

TS No.: 2019-01325-TX
18-000682-673

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: 10/01/2019

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

Place: THE FOYER AT THE SOUTH ENTRANCE OF THE COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE 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: 28120 Walker Rd., Hempstead, TX 77445

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 10/30/2009 and recorded 11/04/2009 in Book VOL 1183 Page 217 Document 906001, real property records of Waller County, Texas, with Nancy A. Wagoner, AKA Nancy Ann Wagoner, an unmarried woman, grantor(s) and CORNERSTONE MORTGAGE COMPANY, as Lender, MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., as Beneficiary.

4. Appointment of Substitute Trustee: In accordance with Texas Property Code Sec. 51.0076, the undersigned authorized agent for the mortgage servicer has named and appointed, and by these presents does name and appoint AMY BOWMAN, REID RUPLE, KATHLEEN ADKINS, EVAN PRESS, CARY CORENBLUM, MARIEL MARROQUIN, KRISTOPHER HOLUB, JULIAN PERRINE, JIM DOLENZ, PAULETTE MCCRARY, JOSHUA SANDERS, KINNEY LESTER, MEGAN RANDLE OR EBBIE MURPHY, Substitute Trustee to act under and by virtue of said Deed of Trust.

5. Obligation Secured: Deed of Trust or Contract Lien executed by Nancy A. Wagoner, AKA Nancy Ann Wagoner, an unmarried woman, securing the payment of the indebtedness in the original principal amount of \$78,551.00, and obligations therein described including but not limited to the promissory note; and all modifications, renewals and extensions of the promissory note. PHH MORTGAGE CORPORATION is the current mortgagee of the note and deed of trust or contract lien.



Notice of [Substitute] Trustee Sale

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:

EXHIBIT A

8. Mortgage Servicer Information: The Mortgage Servicer 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. **PHH Mortgage Corporation**, as Mortgage Servicer, is representing the current mortgagee, whose address is:

C/O PHH Mortgage Corporation

**1 Mortgage Way
Mt. Laurel, NJ 08054**

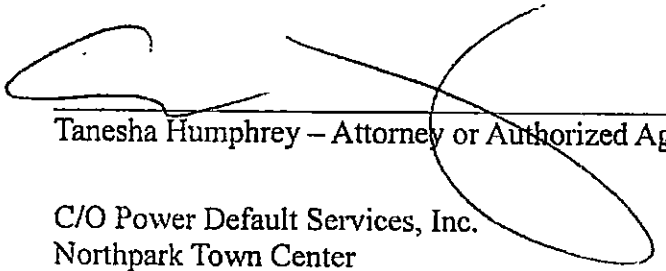
Phone: 877-744-2506

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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: July 24, 2019



Tanesha Humphrey – Attorney or Authorized Agent of The Mortgagee or Mortgage Servicer

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



AMY BOWMAN, REID RUPLE, KATHLEEN ADKINS, EVAN PRESS, CARY CORENBLUM, MARIEL MARROQUIN, KRISTOPHER HOLUB, JULIAN PERRINE, JIM DOLENZ, PAULETTE MCRRARY, JOSHUA SANDERS, KINNEY LESTER, MEGAN RANDLE OR EBBIE MURPHY - Substitute Trustee(s)

C/O AVT Title Services, LLC
5177 Richmond Avenue Suite 1230
Houston, TX 77056

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.

I am Megan L. Randle ^{Certificate of Posting} whose address is c/o AVT Title Services, LLC, 1101 Ridge Rd., Suite 222, Rockwall, TX 75087. I declare under penalty of perjury that on 07/25/19 I filed this Notice of Foreclosure Sale at the office of the Waller County Clerk and caused it to be posted at the location directed by the Waller County Commissioners Court.

EXHIBIT "A"

STATE OF TEXAS §
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COUNTY OF WALLER §

DESCRIPTION

A 2.8048 acre tract of land, located in the William Baird Survey Abstract 10, Waller County, Texas, being out of that certain called 103.89-acre tract of land out of that certain called 104.5-acre tract recorded in Volume 47, Page 483 of the Waller County Deed Records, said 2.8048-acre tract being more particularly described by metes and bounds as follows (Bearings based on Deed recorded in Vol. 263 Pg. 858 D.R.W.C.T.):

COMMENCING at a ¾ inch iron pipe found in the west right-of-way line of Mellman Road (width undetermined) as fenced, marking the northeast corner of a called 103.89-acre tract recorded in Volume 47, Page 483 D.R.W.C.T.;

Thence, South 01°42'40" West, with the west line of said Mellman Road, with a barbed wire fence, a distance of 511.19 feet to a ½ inch iron rod set for corner;

Thence, North 84°17'00" East, continuing with the right-of-way line of said Mellman Road, a distance of 26.20 feet to a ½ inch iron rod set for corner;

Thence, South 01°27'10" West, continuing with the west line of said Mellman Road, along said barbed wire fence, a distance of 240.62 feet to a ½ inch iron rod set in the south fence line of a road easement for the northeast corner and PLACE OF BEGINNING of the herein described tract;

Thence, South 01°27'10" West, continuing with the west line of said Mellman Road, a distance of 239.94 feet to a ½ inch iron rod set in the north line of a called 135.790-acre tract of land described in Deed recorded in Volume 473, Page 917 D.R.W.C.T. for the southeast corner of the herein described tract;

Thence, South 86°31'09" West, continuing with the north line of said called 135.790-acre tract, a distance of 398.00 feet to a ½ inch iron rod set for the most southerly southwest corner of the herein described tract and an interior corner of said called 135.790-acre tract;

Thence, North 01°04'41" West, with a west line of said called 135.790-acre tract, a distance of 145.24 feet to a ¾ inch iron bar found for an interior corner of the herein described tract and the north northeast corner of said called 135.790-acre tract;

Thence, North 89°48'35" West, with the north line of said called 135.790-acre tract, a distance of 94.84 feet to a ½ inch iron rod set for the most westerly southwest corner of the herein described tract and the southeast corner of a called 1.00-acre tract described in Deed recorded in Volume 545, Page 207 D.R.W.C.T.;

Thence, North 01°29'49" East, with the east line of said called 1.00-acre tract, a distance of 138.72 feet to a ½ inch iron rod set in the south fence line of a road easement for the northwest corner of the herein described tract;

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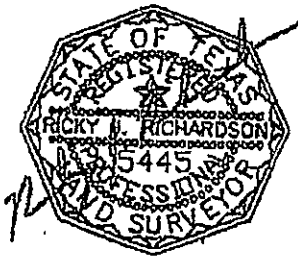
RECORDER'S MEMORANDUM.
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EXHIBIT "A"

2/10/09

Thence, North $89^{\circ}39'31''$ East, with an existing fence line, a distance of 409.97 feet to a 1/2 inch iron rod set for an angle point for the herein described tract;

Thence, South $75^{\circ}29'57''$ East, continuing with the said fence line, a distance of 90.32 feet to the PLACE OF BEGINNING and containing within these calls 2.8048 acres or 122,176 square feet of land.



Ricky J. Richardson
Registered Professional Land Surveyor
No. 5445
Job No. 09-08428C
August 11, 2009

RECORDER'S MEMORANDUM
All or parts of the text on this
page was not clearly legible for
satisfactory recordation.

[Handwritten signature]
fse

FILED AND RECORDED

Instrument Number: 19-065

Filing and Recording Date: 07/25/2019 04:03:04 PM Pages: 6 Recording Fee: \$5.00

I hereby certify that this instrument was FILED on the date and time stamped hereon by me and was duly RECORDED in the OFFICIAL PUBLIC RECORDS of Waller County,



Debbie Hollan

Debbie Hollan, County Clerk
Waller County, Texas

ANY PROVISION CONTAINED IN ANY DOCUMENT WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE REAL PROPERTY DESCRIBED THEREIN BECAUSE OF RACE OR COLOR IS INVALID UNDER FEDERAL LAW AND IS UNENFORCEABLE.

Marlene Arranaga, Deputy

Returned To: