

002183

May 7th, 2024

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: 1.793 ACRES OF LAND IN BLOCK 1 OF THE CERVENKA ADDITION TO THE TOWN NORTH OF ROWENA, RUNNELS COUNTY, TEXAS, BEING THE SOUTH 150 FEET OF LOT 2 AND THE ONE-HALF (1/2) OF LOT 3 IN SAID BLOCK 1 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2 INCH GALVANIZED IRON STAKE FOUND AT THE SOUTHEAST CORNER OF THAT LAND DESCRIBED IN DEED FROM LARRY GENE PELZEL TO JAMES P. HALFMANN RECORDED IN VOLUME 72, PAGE 315, RUNNELS COUNTY OFFICIAL PUBLIC RECORDS FOR THE NORTHEAST CORNER OF THIS TRACT. SAID POINT IS THE SOUTHEAST CORNER OF A 150 FEET X 220 FEET TRACT SURVEYED ON AUGUST 18, 1993, BY MURL SUDDUTH, RPLS 2928, AND IS 0.2 FEET WEST OF A SHORT LEANING IRON ROD;

THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST 250.00 FEET TO A 1/2 INCH IRON STAKE SET FOR THE SOUTHEAST CORNER OF IN THIS TRACT, SAID POINT BEING LOCATED 3.5 FEET NORTH OF A TREATED POST SET IN CONCRETE;

THENCE NORTH 89 DEGREES 52 MINUTES 00 SECONDS WEST 312.00 FEET PASSING 0.4 FEET NORTH OF THE NORTHWEST CORNER OF A GARAGE TO A 1/2 INCH IRON STAKE SET FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST 250.00 FEET ALONG THE EAST LINE OF HERMAN STREET TO A 1/5 INCH IRON STAKE SET FOR THE NORTHWEST CORNER OF THIS TRACT, SAID POINT BEING LOCATED 1 FOOT SOUTH 27 DEGREES EAST OF A FOUND 1/2 INCH IRON STAKE AND ALSO BEING LOCATED 162.00 FEET NORTH 89 DEGREES 52 MINUTES 00 SECONDS WEST OF A 1/2 INCH IRON STAKE FOUND AT THE SOUTHWEST CORNER OF SAID 150 FEET X 220 FEET TRACT SURVEYED BY MURL SUDDUTH;

THENCE SOUTH 89 DEGREES 52 MINUTES 00 SECONDS EAST 312.00 FEET TO THE PLACE OF BEGINNING.

2. Instrument to be Foreclosed. The instrument to be foreclosed is the Deed of Trust dated 06/22/2015 and recorded in Book 412 Page 617 Document 151274 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: 05/07/2024

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 ROBERT BRZYMIALKIEWICZ AND KRISTEN BRZYMIALKIEWICZ, provides that it secures the payment of the indebtedness in the original principal amount of \$107,171.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. MIDFIRST BANK is the current mortgagee of the note and deed of trust and MIDFIRST BANK is mortgage servicer. A servicing agreement between the mortgagee, whose address is MIDFIRST BANK c/o MIDFIRST BANK, 999 N.W. Grand Blvd, Oklahoma City, OK 73118 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 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


Terry Browder

For additional sale information visit: www.xome.com or (844) 400-9663

Certificate of Posting

I am Terry Browder 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 02-29-24 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.

POSTED February 29, 2024
At 11:50 o'clock A M
Jennifer Hoffpauir
County Clerk, Runnels County, Texas
By Christi Harris Deputy