

Notice of [Substitute] Trustee 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 of 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. Date, Time, and Place of Sale.

Date: 07/04/2017

Time: The sale will begin at **01:00 PM** or not later than three hours after that time

Place: **INSIDE THE NORTH ENTRANCE OF THE TERRY COUNTY COURTHOUSE, 500 WEST MAIN, BROWNFIELD, TX PURSUANT TO SECTION 51.002 OF THE TEXAS PROPERTY CODE AS THE PLACE WHERE FORECLOSURE SALES ARE TO TAKE PLACE OR AS DESIGNATED BY THE COUNTY COMMISSIONERS**

Property Address: 1356 Fm 2196, Brownfield, TX 79316-7567

- 2. 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. Any conveyance of the property is subject to all matters of record affecting the property
- 3. Instrument to be Foreclosed:** The Instrument to be foreclosed is the Deed of Trust or Contract Lien dated 12/02/2004 and recorded 12/03/2004 in Document 229381, Book 711 Page 19, real property records of Terry County Texas, with Billie Mae Mitcham, a single woman grantor(s) and Option One Mortgage Corporation, a California Corporation.
- 4. Appointment of Substitute Trustee:** The undersigned has been appointed Substitute Trustee in the place of said original Trustee, upon the contingency and in the manner authorized by the above referenced Deed of Trust.
- 5. Obligation Secured:** Deed of Trust or Contract Lien executed by Billie Mae Mitcham, a single woman securing the payment of the indebtedness in the original principal amount of **\$ 50,065.00**, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. The Bank of New York Mellon, f/k/a The Bank of New York as successor to JPMorgan Chase Bank, N.A. as Trustee for Asset Backed Funding Corporation, Asset-Backed Certificates, Series 2005-HE1 is the current mortgagee of the note and the deed of trust or contract lien.

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6. **Default:** A default has occurred in the payment of indebtedness, and the same is now wholly due, and the owner and holder has requested to sell said property to satisfy said indebtedness.

7. **Property to be sold:** The property to be sold is described as follows:

THE SURFACE ESTATE ONLY in and to a part of the Northeast One-fourth, Section 80, Block 4-X, E. L. & R. R. Co. Survey, in Terry County, Texas, described by metes and bounds as follows, to-wit:

BEGINNING at a railroad spike set in center of paved road for the Northwest corner of the Northeast One-Fourth said Section 80, the Northwest corner of this tract;

THENCE EAST along the North line of said Section 80 a distance of 320.5 feet to a railroad spike set for the Northeast corner of this tract;

THENCE SOUTH parallel with the East line of said Section 80, a distance of 276.4 feet to a ½" rod set for a corner;

THENCE WEST 152.5 feet to a ½" rod set for a corner;

THENCE SOUTH 273.6 feet to a 1" iron pipe set for the Southeast corner of this tract;

THENCE WEST 157 feet to a 1/2" rod set for the Southwest corner of this tract;

THENCE NORTH 1° 15' West along the West line of said Section 80 a distance of 550 feet to the PLACE OF BEGINNING, containing 3 acres of land more or less

8. **Mortgage Servicer Information:** The Mortgage Service is authorized to represent the Mortgagee by virtue of a servicing agreement with the Mortgagee. Pursuant to the Servicing Agreement and Texas Property Code §51.0025, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the lien securing the property referenced above. **Ocwen Loan Servicing, LLC**, as Mortgage Servicer, is representing the current mortgagee, whose address is:

**C/O Ocwen Loan Servicing, LLC
1661 Worthington Rd., Suite 100
West Palm Beach, FL 33409
Phone: 1-800-746-2936**

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9. **Limitation of Damages:** If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the funds paid. The Purchaser shall have no further recourse against the Mortgagor, the Mortgagee, or the Mortgagee's attorney.

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

Date: May 24, 2017

Stephanie Spurlock, Laterrika Thompkins, Camisha Scott, Keisha Lyons, Melisa Jones, Iman Walcott, Tanesha Humphrey, Claire Buxton, – Attorney or Authorized Agent of The Mortgagee or Mortgage Servicer

Ronald Byrd, Kevin Key, Jay Jacobs, Frederick Britton, Ramiro Cuevas, Patricia Sanders, Kelley Burns, Tanya Graham, Evan Press, Jack Burns II, Daniel Willsie, Clay Golden, Jason Spence, Craig Muirhead, Bob Shril, Doug Rodgers, Chance Oliver, Max Murphy or Bret Allen– Substitute Trustee(s)

C/O Power Default Services, Inc.
Northpark Town Center
1000 Abernathy Rd NE; Bldg 400, Suite 200
Atlanta, GA 30328
Telephone: 855-427-2204
Fax: 866-960-8298

POWER DEFAULT SERVICES, INC. MAY BE ACTING AS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED MAY BE USED FOR THAT PURPOSE.

