

## 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:** 11/07/2017

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

**Place:** Howard County Courthouse, 300 S. Main Street, Big Spring, TX 79720 - THE NORTH DOOR OF THE COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONERS

**Property Address:** 132 Jonesboro Road, Big Spring, TX 79720

- 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 03/12/2009 and recorded 03/13/2009 in Document 2009-00001170, Book OPR Vol 1130 Page 730, real property records of Howard County Texas, with Martin S. Yanez, a single man, grantor(s) and LRS Financial Network INC., DBA HNB Mortgage, as Lender, Mortgage Electronic Registration Systems, Inc., as Beneficiary.
- 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 or Contract Lien executed by Martin S. Yanez, a single man, securing the payment of the indebtedness in the original principal amount of **\$92,287.00**, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. Ocwen Loan Servicing, LLC is the current mortgagee of the note and the 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:

**TRACT 41, Balch Subdivision No. 6, a 0.50 acre tract out of Section 32, Block 32, T-1-N, T & P RR Co Survey, Howard County, Texas, also described as follows:**

**A tract of land out of and part of the Southeast Quarter (SE/4) of Section No. Thirty-two (32), Block No. Thirty-two (32), Township 1-North, T. & P. Ry. Co. Surveys, Howard County, Texas, described by metes and bounds as follows:**

**BEGINNING at a 5/8" I.P. which is located North 74° 45' East 4,344.8 feet and North 15° 02' West 230 feet from the Southwest corner of Section No. 32, said point representing the Southwest corner of this tract;**

**THENCE North 74° 45' East, parallel with the South line of Section No. 32, for a distance of 100 feet to a point representing the Southeast corner of this tract;**

**THENCE North 15° 02' West, parallel with the East line of said Section No. 32, for a distance of 217.5 feet to point representing the Northeast corner of this tract;**

**THENCE South 74° 45' West, parallel with the South line of Section No. 32, for a distance of 100 feet to a point representing the Northwest corner of this tract;**

**THENCE South 15° 02' East, parallel with the East line of said Section No. 32, for a distance of 217.5 feet to the PLACE OF BEGINNING.**

**SAVE AND EXCEPT a strip of land 5 ft. wide and 100 ft. long Conveyed by Right of Way Easement from Melvin D. Newton, et ux to County of Howard, being recorded in Vol. 289, Page 25 of the Deed Records of Howard County Texas, to which reference is here made for all purposes.**

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:

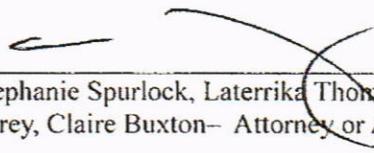
**C/O Ocwen Loan Servicing, LLC  
1661 Worthington Rd., Suite 100  
West Palm Beach, FL 33409  
Phone: 1-800-746-2936**

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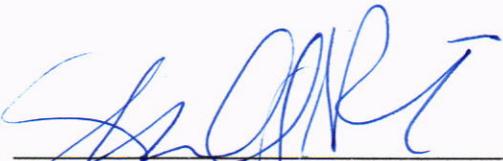
**9. Limitation of Damages:** If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the funds paid. The Purchaser shall have no further recourse against the Mortgagor, the Mortgagee, or the Mortgagee's attorney.

**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:** August 17, 2017



Stephanie Spurlock, Laterrika Thompkins, Camisha Scott, Keisha Lyons, Melisa Jones, Iman Walcott, Tanesha Humphrey, Claire Buxton- Attorney or Authorized Agent of The Mortgagee or Mortgage Servicer



Stefanie Morgan, Jonathan Schendel, Doug Woodard, Chris Demarest, Kristie Alvarez, Shelley Nail, Kristina McCrary, Donna Trout, Frederick Britton, Ramiro Cuevas, Patricia Sanders, Kelley Burns, Tanya Graham, Evan Press, Jack Burns, II, Daniel Willsie, Aarti Patel, Clay Golden, Jason Spence, Craig Muirhead, Bob Shrill, Doug Rodgers, Chance Oliver, Max Murphy or Bret Allen - Substitute Trustee(s)

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

**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.**

2017 AUG 24 PM 2:18  
Brent Zitterkopf  
COUNTY CLERK HOWARD COUNTY  
BY DEPUTY *Flaomi*  
*Marz*  
~~FILED~~  
POSTED