

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.

5965-998

NOTICE OF FORECLOSURE SALE

1 THE PROPERTY TO BE SOLD

COMMONLY KNOWN AS

126 LYDA LANE, MARBLE FALLS, TEXAS 78654

LEGAL DESCRIPTION

SEE EXHIBIT A.

2 THE DEED OF TRUST TO BE FORECLOSED UPON

RECORDED IN REAL PROPERTY RECORDS OF
BURNET COUNTY

RECORDED ON
APRIL 20, 2009

UNDER DOCUMENT#
200903427

3 THE SALE IS SCHEDULED TO BE HELD

PLACE

DATE

TIME

THE AREA OUTSIDE THE COUNTY CLERK'S OFFICE,
220 SOUTH PIERCE ST., BURNET, TX ON THE EAST
SIDE OF THE COURTHOUSE OR AS DESIGNATED BY
THE COUNTY COMMISSIONER'S OFFICE

APRIL 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 BONNIE G. COLLIER, provides that it secures the payment of the indebtedness in the original principal amount of \$252,000.00, 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:

MICHELLE JONES, ANGELA ZAVALA, RICHARD ZAVALA, JR., SHARLET WATTS, 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


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 _____

POSTED

Vicinta Stafford
Burnet County Clerk

By Christy Simpson at 9:26 am, Feb 12, 2024

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.

5965-998

**EXHIBIT A – LEGAL DESCRIPTION
for 126 Lyda Lane, Marble Falls, Texas 78654**

BEING 2.34 ACRES OF LAND IN BURNET COUNTY, TEXAS COMPRISED OF APPROXIMATELY 0.32 ACRES OUT OF THE DENNIS WALSH SURVEY NO. 298, ABSTRACT NO. 981 AND APPROXIMATELY 2.02 ACRES OUT OF THE JAMES NOBLE SURVEY NO. 297, ABSTRACT NO. 644, AND BEING THAT SAME 2.54 ACRE TRACT CONVEYED TO BONNIE R. COLLIER IN DEED AS RECORDED IN VOL. 839 AT PAGE 478 OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS, AND FURTHER INCLUDING 0.79 ACRE OF THAT CERTAIN 0.99 ACRE PERPETUAL EASEMENT OF RECORD IN VOL. 646 AT PAGE 382 OF THE REAL PROPERTY RECORDS OF BURNET COUNTY, TEXAS, SAID 2.34 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2 INCH IRON PIN FOUND AT THE NORTHEAST CORNER OF SAID 2.54 ACRE TRACT, THE SOUTHEAST CORNER OF THAT CERTAIN 4.46 ACRE TRACT CONVEYED IN DEED TO STANFORD L. COLLIER AS RECORDED IN VOL. 839 AT PAGE 468 OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS, THE SOUTHWEST CORNER OF THAT CERTAIN 12.27 ACRE TRACT CONVEYED IN DEED TO STANFORD L. COLLIER AS RECORDED IN VOL. 839 AT PAGE 474 OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS, AND THE NORTHWEST CORNER OF THAT CERTAIN 5.48 ACRE TRACT CONVEYED TO STANFORD L. COLLIER IN DEED AS RECORDED IN VOL. 839 AT PAGE 468 OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS, FOR THE NORTHEAST CORNER HEREOF;

THENCE S 23° 08' 00" E ALONG THE EASTERLY LINE HEREOF AT 31.4 FT., PASS A PIPE FENCE CORNER POST, AT 467.52 FT., PASS A 1/2 INCH IRON PIN FOUND AT THE NORTHEAST CORNER OF SAID 0.99 ACRE EASEMENT AT 530.17 FT., PASS A 1/2 INCH IRON PIN FOUND AT THE SOUTHWEST CORNER OF SAID 5.48 ACRE TRACT, THE WEST CORNER OF THAT CERTAIN 4.73 ACRE TRACT DESCRIBED IN DEED TO DAVID FISHER, ET UX AS RECORDED IN VOL. 674 AT PAGE 411 OF THE REAL PROPERTY RECORDS OF BURNET COUNTY, TEXAS AND THE NORTHWEST CORNER OF THAT CERTAIN 3.23 ACRE TRACT DESCRIBED IN DEED TO POWELL CHARLTON, ET UX AS RECORDED IN VOL. 720 AT PAGE 137 OF THE REAL PROPERTY RECORDS OF BURNET COUNTY, TEXAS, AND AT 567.52 FT., IN ALL TO A 60D NAIL FOUND;

THENCE ALONG THE EASTERLY LINE OF SAID 0.99 ACRE TRACT IN TWO (2) COURSES AND DISTANCES AS FOLLOWS:

1) S 19° 39' 00" E 248.13 FT., A 1/2 INCH IRON PIN FOUND; AND
2) S 15° 43' 00" E 116.43 FT., A 1/2 INCH IRON PIN FOUND AT THE WESTERLY CORNER OF THAT CERTAIN 0.20 ACRE TRACT AND THE NORTHERLY CORNER OF THAT CERTAIN 1.00 ACRE TRACT AS BOTH ARE DESCRIBED IN DEED TO DAVID FISHER, ET UX AS RECORDED IN VOL. 576 AT PAGE 49 OF THE REAL PROPERTY RECORDS OF BURNET COUNTY, TEXAS AND THE SOUTHWEST CORNER OF SAID 3.23 ACRE TRACT, AND THE NORTH CORNER OF THAT CERTAIN 0.20 ACRE TRACT DESCRIBED IN DEED FROM W. C. PIERCE, ET UX TO DESSIE LYDA AS RECORDED IN VOL. 238 AT PAGE 741 OF THE DEED RECORDS OF BURNET COUNTY, TEXAS.

