

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

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

All that certain lot, tract, or parcel of land, being 0.396 acre of land, situated in the R. B. Longbotham Survey, Abstract No. 16, in the Town of Wortham, Freestone County, Texas, and being part of a called 4.23 acres tract described in deed from J. E. McClelland, Sr., and wife, Irene McLelland to J. W. Yates et al, dated March 3, 1971, and recorded in Volume 438 Page 762, in the Deed Records of Freestone County, Texas. Said 0.396 acre is more fully described as follows;

Beginning at a 1" pipe found for corner, in the northwest corner of said 4.23 acres tract, and in the east line of South Avenue D;

Thence south 78 degrees 30 minutes 15 seconds east 150.00 feet to a 1/2" rod set for corner;
Thence south 11 degrees 00 minutes 00 seconds west 115.00 feet to a 1/2" rod set for corner;

Thence north 78 degrees 30 minutes 15 seconds west 150.00 feet to a 1/2" rod set for corner in the east line of said Avenue D;

Thence north 11 degrees 00 minutes 11 seconds east 115.00 feet to the place of beginning and containing 0.396 acre of land.

Also known as lots 1, 2, and 3, Block 2, Wortham, Texas and part of the F.D. Wright Addition ("Property").

Instrument To Be Foreclosed. The instrument to be foreclosed is a Texas Home Equity Security Instrument filed in the Official Record of Freestone County, Texas, and recorded under Instrument No. 04006832 at Volume 01294, Page 00256, on October 7, 2004.

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

Date: Tuesday, March 1, 2016

Time: The sale will begin no earlier than 10:00 o'clock p.m. or no later than three (3) hours thereafter. The sale will be completed by no later than 1:00 o'clock p.m.

Place: Front steps at south entrance of courthouse, or as further designated by the County Commissioners.

Terms Of Sale. 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 Texas Home Equity Security Instrument, and will be conducted as a public auction to the highest bidder for cash or certified funds. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the Property.

Pursuant to Section 51.0075 of the Texas Property Code, the Substitute Trustee reserves the right to set further reasonable conditions for conducting the sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by the Substitute Trustee.

Administration Of Foreclosure By Mortgage Servicer. Carrington Mortgage Services, LLC ("Mortgage Servicer") is representing Deutsche Bank National Trust Company, as Indenture Trustee for New Century Home Equity Loan Trust 2004-4 ("Mortgagee"), under a servicing agreement with Mortgagee. Mortgage Servicer's address is c/o Carrington Mortgage Services, LLC, 1610 E. St. Andrew Pl., B#150, Santa Ana, California 92705.

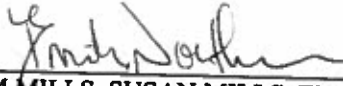
Default And Request To Act. Default has occurred under the Texas Home Equity Security Instrument, and the beneficiaries have requested me, as Substitute Trustee, to conduct this sale. Notice is given that before the sale the Mortgage Servicer, on behalf of the Mortgagee, may appoint another person substitute trustee to conduct the sale.

Return To:
Pruyn Law Firm, PLLC
2311 Canal Street, Suite 124
Houston, Texas 77003

Mortgagor: Macklin
PLF File No. 2013005

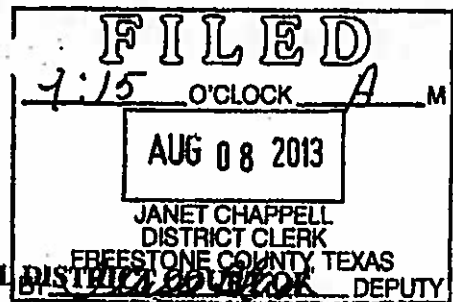
ASSERT AND PROTECT YOUR RIGHTS AS A MEMBER OF THE ARMED FORCES OF THE UNITED STATES. IF YOU ARE OR YOUR SPOUSE IS SERVING ON ACTIVE MILITARY DUTY, INCLUDING ACTIVE MILITARY DUTY AS A MEMBER OF THE TEXAS NATIONAL GUARD OR THE NATIONAL GUARD OF ANOTHER STATE OR AS A MEMBER OF THE RESERVE COMPONENT OF THE ARMED FORCES OF THE UNITED STATES, PLEASE SEND WRITTEN NOTICE OF THE ACTIVE DUTY MILITARY SERVICE TO THE SENDER OF THIS NOTICE IMMEDIATELY.

Date: February 5, 2016.



JIM MILLS, SUSAN MILLS, EMILY NORTHERN,
KORY MORGAN, DENISE MORGAN, LORI
GARNER, JAN ROLLINS OR THOMAS D. PRUYN,
c/o 2311 Canal Street, Suite 124, Houston, Texas 77003

Return To:
Pruyn Law Firm, PLLC
2311 Canal Street, Suite 124
Houston, Texas 77003



CAUSE NO. 13-164B

In re: Order for Foreclosure Concerning:

102 South Avenue D
Wortham, Texas 76693

under Tex. R. Civ. P. 736

IN THE CIVIL

DISTRICT COURT
DEPUTY

01503123

Deutsche Bank National Trust Company, as
Indenture Trustee, for New Century Home
Equity Loan Trust 2004-4,
Petitioner,

FREESTONE COUNTY, TEXAS

and

Betty Macklin aka Betty R. Williams,
Respondent.

