1/2 ACRE TRACT OF LAND DESCRIBED AS FIRST TRACT IN A DEED FROM THE VETERANS' LAND BOARD OF THE STATE OF TEXAS TO CHARLIE D. CASH DATED AUGUST 25, 1970, AND RECORDED IN VOLUME 745, PAGE 269 OF THE DEED RECORDS OF VAN ZANDT COUNTY, TEXAS, SAID 1.200 ACRES TO BE MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A POINT IN THE CENTER LINE OF A COUNTY ROAD, SAME BEING IN THE NORTH BOUNDARY LINE OF THE ABOVE REFERENCED FIRST TRACT, FROM SAID POINT OF BEGINNING A NAIL AT THE NORTHWEST CORNER OF SAID FIRST TRACT BEARS NORTH 88 DEGREES 31 MINUTES 56 SECONDS WEST - 1001.23 FEET AND FROM SAID POINT OF BEGINNING A 1/2 INCH IRON ROD (SET) BEARS SOUTH 01 DEGREES 43 MINUTES 23 SECONDS WEST - 43.19 FEET;  
THENCE SOUTH 88 DEGREES 31 MINUTES 56 SECONDS EAST - 208.78 FEET, WITH SAID CENTER LINE OF ROAD AND WITH THE NORTH BOUNDARY LINE OF SAID FIRST TRACT TO A POINT IN SAME FOR CORNER, FROM SAID CORNER A 1/2 INCH IRON ROD (SET) BEARS SOUTH 01 DEGREES 49 MINUTES 19 SECONDS WEST - 40.68 FEET;  
THENCE SOUTH 01 DEGREES 49 MINUTES 19 SECONDS WEST -249.51 FEET TO A 1/2 INCH IRON ROD (SET), ON SAME BEARING 87.0 FEET SOUTHERLY OF A FENCE CORNER FOR THE SOUTHEAST CORNER OF THIS;  
THENCE NORTH 89 DEGREES 07 MINUTES 04 SECONDS WEST -208.37 - FEET TO A 1/2 INCH IRON ROD (SET) FOR THE SOUTHWEST CORNER OF THIS;  
THENCE NORTH 01 DEGREES 43 MINUTES 23 SECONDS EAST-251.64 FEET, BACK TO THE PLACE OF BEGINNING AND CONTAINING 1.200 ACRES OF LAND, OF WHICH 0.20 OF AN ACRE OF LAND IS WITHIN THE RIGHT-OF-WAY LINE OF SAID COUNTY ROAD.

**2. Instrument to be Foreclosed.** The instrument to be foreclosed is the Deed of Trust dated 11/12/2010 and recorded in Document 2010-010084 real property records of Van Zandt County, Texas. Re-filed in Document 2023-001348 real property records of Van Zandt County, Texas.

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

Date: 06/06/2023

Time: 10:00 AM

Place: Van Zandt County, Texas at the following location: THE STEPS OF THE NORTH ENTRANCE TO THE VAN ZANDT COUNTY COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE or as designated by the County Commissioners Court.

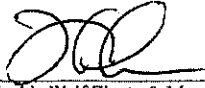
**4. Terms of Sale.** The sale will be conducted as a public auction to the highest bidder for cash. Pursuant to the deed of trust, the mortgagee has the right to direct the Trustee to sell the property in one or more parcels and/or to sell all or only part of the property. Pursuant to section 51.009 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 JOYCE FLOWERS AND MARSHALL FLOWERS, provides that it secures the payment of the indebtedness in the original principal amount of \$150,000.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. BANK OF AMERICA, N.A is the current mortgagee of the note and deed of trust and PHH MORTGAGE CORPORATION is mortgage servicer. A servicing agreement between the mortgagee, whose address is BANK OF AMERICA, N.A c/o PHH MORTGAGE CORPORATION, 14405 Walters Road, Suite 200, Houston, TX 77014 and the mortgage servicer and Texas Property Code § 51.0025 authorizes the mortgage servicer to collect the debt.

**6. Order to Foreclose.** BANK OF AMERICA, N.A obtained a Order from the 294th District Court of Van Zandt County on 04/17/2023 under Cause No. 23-00021. The mortgagee has requested a Substitute Trustee conduct this sale pursuant to the Court's Order.

**7. 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 \_\_\_\_\_ whose address is c/o AVT Title Services, L.L.C. 5177 Richmond Avenue, Suite 1230,  
Houston, TX 77056. I declare under penalty of perjury that on \_\_\_\_\_ I filed this Notice of Foreclosure Sale at the office  
of the Van Zandt County Clerk and caused it to be posted at the location directed by the Van Zandt County Commissioners Court.