

NO. _____ TIME 12:30PM

TS No.: 2024-00186-TX
24-000128-673

FILE 22 7'

CONCIE GREGORY COUNTY CLERK
TYLER COUNTY TEXAS
By _____

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: 04/02/2024

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

Place: Tyler County, Texas at the following location: **ALL THAT AREA UNDER THE STEPS GIVING ACCESS TO THE NORTH ENTRANCE TO THE SECOND FLOOR OF THE COURTHOUSE, BOUNDED ON THE SOUTH BY THE NORTH WALL OF THE COURTHOUSE BUILDING, MORE PARTICULARLY ALL THAT AREA LYING WITHIN 6 FEET AND 8 INCHES ON EITHER SIDE OF A LINE BEGINNING AT THE MIDDLE OF THE NORTH ENTRANCE OF THE FIRST FLOOR OF THE COURTHOUSE AND RUNNING DUE NORTH 19 FEET AND 6 INCHES, 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: RR FM 255, COLMESNEIL, TX 75938

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 10/25/2004 and recorded 10/28/2004 in Vol. 789 Page 873 , real property records of Tyler County, Texas, with **STEVEN R. BAKER AND STEPHANIE A BAKER, HUSBAND AND WIFE** grantor(s) and GREENPOINT MORTGAGE FUNDING, INC. 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 AVT Title Services, LLC, located at 5177 Richmond Avenue Suite 1230, Houston, TX 77056, Substitute Trustee to act under and by virtue of said Deed of Trust.

5. Obligation Secured: Deed of Trust or Contract Lien executed by **STEVEN R. BAKER AND STEPHANIE A BAKER, HUSBAND AND WIFE**, securing the payment of the indebtedness in the original principal amount of **\$96,000.00**, and obligations therein described including but not limited to the promissory note; and all modifications, renewals and extensions of the promissory note. **The Bank of New York Mellon f/k/a The Bank of New York as successor to JPMorgan Chase Bank, not individually but solely as trustee for the holders of the Bear Stearns ALT-A Trust 2005-1, Mortgage Pass-Through Certificates, Series 2005-1** is the current mortgagee of the note and deed of trust or contract lien.



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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:

FIELDNOTES TO A 5.000 ACRE TRACT OF LAND AS SITUATED IN THE G. & B. N CO. SURVEY, A-324, TYLER COUNTY, TEXAS AND BEING OUT OF AND A PART OF THAT SAME CALLED 23.777 ACRE CONVEYED TO MARVIN M. RICHARDSON BY DEED RECORDED IN VOLUME 699, PAGE 695 OF THE OFFICIAL PUBLIC RECORDS OF TYLER COUNTY. SAID 5.000 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: BEGINNING AT A 1/2" IRON ROD FOUND FOR THE NORTHWEST CORNER OF SAID RICHARDSON 23.777 ACRES AND OF THIS TRACT LOCATED AT THE INTERSECTION OF THE EAST RIGHT OF WAY OF THE T. & N.O. RAILROAD WITH THE SOUTH RIGHT OF WAY OF F.M. HIGHWAY 255; THENCE N 73° 51' 28" E 84.44 FT., WITH THE SOUTH RIGHT OF WAY OF F.M. HIGHWAY 255, TO A 1/2" IRON ROD FOUND SET FOR AN ANGLE CORNER OF SAME; THENCE N 82° 31' 59" E 304.53 FT., CONTINUING WITH THE SOUTH RIGHT OF WAY OF F.M. HIGHWAY 255, TO A 1/2" IRON ROD FOUND FOR ANOTHER ANGLE CORNER OF SAME; THENCE N 73° 42' 10" E 103.65 FT., CONTINUING WITH SAID HIGHWAY RIGHT OF WAY, TO A 1/2" IRON ROD FOUND FOR CORNER OF SAME AT THE BEGINNING OF A CURVE TO THE LEFT IN THE HIGHWAY RIGHT OF WAY; THENCE NORTHEASTERLY 100.45 FT, ALONG THE ARC OF THE CURVE OF THE RIGHT OF WAY, HAVING A CENTRAL ANGLE OF 01° 58' 04" A RADIUS OF 2924.79 FT. AND CHORD BEARING N 80° 02' 46" E 100.44 FT. TO A 1/2" IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAID RICHARDSON 23.777 ACRES AND OF THIS TRACT LOCATED AT THE INTERSECTION OF THE SOUTH RIGHT OF WAY OF F.M. HIGHWAY 255 WITH THE WEST RIGHT OF WAY OF COUNTY ROAD NO. 3251; THENCE ALONG THE EAST BOUNDARY OF THE RICHARDSON 23.777 ACRE TRACT AND THE WEST RIGHT OF WAY OF SAID COUNTY ROAD NO. 3251 AS FOLLOWS; 1. S 07° 32' 38"W 17.61 FT. TO A 3/8" IRON SPIKE SET FOR CORNER; 2. S 34° 24' 13"W 55.47 FT. TO A 3/8" IRON SPIKE SET FOR CORNER; 3. S 36° 36' 18"W 184.22 FT. TO A 3/8" IRON SPIKE SET FOR CORNER; 4. S 33° 04' 03"W 96.77 FT. TO A 3/8" IRON SPIKE SET FOR CORNER; 5. S 28° 09' 36"W 87.76 FT. TO A 3/8" IRON SPIKE SET FOR CORNER; 6. S 21° 13' 10"W 141.97 FT. TO A 3/8" IRON SPIKE SET FOR CORNER; 7. S 18° 11' 22"W 116.07 FT. TO A 3/8" IRON SPIKE SET FOR CORNER; 8. S 13° 07' 18"W 4.91 FT. TO 1/2" IRON ROD SET FOR THE SOUTHEAST CORNER OF THIS TRACT; THENCE WEST 285.87 FT. TO A 1/2" IRON ROD SET FOR THE SOUTHWEST CORNER OF THIS TRACT LOCATED ON THE WEST BOUNDARY OF THE RICHARDSON 23.777 ACRES AND THE EAST RIGHT OF WAY OF THE ABOVE MENTIONED T.& N.O. RAILROAD RIGHT OF WAY; 5.000 ACRES THENCE ALONG THE WEST BOUNDARY OF THE RICHARDSON 23.777 ACRES AND THE WEST RIGHT OF WAY OF THE T. & N.O. RAILROAD RIGHT OF WAY AS FOLLOWS: 1. N 07° 36' 27"E 62.75 FT. TO A POINT FOR CORNER; 2. N 04° 17' 43"E 134.18 FT. TO A POINT FOR CORNER; 3. N 02° 32' 34"E 154.92 FT. TO A POINT FOR CORNER; 4. N 02° 03' 00"E 156.80 FT. TO THE PLACE OF BEGINNING AND CONTAINING WITHIN THESE BOUNDS 5.000 ACRES OF LAND. THE BEARINGS RECITED HEREIN ARE ROTATED TO NORTH BOUNDARY OF THE RICHARDSON 23.777 ACRES TRACT. (N 82° 31' 59"E) SURVEYED OCTOBER 13, 2004

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:

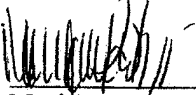
**C/O PHH Mortgage Corporation
PO BOX 24605 West Palm Beach, FL 33416-4605
Phone: 877-744-2506**

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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: February 15, 2024



Monique Patzer, Trustee Sale Assistant

C/O Power Default Services, Inc.
7730 Market Center Ave, Suite 100
El Paso, TX 79912
Telephone: 855-427-2204
Fax: 866-960-8298

For additional sale information visit: www.mwzmlaw.com/tx-investors

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 Keala Smith ^{Certificate of Posting} whose address is c/o AVT Title Services, LLC, 5177 Richmond Avenue, Suite 1230, Houston, TX 77056. I declare under penalty of perjury that on 2-22-2024 I filed this Notice of Foreclosure Sale at the office of the Tyler County Clerk and caused it to be posted at the location directed by the Tyler County Commissioners Court.