

DEC 21 2022 #71

## NOTICE OF FORECLOSURE SALE

Nicole Tanner  
CLERK COUNTY HILL COUNTY TEXAS  
BY M. D. W. DEPUTY

**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: A CERTAIN LOT, TRACT, OR PARCEL OF LAND LYING AND SITUATED IN THE MANUEL MADRIGAL SURVEY A-556 IN HILL COUNTY, TEXAS. SAID LAND IS A PART OR THAT CERTAIN 12.00 ACRE TRACT DESCRIBED IN A RELEASE OF LIEN FROM BOSQUE COUNTY BANK TO JOE DARRELL BROOKS, SR. ET UX, DEBORAH BROOKS RECORDED IN VOLUME 747, PAGE 689 OF THE DEED RECORDS OF HILL COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 5/8 INCH IRON ROD FOUND IN THE NORTH LINE OF HCR #2105S AND IN THE SOUTH LINE OF SAID 12.00 ACRE TRACT FOR THE SOUTHEAST CORNER OF THIS, SAID ROD BEING SOUTH 60 DEGREES 48 MINUTES 38 SECONDS WEST 453.97 FEET FROM A 1/2 INCH IRON ROD FOUND FOR THE SOUTHEAST CORNER OF SAID 12.00 ACRE TRACT;

THENCE WITH THE NORTH LINE OF HCR #2105S, SOUTH 60 DEGREES 48 MINUTES 38 SECONDS WEST 230.00 FEET TO A 1/2 INCH IRON ROD SET FOR THE SOUTHEAST CORNER OF THAT CERTAIN 4.980 ACRE TRACT DESCRIBED IN A DEED TO DANA LANDRUM RECORDED IN VOLUME 1251, PAGE 240 OF THE OFFICIAL PUBLIC RECORDS OF HILL COUNTY, FOR THE SOUTHWEST CORNER OF SAID 12.00 ACRE TRACT, AND FOR THE SOUTHWEST CORNER OF THIS;

THENCE WITH THE EAST LINE OF SAID LANDRUM TRACT, WITH THE WEST LINE OF SAID 12.00 ACRE TRACT, AND GENERALLY ALONG A FENCE AS EXTENDED, NORTH 30 DEGREES 05 MINUTES 16 SECONDS WEST 189.41 FEET TO A 5/8 INCH IRON ROD FOUND FOR THE NORTHWEST CORNER OF THIS;

THENCE NORTH 60 DEGREES 48 MINUTES 38 SECONDS EAST 230.00 FEET TO A 4/8 INCH IRON ROD FOUND FOR THE NORTHEAST CORNER OF THIS;

THENCE SOUTH 30 DEGREES 05 MINUTES 16 SECONDS EAST 189.41 FEET TO THE PLACE OF BEGINNING, CONTAINING 1.000 ACRES OF LAND.

**2. Instrument to be Foreclosed.** The instrument to be foreclosed is the Deed of Trust dated 10/09/2013 and recorded in Book 1773 Page 3 Document 00062510 real property records of Hill County, Texas.

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

Date: 02/07/2023

Time: 11:00 AM

Place: Hill County, Texas at the following location: EAST DOOR OF THE HILL COUNTY COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE or as designated by the County Commissioners Court.

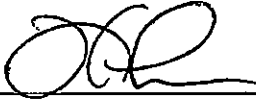
**4. Terms of Sale.** The sale will be conducted as a public auction to the highest bidder for cash. Pursuant to the deed of trust, the mortgagee has the right to direct the Trustee to sell the property in one or more parcels and/or to sell all or only part of the property. Pursuant to section 51.009 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 JOE D. BROOKS AND CHRISTY BROOKS, provides that it secures the payment of the indebtedness in the original principal amount of \$133,200.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. Truist Bank is the current mortgagee of the note and deed of trust and TRUIST BANK is mortgage servicer. A servicing agreement between the mortgagee, whose address is Truist Bank c/o TRUIST BANK, 1001 Seemes Ave, Richmond, VA 23224 and the mortgage servicer and Texas Property Code § 51.0025 authorizes the mortgage servicer to collect the debt.

**6. Order to Foreclose.** Truist Bank obtained a Order from the 66th District Court of Hill County on 12/14/2022 under Cause No. CV506-22DC. 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.**



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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, LLC, 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 Hill County Clerk and caused it to be posted at the location directed by the Hill County Commissioners Court.