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FRCL-2025-7220
TENESHIA HUDSPETH, COUNTY CLERK, HARRIS COUNTY, TEXAS

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 TWELVE (12), IN BLOCK "F", OF WHITE OAK ACRES, A SUBDIVISION IN HARRIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 14, PAGE 35, OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS.

2. *Instrument to be Foreclosed.* The instrument to be foreclosed is the Deed of Trust dated 01/14/2004 and recorded in Document X336815 real property records of Harris County, Texas.

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

Date: 11/04/2025

Time: 10:00 AM

Place: Harris County, Texas at the following location: AT THE MAGNOLIA SOUTH BALLROOM OF THE BAYOU CITY EVENT CENTER LOCATED AT 9401 KNIGHT ROAD, HOUSTON, TX 77045 PER ORDER RECORDED IN CLERK'S FILE NO. RP-2023-304925, or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner's Court, 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 DAVID KMIECIK AND KIMBERLY KMIECIK, provides that it secures the payment of the indebtedness in the original principal amount of \$86,636.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. CITIBANK, N.A., NOT IN ITS INDIVIDUAL CAPACITY BUT SOLELY AS OWNER TRUSTEE FOR NEW RESIDENTIAL MORTGAGE LOAN TRUST 2018-5 is the current mortgagee of the note and deed of trust and SHELLPOINT MORTGAGE SERVICING is mortgage servicer. A servicing agreement between the mortgagee, whose address is CITIBANK, N.A., NOT IN ITS INDIVIDUAL CAPACITY BUT SOLELY AS OWNER TRUSTEE FOR NEW RESIDENTIAL MORTGAGE LOAN TRUST 2018-5 c/o SHELLPOINT MORTGAGE SERVICING, 17000 Katy Freeway, Suite 300, Houston, TX 77094 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

For additional sale information visit: www.auction.com or (800) 280-2832

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