

### 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:** 05/05/2020

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

**Place:** THE EASTMOST SIDE OF THE COURTHOUSE ANNEX WHICH IS LOCATED AT 220 WEST QUITMAN STREET 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:** 836 RS COUNTY ROAD 1250, EMORY, TX 75440

**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 10/26/2017 and recorded 10/27/2017 in Document 2017 2356, real property records of Rains County, Texas, with Neil Aaron Carver and Christa Carver, husband and wife grantor(s) and PHH HOME LOANS, LLC DBA SUNBELT LENDING SERVICES 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 HARRIETT FLETCHER, ROBERT LAMONT, RONNIE HUBBARD, SHERYL LAMONT, ALLAN JOHNSTON, RAMIRO CUEVAS, AURORA CAMPOS, JONATHAN HARRISON, SHAWN SCHILLER, PATRICK ZWIERS, DARLA BOETTCHER, IRENE LINDSAY, DANA KAMIN, LISA BRUNO OR SHARON ST. PIERRE, Substitute Trustee to act under and by virtue of said Deed of Trust.

**5. Obligation Secured:** Deed of Trust or Contract Lien executed by Neil Aaron Carver and Christa Carver, husband and wife, securing the payment of the indebtedness in the original principal amount of \$148,117.00, 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.

FILED FOR RECORD  
2020 FEB 27 PM 1:12  
LINDA WALLACE  
CLERK  
RAINS COUNTY CLERK  
SHERYL LAMONT



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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:

BEING A 2.500 ACRE TRACT AND BEING ALL THAT CERTAIN LOT TRACT OR PARCEL OF LAND SITUATED IN THE W. C. HAVINS SURVEY, ABSTRACT NO. III, RAINS COUNTY, TEXAS, AND BEING PART OF A CALLED 4.806 ACRE TRACT DESCRIBED IN A DEED FROM JIMMY CHARLES JONES TO JOAN E. THOMAS AS RECORDED IN VOLUME 371, PAGE 436, RAINS COUNTY REAL RECORDS (R.C.R.R.), AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS; BEGINNING AT AN IRON PIPE FOUND ON THE NORTHERNMOST SOUTH LINE OF A CALLED 38.4 ACRE TRACT (WILSON, 430/465 R.C.R.R.), AT THE NORTHEAST CORNER OF SAID 4.806 ACRE TRACT FOR A CORNER, SAID POINT BEING THE NORTHWEST CORNER OF A CALLED 5.135 ACRE TRACT (CARISTA, 377/727 RCRR) THENCE S 00°18'00" W (DIRECTIONAL CONTROL LINE) ALONG THE EAST LINE OF SAID 4.806 ACRE TRACT AND THE WEST LINE OF SAID 5.135 ACRE TRACT, CROSSING THE NORTH RIGHT OF WAY LINE OF COUNTY ROAD NO. 1250 AT A DISTANCE OF 375.78 FEET, THEN CONTINUING WITHIN SAID RIGHT OF WAY A DISTANCE OF 30.00 FEET, FOR A TOTAL DISTANCE OF 405.78 FEET TO A ½ INCH IRON ROD SET, FOR A CORNER; THENCE N 89°38'34" W WITHIN SAID 4.806 ACRE TRACT AND WITHIN SAID RIGHT OF WAY, CROSSING THE WEST RIGHT OF WAY LINE OF SAID COUNTY ROAD AT A DISTANCE OF 51.93 FEET, THEN CONTINUING WITHIN SAID 4.806 ACRE TRACT A TOTAL DISTANCE OF 268.02 FEET TO A ½ INCH IRON ROD SET, FOR A CORNER; THENCE N 00°18'00" E WITHIN SAID 4.806 ACRE TRACT A DISTANCE OF 406.85 FEET TO A ½ INCH IRON ROD SET ON THE NORTH LINE OF SAID 4.806 ACRE TRACT AND THE NORTHERNMOST SOUTH LINE OF SAID 38.4 ACRE TRACT, FOR A CORNER; THENCE S 89°24'49" E ALONG THE NORTH LINE OF SAID 4.806 ACRE TRACT AND THE NORTHERNMOST SOUTH LINE OF SAID 38.4 ACRE TRACT A DISTANCE OF 268.02 FEET TO THE POINT OF BEGINNING AND CONTAINING 2.500 ACRES OF LAND, ALSO BEING KNOWN AS 836 RCR 1250, EMORY, TEXAS 75440. NOTE: BASIS OF BEARING IS THE EAST LINE OF SAID 4.806 ACRE TRACT (371/436 R.C.R.R.) THE ABOVE FIELD NOTES WERE PREPARED FROM AN ACTUAL ON THE GROUND SURVEY, MADE UNDER THE DIRECTION, AND SUPERVISION OF DANNY W. BEASLEY, R.P.L.S. #4915, DATED JUNE 16, 2017.

**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**

**1 Mortgage Way  
Mt. Laurel, NJ 08054**

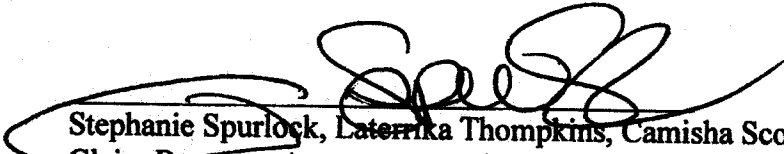
**Phone: 877-744-2506**

**Notice of [Substitute] Trustee Sale**

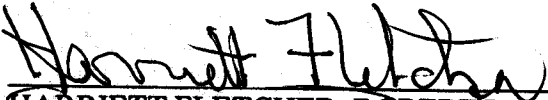
**9. Limitation of Damages:** If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the funds paid. The Purchaser shall have no further recourse against the Mortgagee, the Mortgagee, or the Mortgagee's attorney.

**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: February 26, 2020**

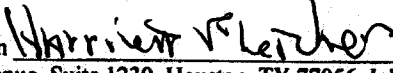
  
Stephanie Spurlock, Laterrika Thompkins, Camisha Scott, Iman Walcott, Tanesha Humphrey,  
Claire Buxton – Attorney or Authorized Agent of The Mortgagee or Mortgage Servicer

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

 *Feb 27, 2020*  
HARRIETT FLETCHER, ROBERT LAMONT, RONNIE HUBBARD, SHERYL LAMONT,  
ALLAN JOHNSTON, RAMIRO CUEVAS, AURORA CAMPOS, JONATHAN HARRISON,  
SHAWN SCHILLER, PATRICK ZWIERS, DARLA BOETTCHER, IRENE LINDSAY, DANA  
KAMIN, LISA BRUNO OR SHARON ST. PIERRE - Substitute Trustee(s)

C/O AVT Title Services, LLC  
5177 Richmond Avenue Suite 1230  
Houston, TX 77056

**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  Harriett Fletcher Certificate of Posting  
whose address is c/o AVT Title Services, LLC, AVT Title Services, LLC, 5177 Richmond  
Avenue, Suite 1230, Houston, TX 77056. I declare under penalty of perjury that on 2.27.20 I filed this Notice of  
Foreclosure Sale at the office of the Rains County Clerk and caused it to be posted at the location directed by the Rains County  
Commissioners Court.