

POSTED
Sharon Ferguson, Brown County Clerk
Time 2:35 pm

DEC 08 2023

By Deputy: *M. M. M.*

NOTICE OF TRUSTEE'S SALE AND APPOINTMENT OF SUBSTITUTE TRUSTEE

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. Sender is: Codilis & Moody, P.C., 20405 State Highway 249, Suite 170, Houston, TX 77070

INSTRUMENT BEING FORECLOSED AND MORTGAGE SERVICER INFORMATION

Deed of Trust dated July 31, 2008 and recorded under Vol. 1715, Page 527 as affected by 2023 2306174, or Clerk's File No. 5817, in the real property records of BROWN County Texas, with Jimmy D. Couch and Mona G. Couch, husband and wife as Grantor(s) and Mortgage Electronic Registration Systems, Inc., as beneficiary, as nominee for Allied Home Mortgage Capital Corporation, A Corporation, its successors and assigns as Original Mortgagee.

Deed of Trust executed by Jimmy D. Couch and Mona G. Couch, husband and wife securing payment of the indebtedness in the original principal amount of \$48,689.00 and obligation therein described including but not limited to the promissory note and all modifications, renewal and extensions of the promissory note (the "Note") executed by Jimmy D. Couch, Mona G. Couch. PENNYMAC LOAN SERVICES, LLC is the current mortgagee (the "Mortgagee") of the Note and Deed of Trust or Contract Lien.

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 property securing the above referenced loan. PennyMac Loan Services, LLC is acting as the Mortgage Servicer for the Mortgagee. PennyMac Loan Services, LLC, is representing the Mortgagee, whose address is: 3043 Townsgate Road, Suite 200, Westlake Village, CA 91361.

Legal Description:

FIELD NOTES FOR A TRACT OF LAND IN BROWN COUNTY, TEXAS, SAID TRACT BEING ALL OF LOT 6, BLOCK 4, OF THE OAKS ADDITION TO THE CITY OF BROWNWOOD, ACCORDING TO THE PLAT OF RECORD RECORDED IN VOLUME 1, PAGE 60, PLAT RECORDS OF BROWN COUNTY, TEXAS, SAID TRACT BEING THE SAME TRACT DESCRIBED IN A DEED FROM RITA SCHUETZE TO MARY KIMBRELL, AS RECORDED IN VOLUME 1428, PAGE 784, REAL PROPERTY RECORDS OF BROWN COUNTY, TEXAS, SAID TRACT BEING SOMETIMES KNOWN AS 1811 10TH STREET AND BEING MORE PARTICULARLY DESCRIBED BY EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES:

SALE INFORMATION

Date of Sale: 02/06/2024

Earliest Time Sale Will Begin: 10:00 AM

Location of Sale: The place of the sale shall be: BROWN County Courthouse, Texas at the following location: On the front porch of the Brown County Courthouse, or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner's Court

TERMS OF SALE

A default has occurred in the payment of said herein referenced indebtedness, and the same is now wholly due, and the Mortgagee and/or Mortgage Servicer has requested the hereinafter appointed Substitute Trustee to sell said property to the highest bidder for cash and to distribute or apply the proceeds of said sale in accordance with the terms of said Deed of Trust.

The Sale will be conducted as a public auction to the highest bidder for cash, except that Mortgagee's bid may be by credit against the indebtedness secured by the lien of the Deed of Trust. 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.

The sale will begin at the earliest time stated above, or within three (3) hours after that time. 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.

WHEREAS, in my capacity as attorney for the Mortgagee and/or Its Mortgage Servicer, and pursuant to Section 51.0076 of the Texas Property Code, I HEREBY APPOINT AND DESIGNATE Lamar Cravens Christopher D. Brown, and Stephen E. Haynes, Reyn Rossington, Kim Anderson, Ron Anderson, Louis Starzel, Tom Swearingen, Justin Slone , Alexis Mendoza, Kevin Key, Jay Jacobs, Kim Anderson, Ron Anderson, Ramiro Cuevas, Kristopher Holub, Dylan Ruiz, Thomas Delaney, Danya Gladney, Aaron Demuth, Codilis & Moody, P.C., or Auction.com, as Substitute Trustee.

The address for the Substitute Trustee for purposes of Section 51.0075(e) of the Texas Property Code is:

Codilis & Moody, P.C.
20405 State Highway 249, Suite 170
Houston, TX 77070
(281) 925-5200



Will Morphis, Attorney at Law
Codilis & Moody, P.C.
20405 State Highway 249, Suite 170
Houston, TX 77070
(281) 925-5200

STATE OF TEXAS

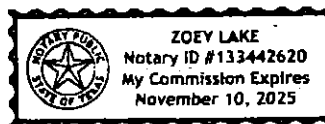
COUNTY OF HARRIS

Before me, the undersigned Notary Public, on this day personally appeared Will Morphis as Attorney for the Mortgagee and/or Mortgage Servicer known to me or proved to me through a valid State driver's license or other official identification described as Personal Knowledge, to be the person whose name is subscribed to the foregoing instrument and acknowledge to me that he/she executed the same for the purposes and consideration therein expressed.

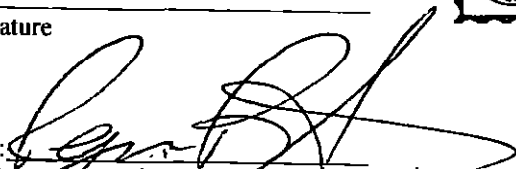
Executed on this the 4th day of December, 2023.



Notary Public Signature



Posted and filed by:


Printed Name: Reyn Rossington
12-8-2023

C&M No. 44-23-2741

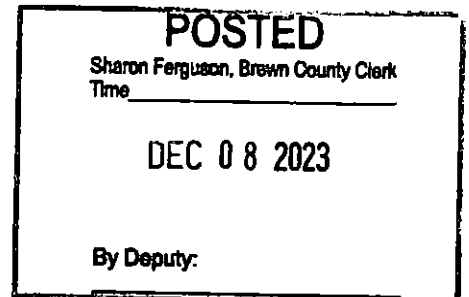


EXHIBIT "A"

FIELD NOTES for a tract of land in Brown County, Texas, said tract being all of Lot 6, Block 4, of the Oaks Addition to the city of Brownwood, according to the plat of record recorded in Volume 1, Page 60, Plat Records of Brown County, Texas, said tract being the same tract described in a deed from Rita Schuetze to Mary Kimbrell, as recorded in Volume 1428, Page 784, Real Property Records of Brown County, Texas, said tract being sometimes known as 1811 10th Street and being more fully described as follows:

BEGINNING at a 5/8" iron stake found in the ground in the Southwest line of 10th Street, said stake marking the East corner of said Lot 6;

THENCE S 54 deg 00' 00" W 150.00' (Basis of Bearing - Plat Call) to a 3/8" iron stake set in the ground in the Northeast line of 12' alley, said stake marking the South corner of said Lot 6;

THENCE N 31 deg 30' 00" W 60.07' along said Northeast line to a 3/8" iron stake set in the ground, said stake marking the West corner of said Lot 6;

THENCE N 54 deg. 00' 00" E 150.00' to a 1" pipe found in the ground in the Southwest line of 10th Street, said stake marking the North corner of said Lot 6;

THENCE S 31 deg. 30' 00" E 60.07' along said Southwest line to the place of **BEGINNING.**

POSTED
Sharon Ferguson, Brown County Clerk
Time _____
DEC 08 2023
By Deputy: _____