



## NOTICE OF FORECLOSURE SALE

1. **Property to Be Sold.** The property to be sold is described as follows:

SEE EXHIBIT `A`

2. **Instrument to be Foreclosed.** The instrument to be foreclosed is the Deed of Trust dated 04/29/2003 and recorded in Book 0779 Page 370 real property records of Waller County, Texas.

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

Date: 11/03/2015

Time: The sale will begin no earlier than 01:00 PM or no later than three hours thereafter.

Place: Waller County Courthouse, Texas, at the following location: THE FOYER AT THE SOUTH ENTRANCE 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. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the property.

Prospective bidders are reminded that by law the sale will necessarily be made subject to all prior matters of record affecting the property, if any, to the extent that they remain in force and effect and have not been subordinated to the deed of trust. The sale shall not cover any part of the property that has been released of public record from the lien of the deed of trust. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any. If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the deposit paid. The Purchaser shall have no further recourse against the Mortgagor, the Mortgagee or the Mortgagee's attorney.

5. **Obligations Secured.** The Deed of Trust executed by TRACY S. LEBLANC AND DEBRA LEBLANC, provides that it secures the payment of the indebtedness in the original principal amount of \$252,000.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR ASSET BACKED SECURITIES CORPORATION HOME EQUITY LOAN TRUST 2003-HE5, ASSET-BACKED PASS-THROUGH CERTIFICATES, SERIES 2003-HE5 is the current mortgagee of the note and deed of trust and OCWEN LOAN SERVICING, LLC is mortgage servicer. A servicing agreement between the mortgagee, whose address is U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR ASSET BACKED SECURITIES CORPORATION HOME EQUITY LOAN TRUST 2003-HE5, ASSET-BACKED PASS-THROUGH CERTIFICATES, SERIES 2003-HE5 c/o OCWEN LOAN SERVICING, LLC, 1661 Worthington Road, Suite 100, West Palm Beach, FL 33409 and the mortgage servicer and Texas Property Code § 51.0025 authorizes the mortgage servicer to collect the debt.

6. **Default and Request to Act.** Default has occurred under the deed of trust and U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR ASSET BACKED SECURITIES CORPORATION HOME EQUITY LOAN TRUST 2003-HE5, ASSET-BACKED PASS-THROUGH CERTIFICATES, SERIES 2003-HE5 obtained a Home Equity Foreclosure Order from the 506th District Court of Waller County on 08/10/2015 under Cause No. 15-05-23127. The mortgagee has requested a Substitute Trustee conduct this sale pursuant to the Court's Order and notice is given that before the sale the mortgagee may appoint another person substitute trustee to conduct the sale.

MEGAN RANDLE-BENDER  
c/o AVT Title Services, LLC  
13770 Noel Road #801529  
Dallas, TX 75380-1529

12-002617-670  
6352 BARTLETT ROAD  
KATY, TX 77493

**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.**

Exhibit "A"

TRACTS

FIELD NOTES FOR A 6300 ACRE TRACT OF LAND IN THE J. W. MCCUTCHEON SURVEY, ABSTRACT 204, WALLER COUNTY, TEXAS, BEING OUT OF THAT CERTAIN CALLED 20001 ACRE TRACT BEING PART OF THE SURVEY OF THAT CERTAIN CALLED 14234 ACRE TRACT, DESCRIBED AS TRACT 1, IN DEED RECORDED IN VOLUME 204, PAGE 200, DEED RECORDS, WALLER COUNTY, TEXAS. THE SAID BEARING IS BASED ON THE WEST LINE OF THE J. W. MCCUTCHEON SURVEY, ABSTRACT 204, BEING THE WEST LINE OF SAID CALLED 20001 ACRE TRACT AS NOTED:

COMMENCING AT A RAILROAD WHEEL FOUND AT THE NORTHWEST CORNER OF THE J. W. MCCUTCHEON SURVEY, ABSTRACT 204, WALLER COUNTY, TEXAS, AS LOCATED IN THE INTERSECTION OF PLANK ROAD AND BARTLETT ROAD

THENCE SOUTH ALONG THE WEST LINE OF THE J. W. MCCUTCHEON SURVEY, ABSTRACT 204, SAME BEING THE EAST LINE OF THE RAILROAD COMPANY SURVEY, SECTION 125, ABSTRACT 204, AS LOCATED IN BARTLETT ROAD 1/2 MILE WEST TO A CORNER MARK SET AT THE SOUTHWEST CORNER OF A 14234 ACRE TRACT, DESCRIBED AS TRACT 1 IN DEED RECORDED IN VOLUME 204, PAGE 200 OF THE DEED RECORDS OF WALLER COUNTY, TEXAS;

THENCE SOUTH 89 DEGREES 51 MINUTES 44 SECONDS EAST, ALONG THE NORTHWEST-ON-WAY LINE OF BARTLETT ROAD, SAME BEING THE SOUTH LINE OF SAID 14234 ACRE TRACT, 1/2 MILE WEST TO A CORNER MARK FOUND AT THE SOUTHWEST CORNER OF THE SAID 14234 ACRE TRACT FOR THE SOUTHWEST CORNER AND PLACE OF BEGINNING OF THE SURVEY DESCRIBED 6300 ACRE TRACT, SAME BEING THE SOUTHWEST CORNER OF A CERTAIN ADJOINING 1200 ACRE TRACT, SURVEYED THIS DATE, BEING A PART OF THE SAID CALLED 14234 ACRE TRACT;

THENCE NORTH 01 DEGREE 07 MINUTES 08 SECONDS WEST, ALONG THE COMMON LINE OF THE SURVEY DESCRIBED TRACT AND THE AFORESAID ADJOINING 1200 ACRE TRACT, SAME BEING THE CORNER LINE OF THE SAID 14234 ACRE TRACT AND THE AFORESAID ADJOINING 1200 ACRE TRACT, WEST 1/2 MILE TO A 20 INCH IRON PIPE FOUND AT THE NORTHWEST CORNER OF THE SAID 14234 ACRE TRACT FOR THE NORTHWEST CORNER OF THE SURVEY DESCRIBED 6300 ACRE TRACT, SAME BEING THE NORTHEAST CORNER OF THE SAID ADJOINING 1200 ACRE TRACT;

THENCE SOUTH 89 DEGREES 51 MINUTES 44 SECONDS EAST, ALONG THE NORTH LINE OF SAID 14234 ACRE TRACT, WEST 1/2 MILE TO A 20 INCH IRON PIPE SET FOR THE NORTHEAST CORNER OF THE SURVEY DESCRIBED 6300 ACRE TRACT, SAME BEING THE NORTHEAST CORNER OF A CERTAIN ADJOINING 1200 ACRE TRACT, SURVEYED THIS DATE, BEING A PART OF THE SAID CALLED 14234 ACRE TRACT;

THENCE SOUTH 01 DEGREE 07 MINUTES 08 SECONDS EAST ALONG THE COMMON LINE OF THE SURVEY DESCRIBED TRACT AND THE AFORESAID ADJOINING 1200 ACRE TRACT, AT 1/2 MILE WEST TO A 20 INCH IRON PIPE SET AT THE SOUTHWEST CORNER OF SAID 14234 ACRE TRACT, SAME BEING THE NORTHEAST CORNER OF A CERTAIN ADJOINING CALLED 60 ACRE TRACT DESCRIBED IN DEED RECORDED IN VOLUME 204, PAGE 211 OF THE DEED RECORDS OF WALLER COUNTY, TEXAS, AND CONTINUING FOR A TOTAL DISTANCE OF 1/2 MILE WEST TO A 20 INCH IRON PIPE SET AT THE NORTH-NORTH-ON-WAY LINE OF BARTLETT ROAD

FOR THE SOUTHWEST CORNER OF THE SURVEY DESCRIBED TRACT, SAME BEING THE SOUTHWEST CORNER OF SAID ADJOINING CALLED 60 ACRE TRACT;

THENCE NORTH 01 DEGREE 07 MINUTES 08 SECONDS WEST, ALONG THE NORTH-NORTH-ON-WAY LINE OF BARTLETT ROAD, SAME BEING THE SOUTH LINE OF THE SAID 14234 ACRE TRACT, 1/2 MILE WEST TO THE PLACE BEGINNING AND CONTINUING 6300 ACRE TRACT, MORE OR LESS.

Filed for Record

May 13

A.D. 2003 at 1:32 o'clock P. M.

RECORDED

May 20

A.D. 2003 at 10:40 o'clock A. M.

CHERYL PETERS, County Clerk, Waller County, Texas

## FILED AND RECORDED

**Instrument Number: 15-065**

Filing and Recording Date: 08/25/2015 09:09:41 AM Pages: 3 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*

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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: