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FILED
HAYS COUNTY, TEXAS
at 10:47 o'clock A M

FEB 07 2022

Elaine H. Cardenas
COUNTY CLERK

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: METES & BOUNDS DESCRIPTION FOR 0.0841 ACRES OF LAND

A TRACT OF LAND CONTAINING 0.0841 ACRES OUT OF AND PART OF LOT NINE (9), OF THE JOHN SCOTT ADDITION TO THE CITY OF SAN MARCOS, HAYS COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN VOLUME "R", PAGE 255, OF THE HAYS COUNTY DEED RECORDS, SAID 0.0841 ACRES BEING THAT SAME TRACT AS CONVEYED TO ROBERT C. COTNER, JR, AS RECORDED AND DESCRIBED IN VOLUME 1233, PAGE 599, OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A 1/2 INCH IRON ROD FOUND AT THE INTERSECTION OF THE SOUTHWEST RIGHT-OF-WAY OF SCOTT STREET WITH THE NORTHWEST RIGHT-OF-WAY OF WEST SAN ANTONIO STREET FOR THE MOST EASTERLY CORNER OF LOT TEN (10), SAID JOHN SCOTT ADDITION AND FOR THE BEARING BASIS USED HEREIN;

THENCE NORTH 46 DEGREES 02 MINUTES 00 SECONDS WEST, LEAVING SAID WEST SAN ANTONIO STREET RIGHT-OF-WAY AND ALONG THE SOUTHWEST RIGHT-OF-WAY OF SCOTT STREET, A DISTANCE OF 184.77 FEET TO A 1/2 INCH IRON ROD SET FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT, THE NORTHWEST CORNER OF THE NEY TRACT AS DESCRIBED IN VOLUME 2981, PAGE 261, OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, AND FOR THE POINT OF BEGINNING;

THENCE SOUTH 44 DEGREES 01 MINUTES 59 SECONDS WEST, LEAVING THE SAID SCOTT STREET RIGHT-OF-WAY, A DISTANCE OF 121.73 FEET TO A 1/2 INCH IRON ROD SET IN THE NORTHEAST RIGHT-OF-WAY OF AN ALLEY FOR THE SOUTHEAST CORNER OF THIS HEREIN DESCRIBED TRACT AND THE SOUTHWEST CORNER OF THE SAID NEY TRACT, FROM WHICH FOR REFERENCE A 1/2 INCH IRON ROD FOUND AT THE INTERSECTION OF THE NORTHEAST RIGHT-OF-WAY OF THE SAID ALLEY WITH THE NORTHWEST RIGHT-OF-WAY OF WEST SAN ANTONIO STREET FOR THE SOUTH CORNER OF SAID LOT 10 BEARS SOUTH 45 DEGREES 40 MINUTES 26 SECONDS EAST, A DISTANCE OF 182.99 FEET;

THENCE NORTH 46 DEGREES 42 MINUTES 26 SECONDS WEST, ALONG THE SAID ALLEY, A DISTANCE OF 30.00 FEET TO A 1/2 INCH IRON ROD SET FOR THE SOUTHWEST CORNER OF THIS TRACT AND THE SOUTHEAST CORNER OF THE ALLEN TRACT AS DESCRIBED IN VOLUME 914, PAGE 745, OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, FROM WHICH FOR REFERENCE, AN IRON ROD WITH A PLASTIC CAP FOUND AT THE INTERSECTION OF THE NORTHEAST RIGHT-OF-WAY OF THE SAID ALLEY WITH THE SOUTHEAST RIGHT-OF-WAY OF WEST HOPKINS STREET FOR THE WEST CORNER OF LOT EIGHT (8), SAID JOHN SCOTT ADDITION BEARS NORTH 46 DEGREES 42 MINUTES 26 SECONDS WEST, A DISTANCE OF 312.56 TRACT;

THENCE NORTH 44 DEGREES 01 MINUTES 59 SECONDS EAST, LEAVING THE ALLEY, A DISTANCE OF 122.08 FEET TO A 1/2 INCH IRON ROD SET IN THE SOUTHWEST RIGHT-OF-WAY OF SCOTT STREET FOR THE NORTHWEST CORNER OF THIS HEREIN DESCRIBED TRACT AND THE NORTHEAST CORNER OF THE SAID ALLEN TRACT, FROM WHICH FOR REFERENCE AND FOR THE BEARING BASIS USED HEREIN, AN IRON ROD WITH A PLASTIC CAP FOUND AT THE INTERSECTION OF THE SOUTHWEST RIGHT-OF-WAY OF SCOTT STREET WITH THE SOUTHEAST RIGHT-OF-WAY OF WEST HOPKINS STREET FOR THE NORTH CORNER OF SAID LOT 8 BEARS NORTH 46 DEGREES 02 MINUTES 00 SECONDS WEST, A DISTANCE OF 313.15 FEET;

THENCE SOUTH 46 DEGREES 02 MINUTES 00 SECONDS EAST, ALONG THE SOUTHWEST RIGHT-OF-WAY OF SCOTT STREET, A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.0841 ACRES.

2. Instrument to be Foreclosed. The instrument to be foreclosed is the Deed of Trust dated 05/23/2008 and recorded in Book 3395 Page 563 Document 2008-80014113 real property records of Hays County, Texas.

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

Date: 04/05/2022

Time: 10:00 AM

Place: Hays County, Texas at the following location: ON THE FRONT STEPS OF THE HAYS COUNTY GOVERNMENT BUILDING, OR THE PRECEDING AREA IS NO LONGER THE DESIGNATED AREA, AT THE AREA MOST RECENTLY DESIGNATED BY THE COUNTY COMMISSIONER'S COURT 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.

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5. Obligations Secured. The Deed of Trust executed by EDWARD R. LINDQUIST, provides that it secures the payment of the indebtedness in the original principal amount of \$109,250.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. Select Portfolio Servicing, Inc. is the current mortgagee of the note and deed of trust and SELECT PORTFOLIO SERVICING, INC. is mortgage servicer. A servicing agreement between the mortgagee, whose address is Select Portfolio Servicing, Inc. c/o SELECT PORTFOLIO SERVICING, INC., 3217 S. Decker Lake Dr., Salt Lake City, UT 84119 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
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 Hays County Clerk and caused it to be posted at the location directed by the Hays County Commissioners Court.