

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: 02/07/2023

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

Place: San Augustine County, Texas at the following location: **THE STRIPLING PAVILION ON THE COURTHOUSE SQUARE IN SAN AUGUSTINE, TEXAS 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 1 COUNTY ROAD 114 EAST BOX 124, SAN AUGUSTINE, TX 75972

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 06/16/2006 and recorded 06/29/2006 in Document 013490, real property records of San Augustine County, Texas, with **STEVEN SOWELL AND CYRSTAL SOWELL, HUSBAND AND WIFE** grantor(s) and **DECISION ONE MORTGAGE COMPANY, LLC** 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 SOWELL AND CYRSTAL SOWELL, HUSBAND AND WIFE**, securing the payment of the indebtedness in the original principal amount of **\$100,000.00**, 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 Trust Company, National Association fka The Bank of New York Trust Company, N.A.** as successor to **JPMorgan Chase Bank, N.A.**, as Trustee for **Residential Asset Mortgage Products, Inc., Mortgage Asset-Backed Pass-Through Certificates Series 2006-RZ4** is the current mortgagee of the note and 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:

Being a survey of 2.0 acres of land, being out of and a part of E. QUIRK GRANT, A-35, and being all of a one acre tract conveyed by Verlynn Mitchell Whitton and husband, Billy Whitton to Frank Morris Thompson and wife, Arbeline Lovelady Thompson, dated June 26, 1992, recorded in Volume 278, Page 507, Deed Records, San Augustine County, Texas, and all of another one acre tract conveyed by Willie Earl Tindall, Individually and as Independent Executrix of the Estate of N.L. Tindall, Deceased, to Frank M. Thompson and wife, Arbeline Lovelady Thompson, dated March 1, 2004, recorded in Volume 48, Page 747, Real Property Records, San Augustine County, Texas, and being more particularly described in Exhibit A attached hereto and made a part hereof for all intents and purposes. Being a survey of 2.00 Acres of land made for Steven Lester Sowell and wife Crystal Horne Sowell of Route No. 3, Box 45, San Augustine, Texas - 75972, being all of a One Acre Tract conveyed by VERLYNN MITCHELL WHITTON and husband BILLY WHITTON to FRANK MORRIS THOMPSON and wife ARBILENE LOVELADY T. ROMPSON, 06-26-1992, Recorded in Volume No. 278, Page No. 507 et seq. (D.R.), and all of another One Acre Tract conveyed by WILLIE EARL TINDALL..(Independent Executrix) to FRANK M. THOMPSON and wife ARBILENE LOVELADY THOMPSON; 03-01-2004, Recorded in Volume No. 48, Page No. 747 et seq., of the Real Property Records in San Augustine County, Texas, being a part of the EDMUND. QUIRK GRANT, A-35, being located approximately 3 Miles North of the court-house in San Augustine, Texas, and being more particularly described by metes and bounds to follow, TO-WIT: BEGINNING: At the South-West corner of said One Acre Tract, being the South-East corner of another One Acre Tract conveyed by N.L. Tindall to Dallas G. Russell and wife Linda N. Russell, 05-16-1972, Recorded in Volume No. 169, Page No. 210 et seq. (D.R.), a 3/8" Reinf Rod found set in concrete for corner in the North Margin of County Road No. 114 East. THENCE: North 29° 02' 00" West, along the West Boundary line of said One Acre Tract, being the East Boundary line of said Dallas Russell's One Acre Tract to its North-East corner, being a South-West corner of said One Acre Tract, and a South-East corner of a 12.57 Acre Tract conveyed by N.L. Tindall to Dallas George Russell and wife Linda Russell, 05-28-1974, Recorded in Volume No. 177, Page No. 640 et seq., a distance of 230.00 feet to a 3/8" Reinf. Rod found set for corner. THENCE: North 08° 35' 33" West, along an East Boundary line of said Dallas Russell's 12.57 Acre Tract, being the West Boundary line of said One Acre Tract to its North-West corner, a distance of 254.48 feet to a 1/2" Reinf Rod found set for corner. THENCE: North 71° 10' 13" West, along a South Boundary line of said Dallas Russell's 12.57 Acre Tract being North Boundary line of said One Acre Tract to its North-East corner, being a North-West corner of a 1.57 Acre Tract conveyed by Willie Earl Tindall (Independent Executrix) to Dallas George Russell and wife Linda Pyle Russell, 03-19-2004, Recorded in Volume No. 49, Page No. 413 et seq. (R.P.R.), a distance of 190.99 feet to a 3/8" Reinf Rod found set for corner. THENCE: South 06° 11' 04 Seconds East, along the West Boundary line of said Dallas Russell's 1.57 Acre Tract, being the East Boundary line of said One Acre Tract to its South East corner, being the North-East corner of said One Acre Tract and the North-West corner of a One Acre Tract conveyed by Edward R. Cox to Edna S. Cox, 11-16-1984, Recorded in Volume No. 245, Page No. 628 et seq., a distance of 223.67 feet to a 3/8" Reinf Rod found set for corner. THENCE: South 29° 12' 19" East along the West Boundary line of said Edna Cox's One Acre Tract, being the East Boundary line of said One Acre Tract to its South-East corner, a distance of 227.78 feet to a 3/8" Reinf Rod found set in Concrete in the North Margin of said County Road No. 114 East. THENCE: South 60° 45' 00" West along the North margin of said County Road No. 114 East, being the South Boundary line of said One Acre Tract a distance of 190.68 feet to the place of beginning containing 2.00 Acres of land as depicted on the attached plat which is here-by made a part of this survey.

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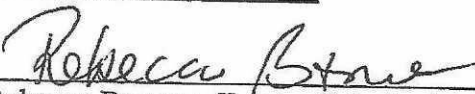
8. Mortgage Servicer Information: The Mortgage Servicer is authorized to represent the Mortgagee by virtue of a servicing agreement with the Mortgagee. Pursuant to the Servicing Agreement and Texas Property Code § 51.0025, the Mortgage Servicer is authorized to collect the debt and to administer any 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

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: December 19, 2022



Rebecca Browne, Trustee Sale Assistant

Camisha Scott, Iman Walcott, Tanesha Humphrey, Claire Buxton, Glenda Hamilton, Rebecca Browne – Attorney or Authorized Agent of The Mortgagee or Mortgage Servicer

C/O Power Default Services, Inc.
2300 Lakeview Parkway, Suite 756
Alpharetta, GA 30009
Telephone: 855-427-2204
Fax: 866-960-8298

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 Sheryl La Mont 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 December 21, 2022 I filed this Notice of Foreclosure Sale at the office
of the San Augustine County Clerk and caused it to be posted at the location directed by the San Augustine County Commissioners Court.


Posted by Sheryl La Mont, 12/21/2022

FILED FOR RECORD
December 21 22
AT 1:45 O'CLOCK P M
MARGO NOBLE, COUNTY CLERK
SAN AUGUSTINE COUNTY
SAN AUGUSTINE, TEXAS
BY Haley Johnson
DEPUTY

and
Posted