



## 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: FIELD NOTES FOR 11.8983 ACRES OF LAND OUT OF THE MCLIN BRACEY SURVEY, ABSTRACT NO. 15, IN WALLER COUNTY, TEXAS, BEING OUT OF AND PART OF THE RESIDUE OF THAT CERTAIN (CALLED) 15.00 ACRE TRACT OF LAND AND THE RESIDUE OF THAT CERTAIN 19.837 ACRE TRACT OF LAND, BOTH CONVEYED TO MARILYN YOUNG WARREN AS DESCRIBED IN DEED RECORDED IN VOLUME 678, PAGE 119 OF THE SAID DEED RECORDS, AND BEING FURTHER OUT OF AND PART OF THAT CERTAIN 231.290 ACRE TRACT OF LAND CONVEYED TO L. B. BELL DESCRIBED IN DEED RECORDED IN VOLUME 216, PAGE 208 OF THE SAID DEED RECORDS, AS UNRECORDED SUBDIVISION OF WHICH BEING PREPARED BY W.D. KENNEDY, REGISTERED PUBLIC SURVEY NO. 511 ON A PLAT DATED JUNE 1969, SAID 11.8983 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A 1 INCH GALVANIZED STEEL PIPE FOUND IN THE EASTERLY LINE OF STATE HIGHWAY NO. 6 (RIGHT OF WAY VARIES) MARKING THE SOUTHWEST CORNER OF THE SAID 15.00 ACRE TRACT (COMMONLY REFERRED TO AS TRACT 4 IN SAID UNRECORDED SUBDIVISION) AND THAT CERTAIN 12.000 ACRE TRACT OF LAND CONVEYED TO L.E. STRINGER AND WIFE, DEBORAH STRINGER, SAID POINT BEING THE NORTHWEST CORNER OF THAT CERTAIN (CALLED) 13.753 ACRE TRACT OF LAND CONVEYED TO DAN ORSAK AS DESCRIBED IN DEED RECORDED IN VOLUME 320, PAGE 633 OF THE SAID DEED RECORDS (AND THE NORTHWEST CORNER OF THE TRACT COMMONLY REFERRED TO AS TRACT 3 IN SAID UNRECORDED SUBDIVISION) SAID POINT ALSO BEING IN THE WESTERLY LINE OF THE SAID 231.290 ACRE TRACT;

THENCE NORTH 88 DEGREES 45 MINUTES 24 SECONDS EAST, 1029.40 FEET WITH THE SOUTH LINE OF THE SAID 15.00 ACRE TRACT AND THE SAID 12.0000 ACRE TRACT AND THE COMMON NORTH LINE OF THE SAID 13.753 ACRE TRACT TO A 3/4 INCH GALVANIZED STEEL PIPE FOUND MARKING THE NORTHWEST CORNER OF THE SAID 19.837 ACRE TRACT AND THE MOST WESTERLY NORTHWEST CORNER AND PLACE OF BEGINNING OF THE HEREIN DESCRIBED TRACT, SAID POINT ALSO BEING THE NORTHEAST CORNER OF THE SAID 13.753 ACRE TRACT;

THENCE CONTINUING WITH THE SOUTH LINE OF THE SAID 15.00 ACRE TRACT AND THE SAID 12.0000 ACRE TRACT, AND WITH THE NORTH LINE OF SAID THE 9.837 ACRE TRACT, NORTH 88 DEGREES 45 MINUTES 24 SECONDS EAST, 494.25 FEET TO A 5/8 INCH STEEL ROD SET FOR THE SOUTHEAST CORNER OF THE SAID 12.0000 ACRE TRACT AND AN INTERIOR ELL CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE NORTH 00 DEGREES 52 MINUTES 30 SECONDS WEST 351.04 FEET WITH THE EAST LINE OF THE SAID 12.000 ACRE TRACT TO A 5/8 INCH STEEL ROD SET IN THE NORTH LINE OF THE SAID 15.00 ACRE TRACT (TRACT 4) FOR THE NORTHEAST CORNER OF THE SAID 12.000 ACRE TRACT AND THE MOST NORTHERLY NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT, SAID POINT BEING IN THE SOUTH LINE OF A 15.00 ACRE TRACT OF LAND, COMMONLY REFERRED TO AS TRACT 5 IN SAID UNRECORDED SUBDIVISION;

THENCE NORTH 88 DEGREES 42 MINUTES 43 SECONDS EAST 371.36 FEET WITH THE SOUTH LINE OF SAID TRACT 5 AND THE COMMON NORTH LINE OF THE SAID 15.00 ACRE TRACT (TRACT 4) TO A 1/2 INCH STEEL ROD FOUND MARKING THE NORTHEAST CORNER OF SAID TRACT 5, SAID POINT ALSO BEING THE NORTHWEST CORNER OF THAT CERTAIN 7.934 ACRE TRACT OF LAND CONVEYED TO JOHN M. YOUNG, AS DESCRIBED IN VOLUME 678, PAGE 119 OF THE SAID DEED RECORDS;

