

TS No.: 2023-01661-TX
24-000041-673

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: 03/05/2024

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

Place: Brown County, Texas at the following location: **ON THE FRONT PORCH OF THE BROWN COUNTY COURTHOUSE, OR IF THE PRECEDING AREA IS NO LONGER THE DESIGNATED AREA, AT THE AREA MOST RECENTLY DESIGNATED BY THE COUNTY COMMISSIONER'S 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: 1205 VINE STREET, BROWNWOOD, TX 76801

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 08/10/1998 and recorded 08/13/1998 in Book 1299 Page 903 Document 5166, real property records of Brown County, Texas, with **JACQUELYN ANDERSON, A SINGLE PERSON AND RUBY SMITH, A SINGLE PERSON** grantor(s) and **SEBRING CAPITAL CORPORATION** as Lender, Popular Bank fka Banco Popular North America 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 **JACQUELYN ANDERSON, A SINGLE PERSON AND RUBY SMITH, A SINGLE PERSON**, securing the payment of the indebtedness in the original principal amount of **\$59,000.00**, and obligations therein described including but not limited to the promissory note; and all modifications, renewals and extensions of the promissory note. **Popular Bank fka Banco Popular North America** is the current mortgagee of the note and deed of trust or contract lien.



Notice of [Substitute] Trustee Sale

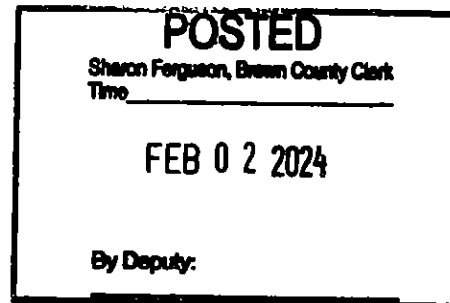
6. Default: A default has occurred in the payment of indebtedness, and the same is now wholly due, and the owner and holder has requested to sell said property to satisfy said indebtedness.

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

For Legal description refer to "EXHIBIT A"

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**

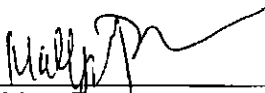


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9. Limitation of Damages: If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the funds paid. The Purchaser shall have no further recourse against the Mortgagor, the Mortgagee, or the Mortgagee's 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: January 19, 2024



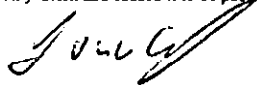
Malysa Torres – Attorney or Authorized Agent of The Mortgagee or Mortgage Servicer

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.mwznlaw.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 Louis C. Stanzel Certificate of Posting whose address is c/o AVT Title Services, L.L.C. 5177 Richmond Avenue, Suite 1230, Houston, TX 77056. I declare under penalty of perjury that on 2-02-24 I filed this Notice of Foreclosure Sale at the office of the Brown County Clerk and caused it to be posted at the location directed by the Brown County Commissioners Court.



POSTED
Sharon Ferguson, Brown County Clerk
Time _____
FEB 02 2024
By Deputy:

EXHIBIT "A"

Volume 1299 Page 916

ROGERS
BROWN

FIELD NOTES 0.624 ACRES
M. HULING SURVEY NO. 51
PART OF LOT 2, BLOCK E, COGGIN ADDITION
PLAT RECORDED AT VOLUME 2 PAGE 79
PLAT RECORDS OF BROWN COUNTY, TEXAS
DEED RECORDED AT VOLUME 1285 PAGE 87
DEED RECORDS OF BROWN COUNTY, TEXAS
ALSO KNOWN AS 1205 VINE STREET, BROWNWOOD, TEXAS

EN 98097
JULY 1, 1998

FIELD NOTE DESCRIPTION OF A 0.624 ACRE TRACT OF LAND BEING OUT OF AND A PART OF THE M. HULING SURVEY NO. 51 BEING LOT 2, OUT OF BLOCK E OF THE COGGIN ADDITION TO THE CITY OF BROWNWOOD THE PLAT OF WHICH IS RECORDED AT VOLUME 2 PAGE 79 OF THE BROWN COUNTY PLAT RECORDS AND BEING THAT SAME IDENTICAL TRACT AS CONVEYED FROM ROBERT A. REASONER AND WIFE LISA J. REASONERS TO THE EARLY DEVELOPMENT COMPANY, INC. BY DEED DATED MARCH 18, 1998 AND RECORDED AT VOLUME 1285 PAGE 87 OF THE BROWN COUNTY DEED RECORDS; SAID 0.624 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an iron rod set as the intersection of the Southeast line of Avenue C and the Southwest line of Vine Street being the occupied North corner of Lot 2 of Block E of the Coggin Addition to the City of Brownwood according to the Plat thereof recorded at Volume 2 Page 79 of the Brown County Plat Records for the Northernmost corner hereof;


THENCE, along the Southwest line of said Vine Street, S44°42'12"E, at 83.60 feet passing the division line of Tract One and Tract Two as recorded at Volume 1285 Page 87 by deed dated March 18, 1998 of the Brown County Deed Records a total distance of 136.38 feet to the edge of a rock wall being the North corner of that tract as conveyed from Vicki Miller to Violet Wells by deed dated August 7, 1990 and recorded at Volume 1061 Page 576 of the Brown County deed records for the East corner hereof;

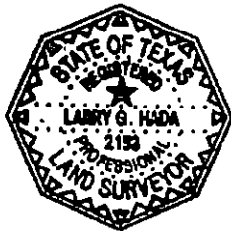
THENCE, along the Northwest line of said Wells tract, S45°00'00"W (bearing basis), 199.83 feet to a chain link fence post in the Northeastern line of a 15-foot alley and being the West corner of said Wells tract for the Southernmost corner hereof;

THENCE, along the Northeast line of said alley, N43°08'27"W, at 51.81 feet passing the division line of said Tract One and said Tract Two for a total distance of 138.40 feet to an iron rod set in the Southeast line of said Avenue C for the West corner hereof;

THENCE, along the Southeast line of said Avenue C, N45°34'17"E, 196.06 feet to the POINT OF BEGINNING and calculated to contain 0.624 acres therein.

I, the undersigned do hereby certify that the foregoing Field Notes and accompanying Survey Sketch were prepared from an actual survey made on the ground, the Records of Brown County, Texas and surveys of area properties; that the corners and boundaries with marks natural and artificial are as found on the ground, that discrepancies, conflicts, protrusions or intrusions, overlapping of improvements, easements, visible or apparent to me are shown or described hereon, that said property has access to and from a dedicated roadway and that said property IS NOT located in a flood plain area as delineated by the Federal Emergency Management Agency, FEMA, on Flood Insurance Rate Map, FIRM, panel no. 480087B 002 D dated July 8, 1982.


Larry G. Hada, R.P.L.S.
State of Texas No. 2153



POSTED
Sharon Ferguson, Brown County Clerk
Time _____
FEB 02 2024
By Deputy: