

TS No.: 2022-01044-TX
22-000564-673

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NOV 03 2022

Notice of [Substitute] Trustee Sale

Jennifer T. Deaton
COUNTY CLERK, CORYELL CO., TEXAS

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: 12/06/2022

Time: The sale will begin at 11:00 AM or not later than three hours after that time

Place: Coryell County, Texas at the following location: **NORTH DOOR/STEPS/PORCH THE NORTH ENTRANCE TO 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: 111 TALLEY ROAD, GATESVILLE, TX 76528

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 06/09/2004 and recorded 06/09/2004 in Document 171900, real property records of Coryell County, Texas, with **MISTY RUFF, AN UNMARRIED WOMAN** grantor(s) and **HOMEcomings FINANCIAL NETWORK 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 **MISTY RUFF, AN UNMARRIED WOMAN**, securing the payment of the indebtedness in the original principal amount of **\$90,750.00**, 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**, as Trustee for Residential Asset Securities Corporation, Home Equity Mortgage Asset-Backed Pass Through Certificates Series 2004-KS8 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:

All of that certain tract or parcel of land situated in Coryell County, Texas, and being all of Lots No. 2 and 3, Block One, Thousand Oaks Subdivision, and a part of that 28 acre tract described in Deed to Joe Manning, Per vol. 539, page 418, all 4.00 acres being out of the Hugh Marshall Survey, A-697, said 4.00 acres described by metes and bounds as follows: BEGINNING at a steel pin set in the East line of said 28 acre tract S17-00-42W, 178.49 from the NEC thereof, said pin the NEC of Lot No. 2 and the NEC of this: THENCE S17-00-42W along an old overgrown wire fence, at 186.40 feet passing the NEC of Lot No. 3, a steel pin set at 367.31 feet passing the SEC of Lot No. 3, a steel pin set, at 677.31 feet a steel pin set, the SEC of this: THENCE N72-35W, an unfenced line, at 270.3 feet a steel pin set in the East line of a purposed county road, said pin the SWC of this: THENCE N15-59-43E along said road at 58.0 feet a steel pin set, an exterior corner of this: THENCE with a curve to the left with curve data as follows: arc=108.5 feet, R=296.50 feet and long chord=N05-33-S8E, 107.45 feet, a steel pin set: THENCE along the arc of a curve to the right with curve data as follows: R 102.65 feet, L=76.65 feet, chord=N16-30-S1E, 74.88 feet, a steel pin set: THENCE N37-54-08E, along Talley Road, a paved portion of said road, at 75.90 feet a steel pin set, being the SWC of Lot No. 3; THENCE N37-54-08E, along said road, at 29.37 feet a steel pin set, an interior corner of this: THENCE along arc of a circular curve to the left with curve data as follows: L=156.10 feet, R=408.26 feet and chord=N26-56-56E, 156.15 feet a steel pin found: THENCE N15-59-43E, at 1.31 feet passing the SWC of Lot No. 2, at 168.87 feet a steel pin found, an exterior corner of this: THENCE along the arc of a curve to the right with curve data as follows: R 175.29 feet, L=22.74 feet and chord=N16-10-15E, 22.73 feet, a steel pin found being the NWC of Lot No. 2: THENCE S72-47-09E along the North line of Lot No. 2, at 232.12 feet the point of Beginning and containing 4.00 acres of land.

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

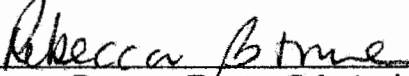
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9. Limitation of Damages: If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the funds paid. The Purchaser shall have no further recourse against the Mortgagor, the Mortgagee, or the Mortgagee's 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: October 31, 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.

Certificate of Posting

I am _____ 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 _____ I filed this Notice of Foreclosure Sale at the office of the Coryell County Clerk and caused it to be posted at the location directed by the Coryell County Commissioners Court.