THENCE WITH THE WESTERLY LINE OF SAID LYDA 0.20 ACRE TRACT S 9° 56' W 42.0 FT., AND S 22° 39' E 368.1 FT., TO A 1/2 INCH IRON PIN FOUND AT THE SOUTH CORNER OF SAID 0.20 ACRE LYDA TRACT AND SAID 1.00 ACRE FISHER TRACT IN THE NORTHWESTERLY LINE OF BURNET COUNTY ROAD NO. 124, FOR THE SOUTHEAST CORNER OF SAID 0.99 ACRE EASEMENT AND HEREOF;

THENCE S 33° 10' 00" W ALONG THE NORTHWESTERLY SIDE OF SAID COUNTY ROAD 47.00 FT., TO A 1/2 INCH IRON PIN FOUND AND THE SOUTHWEST CORNER OF SAID 0.99 ACRE EASEMENT, A SOUTHEAST CORNER

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.

EXHIBIT A – LEGAL DESCRIPTION (cont.)

OF THAT CERTAIN 3.42 ACRE TRACT DESCRIBED IN DEED TO JAMES SHEPPARD, ET UX AS RECORDED IN VOL. 721 AT PAGE 330 OF THE REAL PROPERTY RECORDS OF BURNET COUNTY, TEXAS, FOR THE SOUTHWEST CORNER HEREOF;

THENCE ALONG THE WESTERLY LINE OF SAID 0.99 ACRE EASEMENT IN FOUR (4) COURSES AND DISTANCES AS FOLLOWS:

- 1) N 16° 02' 00" W 182.80 FT., A 1/2 INCH IRON PIN FOUND;
- 2) N 24° 40' 00" W AT 212.58 FT., PASS THE NORTHEAST CORNER OF SAID 3.42 ACRE TRACT AND THE SOUTHEAST CORNER OF THAT CERTAIN 2.345 ACRE TRACT DESCRIBED IN DEED TO DOUG HOLLEY, ET UX AS RECORDED IN VOL. 682 AT PAGE 861 OF THE REAL PROPERTY RECORDS OF BURNET COUNTY, TEXAS, AND AT 250.80 FT., IN ALL TO A 1/2 INCH IRON PIN FOUND;
- 3) N 15° 43' 00" W 118.14 FT., TO A 1/2 INCH IRON PIN FOUND; AND
- 4) N 20° 45' 55" W AT 134.22 FT., PASS THE CENTERLINE TERMINATION POINT OF THAT CERTAIN 50 FOOT WIDE (CENTRAL) ACCESS EASEMENT OF RECORD IN VOL. 682 AT PAGE 861 OF THE REAL PROPERTY RECORDS OF BURNET COUNTY, TEXAS, THE NORTHEAST CORNER OF SAID 2.345 ACRE TRACT AND THE SOUTHEAST CORNER OF THAT CERTAIN 5.33 ACRE TRACT DESCRIBED IN DEED TO STANFORD L. COLLIER AS RECORDED IN VOL. 839 AT PAGE 471 OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS, AT 159.22 PASS A 1/2 INCH IRON PIN FOUND AT THE NORTHEAST CORNER OF SAID 50 FOOT WIDE ACCESS EASEMENT, AND AT 357.14 FT., IN ALL TO A 1/2 INCH IRON PIN FOUND AT THE NORTHWEST CORNER OF SAID 0.99 ACRE TRACT;

THENCE ALONG THE COMMON BOUNDARY OF SAID 5.33 ACRE TRACT IN THREE (3) COURSES AND DISTANCES AS FOLLOWS:

- 1) N 23° 12' 10" W 92.96 FT., A 1/2 INCH IRON PIN FOUND;
- 2) S 79° 03' 03" W 132.19 FT., TO A 1/2 INCH IRON PIN FOUND; AND
- 3) N 20° 23' 13" W 361.33 FT., TO THE NORTHEAST CORNER OF SAID 5.33 ACRE TRACT IN THE SOUTHERLY LINE OF SAID 4.46 ACRE TRACT, FOR THE NORTHWEST CORNER HEREOF, WHENCE A PIPE FENCE CORNER POST BEARS N 38° 56' W 0.83 FT.;

THENCE N 76° 40' 22" E ALONG THE SOUTHERLY LINE OF SAID 4.46 ACRE TRACT 163.85 FT., TO THE PLACE OF BEGINNING HEREOF AND CONTAINING 2.34 ACRES OF LAND.

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 Feb. 12, 2024

NAME Angela Zavala

Angela Zavala TRUSTEE