

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: 08/02/2016

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

Place: The Terry County Law Enforcement Center, 1311 Tahoka Rd, Brownfield, Texas in the Lobby area (the two entrance doors face East and West) (the front of Building faces South) 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: 1356 Fm 2196, Brownfield, TX 79316-7567

2. Terms of Sale: Cash

3. Instrument to be Foreclosed: The Instrument to be foreclosed is the deed of trust or Contract Lien dated 12/02/2004 and recorded 12/03/2004 in Document 229381 real property records of Terry county Texas, with Billie Mae Mitcham, a single woman grantor(s) and Option One Mortgage Corporation, a California Corporation .

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 Billie Mae Mitcham, a single woman securing the payment of the indebtedness in the original principal amount of \$ **50,065.00**, 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, N.A. as Trustee for Asset Backed Funding Corporation, Asset-Backed Certificates, Series 2005-HE1** 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.

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

THE SURFACE ESTATE ONLY in and to a part of the Northeast One-fourth, Section 80, Block 4-X, E. L. & R. R. Co. Survey, in Terry County, Texas, described by metes and bounds as follows, to-wit:

BEGINNING at a railroad spike set in center of paved road for the Northwest corner of the Northeast One-Fourth said Section 80, the Northwest corner of this tract;

THENCE EAST along the North line of said Section 80 a distance of 320.5 feet to a railroad spike set for the Northeast corner of this tract;

THENCE SOUTH parallel with the East line of said Section 80, a distance of 276.4 feet to a 1/2" rod set for a corner;

THENCE WEST 152.5 feet to a 1/2" rod set for a corner;

THENCE SOUTH 273.6 feet to a 1" iron pipe set for the Southeast corner of this tract;

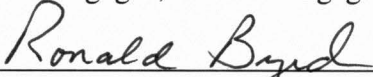
THENCE WEST 157 feet to a 1/2" rod set for the Southwest corner of this tract;

THENCE NORTH 1° 15` West along the West line of said Section 80 a distance of 550 feet to the PLACE OF BEGINNING, containing 3 acres of land more or less

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: 1-800-746-2936**

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.



Ronald Byrd, Kevin Key or Jay Jacobs, Jose A. Bazaldua, Antonio Bazaldua, Lanelle Lynch, Shelley Nail, Kristina McCrary, Donna Trout, David Warren, Janet Martin, Jack Martin, Terry Browder, Laura Browder, Marsha Monroe, Trey Didway, Chance Oliver or Bret Allen, Substitute Trustee

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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 FOR RECORD
2016 JUN 13 PM 1:08
KIM CARTER
TERRY COUNTY CLERK
By *Christie Wilson*