

**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 SIXTY TWO (62), OF LOTS 1 THROUGH 80, AND TRACTS A AND B, HIGHLAND OAKS, SUBDIVISION IN SECTION 7, BLOCK AK, LUBBOCK COUNTY, TEXAS, ACCORDING TO THE MAP, PLAT AND/OR DEDICATION DEED THEREOF, RECORDED IN VOLUME 6743, PAGE 85, OFFICIAL REAL PROPERTY RECORDS, LUBBOCK COUNTY, TEXAS.

2. **Instrument to be Foreclosed.** The instrument to be foreclosed is the Deed of Trust dated 03/31/2003 and recorded in Book 8267 Page 304 Document 15795 real property records of Lubbock County, Texas.

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

Date: 12/05/2023

Time: 10:00 AM

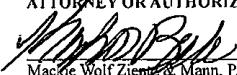
Place: Lubbock County, Texas at the following location: THE GAZEBO LOCATED ON THE FRONT LAWN OF THE COUNTY COURTHOUSE, WITH THE FIRST ALTERNATE LOCATION BEING THE SECOND FLOOR AUDITORIUM AT 916 MAIN AND THE SECOND ALTERNATE LOCATION BEING THE COMMISSIONERS' COURT LOCATED ON THE FIFTH FLOOR OF THE COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE or as designated by the County Commissioners Court.

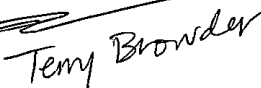
4. **Terms of Sale.** The sale will be conducted as a public auction to the highest bidder for cash. Pursuant to the deed of trust, the mortgagee has the right to direct the Trustee to sell the property in one or more parcels and/or to sell all or only part of the property. Pursuant to section 51.009 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 JOE SHERMAN AND LESLIE SHERMAN, provides that it secures the payment of the indebtedness in the original principal amount of \$270,000.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. WILMINGTON SAVINGS FUND SOCIETY, FSB, NOT IN ITS INDIVIDUAL CAPACITY, BUT SOLELY IN ITS CAPACITY AS TRUSTEE OF NYMT LOAN TRUST I is the current mortgagee of the note and deed of trust and FAY SERVICING, LLC is mortgage servicer. A servicing agreement between the mortgagee, whose address is WILMINGTON SAVINGS FUND SOCIETY, FSB, NOT IN ITS INDIVIDUAL CAPACITY, BUT SOLELY IN ITS CAPACITY AS TRUSTEE OF NYMT LOAN TRUST I c/o FAY SERVICING, LLC, 425 S. Financial Place, Suite 2000, Chicago, IL 60605 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 Maekie, 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

  
Terry Browder

For additional sale information visit: [www.mwzmlaw.com/lx-investors](http://www.mwzmlaw.com/lx-investors)

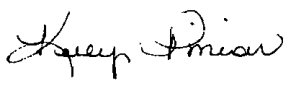
## Certificate of Posting

I am Terry Browder 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 11-2-23 I filed this Notice of Foreclosure Sale at the office of the Lubbock County Clerk and caused it to be posted at the location directed by the Lubbock County Commissioners Court.

**FILED AND RECORDED**

OFFICIAL PUBLIC RECORDS



  
Kelly Pinion, County Clerk  
Lubbock County, TEXAS  
11/02/2023 10:42 AM  
FEE: \$3.00  
2023042287

