

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 THIRTY-FOUR (34), WATERFORD HARBOR VILLAS, A REPLAT OF RESERVE "D" OF WATERFORD HARBOR, A SUBDIVISION IN GALVESTON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 18, PAGE 348 OF THE MAP RECORDS OF GALVESTON COUNTY, TEXAS.

2. *Instrument to be Foreclosed.* The instrument to be foreclosed is the Deed of Trust dated 12/17/2015 and recorded in Document 2015078263 real property records of Galveston County, Texas.

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

Date: 02/04/2020

Time: 10:00 AM

Place: Galveston County, Texas at the following location: THE FIRST FLOOR LOBBY OF THE GALVESTON COUNTY COURTHOUSE, 722 MOODY (21st STREET), GALVESTON, TEXAS 77550 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 MARJORIE D. HYATT AND GORDON T. HYATT, JR, provides that it secures the payment of the indebtedness in the original principal amount of \$938,250.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. AMERICAN ADVISORS GROUP is the current mortgagee of the note and deed of trust and AMERICAN ADVISORS GROUP is mortgage servicer. A servicing agreement between the mortgagee, whose address is AMERICAN ADVISORS GROUP c/o AMERICAN ADVISORS GROUP, 3900 Capital City Blvd., Lansing, MI 48906 and the mortgage servicer and Texas Property Code § 51.0025 authorizes the mortgage servicer to collect the debt.

6. *Order to Foreclose.* AMERICAN ADVISORS GROUP obtained a Order from the 212th District Court of Galveston County on 11/07/2019 under Cause No. 19-CV-1237. The mortgagee has requested a Substitute Trustee conduct this sale pursuant to the Court's Order.

7. *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 STEVE LEVA, SANDY DASIGENIS, LILLIAN POELKER, JEFF LEVA, PATRICIA POSTON, MICHAEL ROSSIELLO, BELINDA MCGAUGHY, CARL NIENDORFF, L. KELLER MACKIE, MICHAEL W. ZIENTZ, MICHAEL D. VESTAL, RAFAEL REBONG, ESTER GONZALES, JESSICA HOLT OR WES WEBB, 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
✓ Lori Liane Long, Attorney at Law
Chelsea Schneider, Attorney at Law
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14160 North Dallas Parkway
Dallas, TX 75254

STEVE LEVA, SANDY DASIGENIS, LILLIAN POELKER,
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BELINDA MCGAUGHY, CARL NIENDORFF, L. KELLER
MACKIE, MICHAEL W. ZIENTZ, MICHAEL D. VESTAL,
RAFAEL REBONG, ESTER GONZALES, JESSICA HOLT
OR WES WEBB
c/o AVT Title Services, LLC
5177 Richmond Avenue Suite 1230
Houston, TX 77056

Certificate of Posting

I am STEVE LEVA whose address is c/o AVT Title Services, LLC, AVT Title Services, LLC, 5177 Richmond Avenue, Suite 1230, Houston, TX 77056. I declare under penalty of perjury that on JANUARY 14, 2020 I filed this Notice of Foreclosure Sale at the office of the Galveston County Clerk and caused it to be posted at the location directed by the Galveston County Commissioners Court.



FILED

Instrument Number: *FILED2020000116*

Filing Fee: 23.00

Number Of Pages:2

Filing Date: 01/14/2020 11:13AM

I hereby certify that this instrument was FILED on the date and time stamped hereon and RECORDED in the OFFICIAL PUBLIC RECORDS of Galveston County, Texas.



Dwight D. Sullivan

Dwight D. Sullivan, County Clerk
Galveston County, Texas

DO NOT DESTROY - *Warning, this document is part of the Official Public Record.*