

March 7, 2023

002169

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: ALL OF LOTS NOS SEVEN (7) AND EIGHT (8), BLOCK FOUR (4), COLLEGE HEIGHTS ADDITION TO THE CITY OF BALLINGER, RUNNELS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT OF SAID ADDITION OF RECORD IN THE OFFICE OF THE COUNTY CLERK OF RUNNELS COUNTY, TEXAS.

2. *Instrument to be Foreclosed.* The instrument to be foreclosed is the Deed of Trust dated 07/08/2010 and recorded in Book 335 Page 40 Document 4117 real property records of Runnels 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

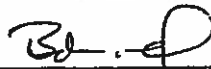
Place: Runnels County, Texas at the following location: OUTSIDE THE FRONT DOOR OF THE COURTHOUSE, INCLUDING THE FRONT LANDING AND STEPS OF THE COURTHOUSE WHICH FACES US HIGHWAY 67 ALSO KNOWN AS HUTCHINGS AVENUE OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE or as designated by the County Commissioners 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 EDWARD DOUGLAS COX AND WINNIE MERLE COX, provides that it secures the payment of the indebtedness in the original principal amount of \$232,500.00, 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 Mackle, Attorney at Law
Michael Zientz, Attorney at Law
Lori Liane Long, Attorney at Law
Chelsea Schneider, Attorney at Law
Ester Gorzales, Attorney at Law
Karla Balli, Attorney at Law
Parkway Office Center, Suite 900
14160 Dallas Parkway
Dallas, TX 75254



POSTED February 3, 2023
At 8:41 o'clock A M
Jennifer Hoffpauir
County Clerk, Runnels County, Texas
By Honey Deputy

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