



## 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: LOT TWO (2), BLOCK FORTY-EIGHT (48), FIRST ADDITION TO THE TOWN OF PERRYTON, OCHILTREE COUNTY, TEXAS, AS THE SAME IS SHOWN UPON THE PLAT OF SAID TOWN ON FILE IN THE OFFICE OF THE COUNTY CLERK OF OCHILTREE COUNTY, TEXAS.

**2. Instrument to be Foreclosed.** The instrument to be foreclosed is the Deed of Trust dated 06/17/2013 and recorded in Book 774 Page 73 Document 102855 real property records of Ochiltree County, Texas. Re-filed in Book 772 Page 546 real property records of Ochiltree County, Texas. Re-filed in Document 102544 real property records of Ochiltree County, Texas.

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

Date: 10/06/2020

Time: 01:00 PM

Place: Ochiltree County, Texas at the following location: THE FRONT DOOR OF THE OCHILTREE COUNTY 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 THEODORE E. BORST AND LORI BORST, provides that it secures the payment of the indebtedness in the original principal amount of \$73,641.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. First Guaranty Mortgage Corporation 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 First Guaranty Mortgage Corporation 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 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

**THIS FORECLOSURE SALE IS BEING CONDUCTED UNDER THE EXCEPTION REFERENCED IN GOVERNOR ABBOTT'S EXECUTIVE ORDER GA-28(1)(A)**