87TH JUDICIAL DISTRICT

HOME EQUITY FORECLOSURE ORDER

On this day, the court considered the *Application for Home Equity Foreclosure Order* filed in this cause by Petitioner, Deutsche Bank National Trust Company, as Indenture Trustee, for New Century Home Equity Loan Trust 2004-4 (hereinafter "Petitioner"). After reviewing Petitioner's *Application for Home Equity Foreclosure Order* (hereinafter "Application"), together with the necessary affidavit(s) and exhibits, the court is of the opinion the Application should be GRANTED, and the court finds:

1. The court has jurisdiction over the subject matter and the parties and venue is proper in Freestone County, Texas.
2. This case is an *in rem* proceeding in which no personal liability is sought against the Respondent or Mortgagor.
3. A debt exists under the Texas Home Equity Note and Texas Home Equity Security Instrument executed by Respondent. The debt is secured by a lien created under TEX. CONST. art. XVI, § 50(a)(6). Petitioner is the holder of the Texas Home Equity Note and the beneficiary under the Texas Home Equity Security Instrument. A monetary default under the Texas Home Equity Security Instrument exists. Respondent has defaulted in making timely mortgage payments when due and owing pursuant to the terms of the Texas Home Equity Note and Texas Home Equity Security Instrument executed by Respondent. Petitioner has given Respondent the required notice of default with intent to accelerate the maturity of the debt and the notice of acceleration of the maturity of the debt.
4. The real property encumbered by the home equity lien sought to be foreclosed is commonly known as 102 South Avenue D, Wortham, Texas 76693 with the following legal description:

All that certain lot, tract, or parcel of land, being 0.396 acre of land, situated in the R.B. Longbotham Survey, Abstract No. 16, in the Town of Wortham, Freestone County, Texas, and being part of a called 4.23 acres tract described in deed from J.E. McClelland, Sr., and wife, Irene McClelland to J. W. Yates et al, dated March 3, 1971, and recorded in Volume 438, Page 762, in the Deed Records of Freestone County, Texas. Said 0.396 acre is more fully described as follows:

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Thence south 11 degrees 00 minutes 00 seconds west 115.00 feet to a 1/2" rod set for corner;

Thence north 78 degrees 30 minutes 15 seconds west 150.00 feet to a 1/2" rod set for corner in the east line of said Avenue D;

Thence north 11 degrees 00 minutes 11 seconds east 115.00 feet to the place of beginning and containing 0.396 acre of land.

Also known as lots 1, 2, and 3, Block 2, Wortham, Texas and part of the F.D. Wright Addition.

5. The Respondent/Mortgagor is Betty Macklin aka Betty R. Williams and her last know addresses are 102 South Avenue D, Wortham, Texas 76693 and P.O. Box 353, Wortham, Texas 76693.
6. The lien to be foreclosed is found in the Texas Home Equity Security Instrument filed in the Official Public Records of Freestone County and recorded under Document No. 04006832 at Volume 01294, Page 00256.
7. Petitioner's Application establishes the basis of the foreclosure and complies with TEX. R. CIV. P. 735 and 736.
8. The return of service has been on file with the clerk of the court for at least ten days.
9. **IT IS ORDERED** that Petitioner, Deutsche Bank National Trust Company, as Indenture Trustee, for New Century Home Equity Loan Trust 2004-4, is authorized to proceed with foreclosure under the Texas Home Equity Security Instrument executed by Respondent and TEX. PROP. CODE § 51.002.
10. **IT IS FURTHER ORDERED** that Petitioner will attach a copy of this order to the trustee or substitute trustee's foreclosure deed.
11. This Order is not subject to a motion for rehearing, new trial, bill of review, or appeal. TEX. R. CIV. P. 736.8.

12. This is a final order disposing of all the claims and parties in the above numbered and styled case.

DATED this 8th day of August, 2013.

[Signature]
JUDGE PRESIDING

APPROVED & ENTRY REQUESTED:

PRUYN LAW FIRM, PLLC

By: *[Signature]*
Thomas D. Bruyn
State Bar No. 24031433
Warren E. Johnsey of Counsel
State Bar No. 10678400
2616 South Loop West, Suite 590
Houston, Texas 77054
Ph: (713) 667-2700
Fax: (713) 667-2702
ATTORNEYS FOR PETITIONER

FILED FOR RECORD IN
Freestone County
Linda Jarvis
COUNTY CLERK
ON: Jul 27, 2015 AT 10:23A
as Recordings
Document Number: 01503123
Total Fees : 34.00
Receipt Number - 132307
By: kirsten Cox, Deputy

STATE OF TEXAS
COUNTY OF FREESTONE
I, Janet Chappell, District Clerk of
Freestone County, Texas, hereby
certify that the foregoing is a true and
correct copy of the original record
now in my lawful custody and
possession, filed on
[Signature]
as appears of record
16 day of August
Janet Chappell
FREESTONE COUNTY CLERK
[Signature]

STATE OF TEXAS
COUNTY OF FREESTONE
I, Linda Jarvis, Clerk of the County Court of Freestone County, Texas, do hereby certify that the foregoing is a true and correct copy of the original record, now in my lawful custody and possession.

Linda Jarvis, Clerk of the County Court of Freestone County, Texas

FILED FOR RECORD IN
Freestone County
Linda Jarvis
COUNTY CLERK
ON: Feb 09, 2016 AT 02:13P
as Notice of Trustee Sale

Total Fees : 8.00
Receipt Number - 134999
By: Penney Eubanks, Deputy



THE STATE OF TEXAS
COUNTY OF FREESTONE
I, Linda Jarvis, Clerk of the County Court in and for Freestone County, Texas, do hereby certify that this instrument was FILED FOR RECORD, and RECORDED in the Volume and Page of the Official record and all the same and date stamped before me.

Linda Jarvis
County Clerk of Freestone County, Texas