THENCE SOUTH 00 DEGREES 52 MINUTES 30 SECONDS EAST (CALLED SOUTH 00 DEGREES 35 MINUTES 07 SECONDS EAST, 300.00 FEET IN 7.934 ACRE DEED) WITH THE WEST LINE OF THE SAID 7.534 ACRE TRACT AND THE COMMON EAST LINE OF THE SAID 15.00 ACRE TRACT (TRACT 4) AT 300.00 FEET PASSING A 1/2 INCH STEEL ROD FOUND MARKING THE SOUTHWEST CORNER OF THE SAID 7.934 ACRE TRACT AND THE MOST NORTHERLY NORTHWEST CORNER OF THE SAID 19.837 ACRE TRACT AND TRACT 2 OF THE SAID UNRECORDED SUBDIVISION, AND CONTINUING WITH THE COMMON LINE OF THE SAID 19.837 ACRE TRACT IN ALL, A TOTAL DISTANCE OF 351.33 FEET TO A 6 INCH WOOD FENCE POST IN CONCRETE FOUND MARKING THE SOUTHEAST CORNER OF THE SAID 15.00 ACRE TRACT (TRACT 4) AND AN ANGLE POINT FOR THE HEREIN DESCRIBED TRACT;

THENCE SOUTH 27 DEGREES 11 MINUTES 48 SECONDS WEST 588.53 FEET WITH THE EASTERLY LINE OF THE SAID RESIDUE TO A 2 INCH STEEL PIPE FOUND MARKING THE SOUTHEAST CORNER OF THE SAID RESIDUE AND THE HEREIN DESCRIBED TRACT, SAID POINT BEING A RETRACT CORNER OF THE SAID 19.837 ACRE TRACT AND SAID TRACT 2;

THENCE SOUTH 86 DEGREES 58 MINUTES 41 SECONDS WEST 612.24 FEET WITH THE SOUTH LINE OF THE SAID 19.837 ACRE TRACT TO A 3/4 INCH STEEL PIPE FOUND MARKING THE SOUTHWEST CORNER OF THE SAID 19.837 ACRE TRACT AND THE HEREIN DESCRIBED TRACT SAID POINT ALSO BEING THE SOUTHEAST CORNER OF THE AFORESAID 13.753 ACRE TRACT;

THENCE NORTH 01 DEGREE 35 MINUTES 50 SECONDS EAST 537.16 FEET WITH THE EAST LINE OF THE SAID 13.753 ACRE TRACT AND THE COMMON WEST LINE OF THE SAID 19.837 ACRE TRACT TO THE PLACE OF BEGINNING AND CONTAINING 11.8983 ACRES OR 518,291 SQUARE FEET OF LAND, MORE OR LESS.



TOGETHER WITH A NON -EXCLUSIVE PRIVATE PASSAGEWAY EASEMENT BEING A 60 FOOT ACCESS EASEMENT SITUATED IN THE MCLIN BRACEY SURVEY, A-15, WALLER COUNTY, TEXAS, ACROSS THE NORTHERN PORTION OF A 13.753 ACRE TRACT IN VOLUME 320, PAGE 633 DEED RECORDS, OF THE DEED RECORDS AND ACROSS THE NORTHERN PORTION OF SUBJECT PROPERTY AS SHOWN IN VOLUME 413, PAGE 384, VOLUME 413, PAGE 830, OF THE DEED RECORDS, VOLUME 678, PAGE 119 OF WALLER COUNTY, TEXAS.

**2. Instrument to be Foreclosed.** The instrument to be foreclosed is the Deed of Trust dated 07/05/2019 and recorded in Document 1905758 real property records of Waller County, Texas.

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

Date: 12/06/2022

Time: 01:00 PM

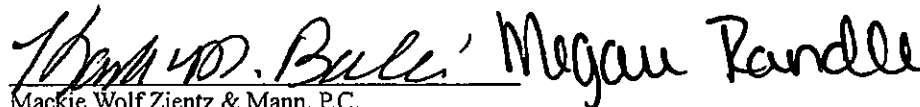
Place: Waller County, Texas at the following location: THE FOYER AT THE SOUTH ENTRANCE OF THE COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE or as designated by the County Commissioners Court.

**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 KIM LANEY AND DANNY LANEY, provides that it secures the payment of the indebtedness in the original principal amount of \$256,345.00, 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. 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

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

# FILED AND RECORDED

**Instrument Number: 22-052**

Filing and Recording Date: 11/04/2022 03:23:00 PM Pages: 3 Recording Fee: \$5.00

I hereby certify that this instrument was FILED on the date and time stamped hereon by me and was duly RECORDED in the OFFICIAL PUBLIC RECORDS of Waller County,



*Debbie Hollan*

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Debbie Hollan, County Clerk  
Waller County, Texas

ANY PROVISION CONTAINED IN ANY DOCUMENT WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE REAL PROPERTY DESCRIBED THEREIN BECAUSE OF RACE OR COLOR IS INVALID UNDER FEDERAL LAW AND IS UNENFORCEABLE.

Marlene Arranaga, Deputy

Returned To: