

FILED FOR RECORD
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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.

CONNIE BECTON
COUNTY CLERK
HARDIN COUNTY, TEXAS
BY *Opheya Holland*

1. Date, Time and Place of Sale.

Date: 07/02/2024

Time: The sale will begin at 10:00 AM or not later than three hours after that time

Place: Hardin County, Texas at the following location: **THE COMMISSIONER'S COURT ROOM AREA OF THE COURTHOUSE 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: 1750 Hardin Court Road, Kountze, TX 77625

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 10/01/2004 and recorded 10/13/2004 in Book 1467 Page 738 Document 2004-9183, real property records of Hardin County, Texas, with **David N. Mehl and spouse, Angela L. Mehl** grantor(s) and AMERICAN HOME MORTGAGE ACCEPTANCE, 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 **David N. Mehl and spouse, Angela L. Mehl**, securing the payment of the indebtedness in the original principal amount of \$128,000.00, 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 (fka The Bank of New York) as Trustee for the holders of American Home Mortgage Investment Trust 2004-4** 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:

5.00 Acre Tract Being a 5.00 acre tract of land, more or less, in the Hardin County School Land Survey, Abstract Number 248 in Hardin County, Texas, said tract being all of the remainder of Out-Lots 19 and 20 and parts of Out-Lots 13, 14, 15 and 21 of the Old Town of Hardin, Texas, plat of which is recorded in Volume 2, Page 40 of the Plat Records of Hardin County, Texas, said tract being out of Tracts 1, 2 and 4 of that land conveyed to Alfred Allen Carter and Frances Boyd Carter in deed dated June 3, 1960 and recorded in Volume 403, Page 215 of the Deed Records of Hardin County, Texas, with said 5.00 acre tract being described as follows: BEGINNING at a ½ inch iron rod with a cap stamped 'SESCO' set at a fence corner post for the southeast corner of this tract, same being the most southerly southeast corner of said Carter tracts and being the southwest corner of that 9.5 acre tract conveyed to Herb Williams in deed recorded in Volume 563, Page 371 of the Deed Records of Hardin County, Texas and being in the north right of way line of Langston Loop; THENCE North 01° 39' 52" West with a fence line for the east line of this tract and said Carter tract and west line of said Williams tract a distance of 350.88 feet to a ½ inch iron rod with a cap stamped 'SESCO' set at a fence corner post for the northeast corner of this tract, same being an interior corner of said Carter tract and the most southerly northwest corner of said Williams tract; THENCE South 89° 26' 53" West with the north line of this tract a distance of 591.87 feet to a ½ inch iron rod with a cap stamped 'SESCO' set for the northwest corner of this tract; THENCE South 00° 33' 07" East with the west line of this tract a distance of 379.50 feet to a ½ inch iron rod with a cap stamped 'SESCO' set for the southwest corner of this tract, being in the south line of said Carter tract and being in the north right of way line of Hardin Court Road; THENCE North 89° 26' 53" East with the south line of this tract and south line of said Carter tract and north right of way line of said Hardin Court Road a distance of 209.44 feet to a concrete monument found for an angle point in the south line of this tract and said Carter tract and the northeast corner of Hardin Court Road and the northwest corner of Langston Loop; THENCE North 78° 34' 33" East with the south line of this tract and said Carter tract and north right of way line of said Langston Loop a distance of 115.97 feet to a ½ inch iron rod with a cap stamped 'SESCO' set for an angle point in the south line of this tract and said Carter tract; THENCE North 88° 01' 54" East with the south line of this tract and said Carter tract and north right of way line of Langston Loop a distance of 275.44 feet to the place of BEGINNING. Said tract of land herein described contains 5.00 acres of land, more or less.

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

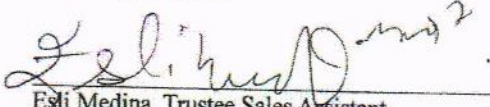
TS No.: 2024-00680-TX
18-000469-673

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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: May 22, 2024


Esli Medina, Trustee Sales 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.realtybid.com/texas or (877) 518-5700

**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 Keata 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 5-23-2024 I filed this Notice of Foreclosure Sale at the office
of the Hardin County Clerk and caused it to be posted at the location directed by the Hardin County Commissioners Court.