

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: 02/02/2016

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 to the Courthouse or any other area designated by the County Commissioners Court 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: 25080 Fm 1488 Road, Magnolia, TX 77355

2. Terms of Sale: Cash

3. Instrument to be Foreclosed: The Instrument to be foreclosed is the deed of trust or Contract Lien dated 11/22/2006 and recorded 11/27/2006 in Document 609437 real property records of Waller county Texas, with Tami Phillips, an unmarried women grantor(s) and Homecomings Financial, LLC (f/k/a Homecomings Financial network, INC.) as lender, Mortgage Electronic Registration Systems, Inc., as Beneficiary .

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 of Contract Lien executed by Tami Phillips, an unmarried women securing the payment of the indebtedness in the original principal amount of \$ 92,000.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. Deutsche Bank Trust Company Americas, as Trustee for Residential Accredit Loans, Inc., Mortgage Asset-Backed Pass-Through Certificates, Series 2006-QS18 is the current mortgagee of the note and the deed of trust or contract lien.

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.

Notice of [Substitute] Trustee Sale

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

ALL THAT CERTAIN TRACT OR PARCEL CONTAINING 0.6999 ACRE OF LAND SITUATED IN THE JAMES COOPER SURVEY, A-114 IN WALLER COUNTY, TEXAS SAME BEING OUT OF THAT CERTAIN CALL 18.219 ACRE TRACT OF LAND AS DESCRIBED IN A DEED FILED FOR RECORD IN VOLUME 920, PAGE 765 OF THE OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, WALLER COUNTY, TEXAS, (O.P.R.R.P.W.C.T.), SAID 0.6999 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A 2" IRON PIPE (FOUND) IN THE NORTHERLY RIGHT-OF-WAY LINE OF F.M.1488 MARKING THE SOUTHWEST CORNER OF THAT CERTAIN CALL 14.566 ACRE TRACT OF LAND BEING THE REMAINDER OF THAT CERTAIN CALL 115.2165 ACRE TRACT OF LANDS AS DESCRIBED IN VOLUME 2401, PAGE 718 OF WALLER COUNTY DEED RECORDS;

THENCE N 70° 21' 23" E, ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID F.M. 1488 AND THE SOUTHERLY LINE OF SAID 14.566 ACRE TRACT OF LAND, PASSING AT 773.28 FEET A ½" IRON ROD (FOUND) MARKING THE SOUTHEAST CORNER OF SAID 14.566 ACRE TRACT OF LAND AND THE MOST SOUTHERLY -SOUTHWEST CORNER OF THAT CERTAIN CALL 45.506 ACRE TRACT OF LAND AS DESCRIBED IN A DEED FILED FOR RECORD IN VOLUME 685, PAGE 351 OF THE O.P.R.R.P.W.C.T, A TOTAL DISTANCE OF 837.09 FEET TO A 5/8" IRON ROD WITH AN EIC CAP (SET) MARKING THE SOUTHEAST CORNER OF SAID 45.506 ACRE TRACT OF LAND, THE SOUTHWEST CORNER OF A NON-EXCLUSIVE 60 FOOT ACCESS EASEMENT AS DESCRIBED IN A DEED FILED FOR RECORD IN VOLUME 920, PAGE 765 OF THE O.P.R.R.P.W.C.T. AND THE SOUTHWEST CORNER OF SAID 18.219 ACRE TRACT OF LAND, FROM WHICH A ½" IRON ROD (FOUND BENT) BEAR S 53° 03' 11" E, 0.62 FEET;

THENCE N 00° 12' 18" W, A DISTANCE OF 1,277.41 FEET, (CALL N 0° 12' 52" W, 1,277.34 FEET), ALONG THE EASTERLY LINE OF SAID 45.506 ACRE TRACT OF LAND THE WESTERLY LINE OF SAID 60 FOOT ACCESS EASEMENT AND A WESTERLY LINE OF SAID 18.219 ACRE TRACT OF LAND TO A ½" IRON ROD (FOUND WITH CAP STAMPED "REINKE RPLS #3971") MARKING THE NORTHWEST CORNER OF SAID 60 FOOT ACCESS EASEMENT, THE SOUTHWEST CORNER OF A CALL 10.00 ACRE TRACT OF LAND AS DESCRIBED IN A DEED FILED FOR RECORDED IN VOLUME 899, PAGE 243 OF THE O.P.R.R.P.W.C.T, AND THE MOST WESTERLY-NORTHWEST CORNER OF SAID 18.219 ACRE TRACT OF LAND;

THENCE S 89° 19' 57" E, (CALL S 89° 17' 10"E), A DISTANCE OF 60.00 FEET ALONG THE COMMON LINE OF SAID 60 FOOT ACCESS EASEMENT, SAID 10.00 ACRE TRACT OF LAND, AND SAID 18.219 ACRE TRACT, TO A 5/8" IRON ROD WITH E.I.C CAP (SET) MARKING THE NORTHEAST CORNER OF SAID 60 FOOT ACCESS EASEMENT AND THE WESTERLY-NORTHWEST CORNER AND POINT OF BEGINNING OF THE HEREIN DESCRIBED 0.6999 ACRE TRACT OF LAND;

Notice of [Substitute] Trustee Sale

THENCE CONTINUING S 89° 19' 57" E, (CALL S89° 17' 10" E), A DISTANCE OF 93.90 FEET THE COMMON LINE OF SAID 10.00 ACRE AND SAID 18.219 ACRE TRACTS OF LAND , TO A 5/8" IRON ROAD WITH E.L.C. CAP(SET) MARKING THE MOST SOUTHERLY-SOUTHEAST CORNER OF SAID 10.00 ACRE THAT AND INTERIOR CORNER OF SAID 18.219 ACRE TRACT OF LAND AND AN INTERIOR CORNER OF THE HEREIN DESCRIBED 0.6999 ACRE TRACT OF LAND;

THENCE N 00° 44' 06" E, A DISTANCE OF 191.28 FEET. (CALL N 00° 42' 49" E, 191.40 FEET), ALONG THE COMMON LINE OF SAID 10.00 ACRE AND SAID 18.219 ACRE TRACTS OF LAND TO A 1/2" IRON ROD WITH CAP (FOUND STAMPED REINKE RPLS #3971) MARKING AN INTERIOR CORNER OF SAID 10.00 ACRE TRACT OF LAND, AN INTERIOR CORNER OF SAID 18.219 ACRE TRACT OF LAND, AND THE NORTHWEST CORNER OF THE HEREIN DESCRIBED 0.7128 ACRE TRACT OF LAND;

THENCE S 89° 20' 07" E, (CALL S 89° 17' 10" E), ALONG THE COMMON LINE OF SAID 10.00 ACRE AND SAID 18.219 ACRE TRACTS OF LAND, PASSING AT 168.51 FEET, (CALL 168.47 FEET),A 1/2" IRON ROD WITH CAP (FOUND STAMPED REINKE RPLS #3971) MARKING AN INTERIOR CORNER OF SAID 10.00 ACRE TRACT OF LAND AN INTERIOR CORNER OF SAID 18.219 ACRE TRACT OF LAND, A TOTAL DISTANCE OF 191.33 FEET TO A 5/8" IRON ROD WITH E.L.C. CAP (SET) MARKING THE NORTHEAST CORNER OF THE HEREIN DESCRIBED 0.6999 ACRE TRACT OF LAND;

THENCE SOUTHWESTERLY, THE FOLLOWING COURSES AND DISTANCES:

S 06° 35' 17" W, A DISTANCE OF 83.77 FEET TO A 5/8" IRON ROD WITH E.L.C CAP (SET) FOR ANGLE POINT:

S 25° 44' 48" W, A DISTANCE OF 69.08 FEET TO A 5/8" IRON ROAD WITH E.L.C CAP (SET) FOR ANGLE POINT;

S 59° 37' 50" W, A DISTANCE OF 79.63 FEET TO A 5/8" IRON ROAD WITH E.L.C CAP (SET) FOR ANGLE POINT S 64° 50' 15" W, A DISTANCE OF 78.81 FEET TO A 5/8" IRON ROAD WITH E.L.C CAP (SET) MARKING THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED 0.6999 ACRE TRACT OF LAND;

**THENCE N 89° 19' 57" W, A DISTANCE OF 85.25 FEET TO A 5/8" IRON ROD WITH E.L.C. CAP (SET) IN THE EAST LINE OF SAID 60 FOOD ACCESS EASEMENT MARKING THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED 0.6999 ACRE TRACT OF LAND;
THENCE N 00° 07' 56" W, A DISTANCE OF 30.01 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.6999 ACRE OF LAND**

Notice of [Substitute] Trustee Sale

**Surveyed on the Ground April 4, 2006
Job No. 06-308-04 (see attached plat)
The Basis of bearing is N 70 Degree 21"23" E Along the
Northerly line of F. M. 1488 and the Southerly line of said
18.219 Acre tract of land per prior deed.**

- 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: 561-682-8000**

- 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.



Patricia Poston, Nick Poston, Megan Randle-Bender, Chance Oliver or Bret Allen Substitute Trustee

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

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

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.

FILED AND RECORDED

Instrument Number: 16-002

Filing and Recording Date: 01/11/2016 12:50:05 PM Pages: 5 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.

Daisy Metcalf, Deputy

Returned To: