

## 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: ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN THE CITY OF COMANCHE, COMANCHE COUNTY, TEXAS, AND BEING ALL OF LOT NO. 10, CHANEY'S 4TH ADDITION TO THE CITY OF COMANCHE TEXAS, AS SHOWN BY THE PLAT OF SAID ADDITION RECORDED IN VOLUME 90, PAGE 365, DEED RECORDS OF COMANCHE COUNTY, TEXAS, AND TO WHICH SAID PLAT AND DEED AND THE RECORD THEREOF REFERENCE IS HERE MADE FOR ALL LEGAL PURPOSES.

2. **Instrument to be Foreclosed.** The instrument to be foreclosed is the Deed of Trust dated 10/04/2002 and recorded in Book 271 Page 307 real property records of Comanche County, Texas.

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

Date: 04/04/2023

Time: 01:00 PM

Place: Comanche County, Texas at the following location: THE NORTH DOOR 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 JAMES N. DOLBERRY, provides that it secures the payment of the indebtedness in the original principal amount of \$25,000.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. Wells Fargo Bank, National Association, successor by merger to Wells Fargo Bank Minnesota, National Association, as Indenture Trustee for GMACM HOME EQUITY LOAN TRUST 2003-HE2 is the current mortgagee of the note and deed of trust and PHH MORTGAGE CORPORATION is mortgage servicer. A servicing agreement between the mortgagee, whose address is Wells Fargo Bank, National Association, successor by merger to Wells Fargo Bank Minnesota, National Association, as Indenture Trustee for GMACM HOME EQUITY LOAN TRUST 2003-HE2 c/o PHH MORTGAGE CORPORATION, 1661 Worthington Road, Suite 100, West Palm Beach, FL 33409 and the mortgage servicer and Texas Property Code § 51.0025 authorizes the mortgage servicer to collect the debt.

6. **Order to Foreclose.** Wells Fargo Bank, National Association, successor by merger to Wells Fargo Bank Minnesota, National Association, as Indenture Trustee for GMACM HOME EQUITY LOAN TRUST 2003-HE2 obtained a Order from the 220th - COMANCHE CO District Court of Comanche County on 02/06/2023 under Cause No. CV17322. 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 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

**FILED**  
**AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M**

**FEB 23 2023**

  
Clerk, County Court Comanche Co., Texas

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

