

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: TRACT I:

BEING 10.00 ACRES OF LAND OUT OF THE NEWTON CULTON SURVEY NO. 1411, ABSTRACT NO. 1417 IN BURNET COUNTY, TEXAS AND FURTHER BEING THAT SAME 10.00 ACRE TRACT DESCRIBED IN ASSIGNMENT OF VETERANS LAND BOARD CONTRACT OF SALE AND PURCHASE FROM ROGER A. MOELLER TO BOB R. LINDSEY AS RECORDED IN VOLUME 413 AT PAGE 117 OF THE DEED RECORDS OF BURNET COUNTY, TEXAS AND SUBSEQUENTLY CONVEYED FROM THE VETERANS LAND BOARD TO BOB R. LINDSEY BY DEEDS AS RECORDED IN VOLUME 432 AT PAGE 687 ET SEQ. OF THE REAL PROPERTY RECORDS OF BURNET COUNTY, TEXAS AND VOLUME 996 AT PAGE 342 OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 60D NAIL FOUND IN A FENCE CORNER POST AT THE NORTHWEST CORNER OF SAID 10.00 ACRE TRACT AND AT A CORNER IN THE SOUTHERLY LINE OF LOT NO. 12 IN WINDY HILL ESTATES AS RECORDED IN VOLUME 3 AT PAGE 124 OF THE PLAT RECORDS OF BURNET COUNTY, TEXAS AND IN THE EASTERLY LINE OF THAT CERTAIN 244.37 ACRE TRACT DESCRIBED IN DEED TO HUBBARD AS RECORDED IN VOLUME 276 AT PAGE 480 OF THE DEED RECORDS OF BURNET COUNTY, TEXAS, FOR THE NORTHWEST CORNER HEREOF;

THENCE 20 DEGREES 36 MINUTES 00 SECONDS EAST WITH THE FENCED COMMON BOUNDARY OF SAID 244.37 ACRE TRACT AND SAID LINDSEY TRACT 569.74 FEET, TO THE SOUTHWEST CORNER OF SAID LINDSEY TRACT AND THE NORTHWEST CORNER OF THAT CERTAIN 10.00 ACRE TRACT DESCRIBED IN DEED TO DOUGLAS A. BLINDERT AS RECORDED IN VOLUME 1076 AT PAGE 505 OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS, FOR THE SOUTHWEST CORNER HEREOF WHENCE A STEEL "T" FENCE POST IN CONCRETE BEARS SOUTH 60 DEGREES 25 MINUTES WEST 0.66 FEET;

THENCE 69 DEGREES 33 MINUTES 01 SECONDS EAST ALONG THE PARTIALLY FENCED COMMON BOUNDARY OF SAID LINDSEY TRACT AND SAID BLINDERT TRACT AT 823.21 FEET, A 1/2 INCH IRON PIN FOUND IN THE WESTERLY LINE OF A 50 FEET WIDE ACCESS EASEMENT OF RECORD IN VOLUME 330 AT PAGE 887 OF THE DEED RECORDS OF BURNET COUNTY, TEXAS AND AT 848.21 FEET, IN ALL, THE COMMON EASTERLY CORNER OF SAID LINDSEY TRACT AND SAID BLINDERT TRACT IN THE CENTER OF SAID ACCESS EASEMENT AND IN THE WESTERLY LINE OF THAT TRACT CAPTIONED AS 287.50 ACRES SUBSTITUTE TRUSTEE'S DEED TO VIVIAN LEE MADDOX AS RECORDED IN VOLUME 535 AT PAGE 125 OF THE REAL PROPERTY RECORDS OF BURNET COUNTY, TEXAS, FOR THE SOUTHEAST CORNER HEREOF;

THENCE NORTH 20 DEGREES 26 MINUTES 59 SECONDS WEST WITH THE CENTER OF SAID ACCESS EASEMENT 456.57 FEET, TO THE NORTHEAST CORNER OF SAID LINDSEY TRACT IN THE SOUTHERLY LINE OF LOT NO. 15 IN WINDY HILL ESTATES, FOR THE NORTHEAST CORNER HEREOF;

THENCE SOUTH 77 DEGREES 08 MINUTES 11 SECONDS WEST WITH THE FENCED SOUTHERLY LINE OF SAID SUBDIVISION AT 25.22 FEET, A 1/2 INCH IRON PIN FOUND WESTERLY LINE OF SAID ACCESS EASEMENT AT 429.12 FEET, A 1/2 INCH IRON PIN FOUND ARE THE COMMON CORNER OF LOT NOS. 14 AND AT 857.21 FEET, IN ALL, THE PLACE OF BEGINNING HEREOF AND CONTAINING 10.00 ACRES OF LAND, MORE OR LESS.

TRACT II:

FIELD NOTES OF TWO 50.0 FEET WIDE ROADWAY EASEMENTS OUT OF THE JOSEPH BAKER SURVEY NO. 28, ABSTRACT NO. 125, THE NEWTON CULTON SURVEY NO. 1411, ABSTRACT NO. 1417, THE H. M. BABCOCK SURVEY NO. 1388, ABSTRACT NO. 1372, THE CONSTANTINE FOSTER SURVEY, ABSTRACT NO. 320 AND THE TEXAS CENTRAL RY. CO. SURVEY NO. 83, ABSTRACT NO. 1402 AND BEING A PORTION OF THAT CERTAIN LOT NO. 15 OF WINDY HILL ESTATES, THE PLAT OF WHICH IS RECORDED IN VOLUME 3, PAGE 124 OF THE BURNET COUNTY PLAT RECORDS, BURNET COUNTY, TEXAS AND BEING A PORTION OF THAT CERTAIN 287.20 ACRE TRACT OF LAND CONVEYED BY VIVIAN LEE MADDOX TO STEPHEN O. HAWKINS, ET AL, SEPTEMBER 26, 1983, RECORDED IN VOLUME 316, PAGE 418, OF THE BURNET COUNTY DEED RECORDS, BURNET COUNTY, TEXAS, SAID 50.0 FEET WIDE ROADWAY EASEMENTS BEING KNOWN AS EASEMENT NO. 1 AND EASEMENT NO. 2 THE CENTERLINES OF WHICH ARE DESCRIBED AS FOLLOWS:

EASEMENT NO. 1:

BEGINNING AT A 1/2 INCH STEEL STAKE IN THE SOUTH RIGHT-OF-WAY LINE OF WINDY HILL DRIVE A 50.0 FEET WIDE ROADWAY SHOWN ON THE PLAT OF SAID WINDY HILL ESTATES AND BEING IN THE NORTH LINE OF SAID LOT NO. 15 FRONT WHICH POINT THE NORTHEAST CORNER OF THE JOSEPH BAKER SURVEY NO. 28 BEARS NORTH 11 DEGREES 16 MINUTES 38 SECONDS EAST 2,517.80 FEET AND THE NORTHEAST CORNER OF SAID LOT NO. 15 BEARS NORTH 73 DEGREES 53 MINUTES 49 SECONDS EAST 78.71 FEET AND NORTH 62 DEGREES 06 MINUTES 06 SECONDS EAST 99.26 FEET;

THENCE WITH THE CENTERLINE OF SAID 50.0 FEET WIDE ROADWAY EASEMENT BEING EASEMENT NO. 1 SOUTH 20 DEGREES 26 MINUTES 59 SECONDS EAST AT 348.69 FEET THE SOUTH LINE OF SAID LOT NO. 15 AND THE NORTH LINE OF SAID 287.50 ACRES, AND AT 1303.10 FEET A 1/2 INCH STEEL STAKE THEREIN BEING THE PLACE OF BEGINNING OF SAID EASEMENT NO. 2, IN ALL A TOTAL DISTANCE OF 2,847.67 FEET AND SOUTH 08 DEGREES 25 MINUTES 02 SECONDS EAST 600.04 FEET TO A 1/2 INCH STEEL STAKE BEING THE

RADIUS POINT OF A CUL-DE-SAC THE RADIUS OF WHICH IS 50.0 FEET, SAID 1/2 INCH STEEL STAKE ALSO BEING THE POINT OF TERMINATION HEREOF.

EASEMENT NO. 2:

BEGINNING AT A 1/3 INCH STEEL STAKE IN THE CENTERLINE OF ABOVE DESCRIBED EASEMENT NO. 1 FROM WHICH POINT THE NORTHEAST CORNER OF JOSEPH BAKER SURVEY NO. 28 BEARS NORTH 00 DEGREES 34 MINUTES 33 SECONDS EAST 3,690.35 FEET, AND THE NORTHEAST CORNER OF SAID LOT NO. 15 BEARS NORTH 20 DEGREES 26 MINUTES 59 SECONDS WEST 1,303.10 FEET, NORTH 73 DEGREES 53 MINUTES 49 SECONDS EAST 78.71 FEET AND NORTH 62 DEGREES 06 MINUTES 06 SECONDS EAST 99.26 FEET;

THENCE WITH THE CENTERLINE OF SAID 50.0 FEET WIDE ROADWAY EASEMENT BEING EASEMENT NO. 2 NORTH 69 DEGREES 33 MINUTES 01 SECONDS EAST 1,229.51 FEET NORTH 15 DEGREES 20 MINUTES 58 SECONDS EAST 1,125.13 FEET AND NORTH 04 DEGREES 16 MINUTES 59 SECONDS EAST 182.11 FEET TO A 1/2 INCH STEEL STAKE BEING THE RADIUS POINT OF A CUL-DE-SAC THE RADIUS OF WHICH IS 50.0 FEET, SAID 1/2 INCH STEEL STAKE ALSO BEING THE POINT OF TERMINATION HEREOF.

2. *Instrument to be Foreclosed.* The instrument to be foreclosed is the Deed of Trust dated 05/30/2006 and recorded in Book 1435 Page 498 Document 007523 real property records of Burnet County, Texas.

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

Date: 04/02/2024

Time: 01:00 PM

Place: Burnet County, Texas at the following location: THE AREA OUTSIDE THE COUNTY CLERK'S OFFICE, 220 SOUTH PIERCE ST, BURNET, TEXAS ON THE EAST SIDE OF THE 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 WAYNE PIKE, provides that it secures the payment of the indebtedness in the original principal amount of \$84,400.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. Carrington Mortgage Services, LLC is the current mortgagee of the note and deed of trust and CARRINGTON MORTGAGE SERVICES LLC is mortgage servicer. A servicing agreement between the mortgagee, whose address is Carrington Mortgage Services, LLC c/o CARRINGTON MORTGAGE SERVICES LLC, 1600 South Douglass Road, Suite 200-A, Anaheim, CA 92806 and the mortgage servicer and Texas Property Code § 51.0025 authorizes the mortgage servicer to collect the debt.

6. *Order to Foreclose.* Carrington Mortgage Services, LLC obtained a Order from the 33rd District Court of Burnet County on 10/13/2023 under Cause No. 55640. 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

For additional sale information visit: www.auction.com or (800) 280-2832

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