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NOTICE OF [SUBSTITUTE] TRUSTEE'S 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.

FILED 3:42 PM
OCT 15 2013

1. **Date, Time, and Place of Sale.**

Date: November 05, 2013

Time: The sale will begin at 11:00AM or not later than three hours after that time.

Place: THE EAST DOOR OF THE HILL COUNTY COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONERS or as designated by the county commissioners.

incode Tanner
CLERK COUNTY HILL COUNTY TEXAS
BY DEPUTY

2. **Terms of Sale.** Cash.

3. **Instrument to be Foreclosed.** The Instrument to be foreclosed is the Deed of Trust or Contract Lien dated December 20, 2007 and recorded in Document VOLUME 1523, PAGE 592; AS AFFECTED BY VOLUME 1746, PAGE 821 real property records of HILL County, Texas, with FRANKLIN J SMITH, grantor(s) and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS"), AS NOMINEE, mortgagee.

4. **Obligations Secured.** Deed of Trust or Contract Lien executed by FRANKLIN J SMITH, securing the payment of the indebtednesses in the original principal amount of \$31,300.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. PHH MORTGAGE CORPORATION is the current mortgagee of the note and Deed of Trust or Contract Lien.

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

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN FOR ALL PURPOSES.

6. **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 CORP. F/K/A CENDANT MORTGAGE CORP., as Mortgage Servicer, is representing the current mortgagee, whose address is:

c/o PHH MORTGAGE CORP. F/K/A CENDANT MORTGAGE CORP.
2001 BISHOPS GATE BLVD.
MT. LAUREL, NJ 08054

CECIL KESTER, L PETR, R HUMPHRIES OR B. JACKSON
Substitute Trustee

c/o BARRETT DAFFIN FRAPPIER TURNER & ENGEL, LLP
15000 Surveyor Boulevard, Suite 100
Addison, Texas 75001



EXHIBIT "A"

ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND BEING A PART OF LOT 17 OF THE STEINER DONATION SITUATED IN THE CITY OF HILLSBORO, HILL COUNTY, TEXAS, BEING THE SAME TRACT OF LAND DESCRIBED IN THE DEED DATED JULY 18, 2005, FROM DAVID E. RECHENTHIN TO JO ANN HUNT, RECORDED IN VOLUME 1396, PAGE 680 OF THE DEED RECORDS OF HILL COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBES AS FOLLOWS:

BEGINNING AT A "X" CUT SET IN A CONCRETE SIDEWALK FOR A CORNER AT THE INTERSECTION OF THE SOUTH LINE OF SMITH STREET AND THE EAST LINE OF STEPHENSON STREET, BEING THE NORTHWEST CORNER OF THAT SAME TRACT OF LAND DESCRIBED IN THE DEED DATED NOVEMBER 13, 1985, FROM MARCOS MONTES ET UX, TO DAVID E. RECHENTHIN, RECORDED IN VOLUME 665, PAGE 686 OF SAID DEED RECORDS, THE NORTHWEST CORNER OF THIS TRACT;

THENCE EAST ALONG THE NORTH LINE OF SAID HUNT TRACT AND THE SOUTH LINE OF SAID SMITH STREET, A DISTANCE OF 99.00 FEET TO A 1/2" IRON PIPE FOUND FOR A CORNER AT THE NORTHWEST CORNER OF THAT SAME TRACT OF LAND DESCRIBED IN THE DEED DATED MARCH 11, 1992, FROM CANDELARIO REA AND WIFE, IRMA REA TO CIRIACO REA, RECORDED IN VOLUME 754, PAGE 169 OF SAID DEED RECORDS, THE NORTHEAST CORNER OF THIS TRACT;

THENCE SOUTH 00 DEGREES 40 MINUTES 00 SECONDS EAST ALONG THE COMMON LINE BETWEEN SAID HUNT AND REA TRACTS, A DISTANCE OF 50.87 FEET TO A 1" IRON PIPE FOUND AT AN ELL CORNER OF SAID TRACTS;

THENCE NORTH 89 DEGREES 20 MINUTES 00 SECONDS EAST, A DISTANCE OF 8.50 FEET TO A 1/2" STEEL REBAR SET FOR A CORNER AT AN ELL CORNER OF SAID TRACTS;

THENCE SOUTH 00 DEGREES 40 MINUTES 00 SECONDS EAST CONTINUING ALONG THE COMMON LINE BETWEEN SAID HUNT AND REA TRACTS, A DISTANCE OF 102.00 FEET TO A 1/2" STEEL REBAR SET FOR A CORNER IN THE NORTH LINE OF THAT CERTAIN TRACT OF LAND DESCRIBED IN THE DEED DATED JULY 19, 1980, FROM DONALD R. MATTHEWS AND WIFE, MARY ANN MATTHEWS TO ROBERT A. HOLLINGSWORTH AND WIFE, JOYCE O. HOLLINGSWORTH, RECORDED IN VOLUME 594, PAGE 132 OF SAID DEED RECORDS, THE SOUTHEAST CORNER OF THIS TRACT;

THENCE SOUTH 89 DEGREES 47 MINUTES 25 SECONDS WEST, A DISTANCE OF 32.04 FEET TO A 1/2" STEEL REBAR FOUND FOR A CORNER AT THE NORTHWEST CORNER OF SAID HOLLINGSWORTH TRACT, AT THE NORTHEAST CORNER OF THAT CERTAIN TRACT OF LAND DESCRIBED IN THE DEED DATED FEBRUARY 15, 2002, FROM DAVID MARVIN EASTLAND TO TAMMY EASTLAND, RECORDED IN VOLUME 1153, PAGE 25 OF SAID DEED RECORDS, ALSO BEING AN ANGLE POINT IN THE SOUTH LINE OF THIS TRACT;

THENCE NORTH 51 DEGREES 38 MINUTES 56 SECONDS WEST, A DISTANCE OF 9.33 FEET TO A 1/2" STEEL REBAR FOUND FOR A CORNER AT AN ANGLE POINT IN THE COMMON LINE BETWEEN SAID HUNT TRACT AND SAID EASTLAND TRACT;

THENCE SOUTH 87 DEGREES 56 MINUTES 12 SECONDS WEST ALONG SAID COMMON LINE AND GENERALLY ALONG A FENCE LINE, A DISTANCE OF 68.98 FEET TO A 1/2" STEEL REBAR FOUND FOR A CORNER IN THE EAST LINE OF SAID STEPHENSON STREET AT THE NORTHWEST CORNER OF SAID EASTLAND TRACT, THE SOUTHWEST CORNER OF THIS TRACT;

THENCE NORTH 00 DEGREES 22 MINUTES 51 SECONDS WEST ALONG THE WEST LINE OF SAID HUNT TRACT AND THE EAST LINE OF SAID STEPHENSON STREET, A DISTANCE OF 149.58 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.36 ACRES OF LAND AS SURVEYED ON THE GROUND ON NOVEMBER 20, 2007 SZURGOT & PEEDE LAND SURVEYORS, LTD.



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