

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: 03/03/2020

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

Place: **THE STEPS OF THE NORTH ENTRANCE TO THE VAN ZANDT COUNTY 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: 253 PR 8987, Ben Wheeler, TX 75754

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 06/01/2006 and recorded 06/05/2006 in Book OR 2141 Page 233 Document 00033314, real property records of Van Zandt County, Texas, with **Eric Bryan, a single man** grantor(s) and OPTION ONE MORTGAGE CORPORATION, A CALIFORNIA CORPORATION as Lender, HSBC Bank USA, National Association, as Trustee for ACE Securities Corp. Home Equity Loan Trust, Series 2006-OP2 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 RAMIRO CUEVAS, AURORA CAMPOS, JONATHAN HARRISON, SHAWN SCHILLER, PATRICK ZWIERS, DARLA BOETTCHE, DANA KAMIN, LISA BRUNO, RONDA TYLER, ANGIE USELTON, MONICA HENDERSON, JAMI HUTTON, RANDY DANIEL, CINDY DANIEL, JIM O'BRYANT, MICHAEL W. ZIENTZ, WES WEBB OR CARL NIENDORFF, Substitute Trustee to act under and by virtue of said Deed of Trust.

5. Obligation Secured: Deed of Trust or Contract Lien executed by **Eric Bryan, a single man**, securing the payment of the indebtedness in the original principal amount of **\$263,700.00**, and obligations therein described including but not limited to the promissory note; and all modifications, renewals and extensions of the promissory note. **HSBC Bank USA, National Association, as Trustee for ACE Securities Corp. Home Equity Loan Trust, Series 2006-OP2** is the current mortgagee of the note and deed of trust or contract lien.

FILED FOR RECORD
2020 JAN 23 AM 9:16
SUSAN STICKLAND
COUNTY CLERK, VAN ZANDT CO., TX
BY _____ DEP.

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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 THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN VAN ZANDT COUNTY, TEXAS, ON THE H. BRYANT SURVEY, ABSTRACT NO. 94, AND BEING THE 17.03 ACRE TRACT CONVEYED TO HERSHELL WAYNE CALDWELL AND WIFE, NELDA JOANNE CALDWELL, BY JOYCE LADELL ADAMS BY DEED DATED JANUARY 22, 1995, AND RECORDED IN VOLUME 1364, PAGE 47, OF THE VAN ZANDT COUNTY REAL RECORDS. SAID LOT, TRACT OR PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: BEGINNING AT A 1" AXLE FOUND AT THE NORTHEAST CORNER OF THE 17.03 ACRE TRACT, AT THE SOUTHEAST CORNER OF THE JOHN MANDERSCHIED 11.33 ACRE TRACT RECORDED IN VOLUME 1758, PAGE 264, IN THE WEST LINE OF THE J. DAVIS SURVEY, A-1007, AND THE EAST LINE OF THE H. BRYANT SURVEY, A-94; WITNESS: FOUND 18" POST OAK SOUTH 05 DEG. WEST 13.0 FEET, FOUND 24" RED OAK NORTH 30 DEG. EAST 72.6 FEET; THENCE SOUTH 00 DEG. 24 MIN. WEST, ALONG FENCE, 502.00 FEET TO A 1/2" IRON ROD FOUND AT THE NORTHEAST CORNER OF THE JOYCE LADELL ADAMS 23.12 ACRE RESIDUE TRACT RECORDED IN VOLUME 1140, PAGE 900; WITNESS: FOUND 8" SWEET GUM SOUTH 11.6 FEET, MARKED 14" WATER OAK SOUTH 45 DEG. WEST 27.0 FEET; THENCE SOUTH 88 DEG. 54 MIN. 28 SEC. WEST, ALONG LINE OF DIRECTIONAL CONTROL, 1477.73 FEET TO A 1/2" IRON ROD FOUND AT THE SOUTHEAST CORNER OF THE PATRICIA ANN DAVIDSON 36.85 ACRE TRACT RECORDED IN VOLUME 1530, PAGE 156; WITNESS: FOUND 12" SWEET GUM NORTH 56.3 FEET; THENCE NORTH 00 DEG. 09 MIN. 51 SEC. EAST 502.27 FEET TO A 3/8" IRON ROD FOUND AT THE NORTHWEST CORNER OF THE 17.03 ACRE TRACT AND SOUTHWEST CORNER OF THE JO ANN BEAL 3.20 ACRE TRACT; THENCE NORTH 88 DEG. 57 MIN. 08 SEC. EAST 1096.75 FEET TO A 1" AXLE FOUND AT THE SOUTHWEST CORNER OF THE MANDERSCHIED TRACT; WITNESS: FOUND 18" RED OAK SOUTH 25 DEG. EAST 35.5 FEET, FOUND 10" WATER OAK NORTH 20 DEG. WEST 5.4 FEET; THENCE NORTH 88 DEG. 49 MIN. 39 SEC. EAST 383.04 FEET TO THE PLACE OF BEGINNING AND CONTAINING 17.03 ACRES OF LAND, MORE OR LESS. TOGETHER WITH THE FOLLOWING EASEMENTS: EASEMENT NO. ONE: AN EASEMENT FOR THE RIGHT OF INGRESS AND EGRESS AND THE INSTALLATION AND MAINTENANCE OF UTILITIES, THE CENTERLINE OF SUCH EASEMENT BEING DESCRIBED AS FOLLOWS: ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN VAN ZANDT COUNTY, TEXAS, ON THE H. BRYANT SURVEY, ABSTRACT NO. 94, AND BEING A PART OF THE 40.25 ACRE TRACT CONVEYED TO JOYCE LADELL ADAMS BY JOYCE LADELL ADAMS, INDEPENDENT EXECUTRIX OF THE ESTATE OF PAUL J. ADAMS BY DEED DATED MARCH 20, 1988, AND RECORDED IN VOLUME 1140, PAGE 900, OF THE VAN ZANDT COUNTY REAL RECORDS. SAID LOT, TRACT OR PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: BEGINNING IN THE SOUTH BOUNDARY LINE OF THE 40.25 ACRE TRACT, NORTH 88 DEG. 29 MIN. 08 SEC. EAST 37.00 FEET FROM ITS SOUTHWEST CORNER; THENCE ALONG THE CENTERLINE OF AN EXISTING ROAD WITH ITS MEANDERS AS FOLLOWS: NORTH 27 DEG. 51 MIN. EAST 41.30 FEET, NORTH 69 DEG. 47 MIN. EAST 36.0 FEET, SOUTH 78 DEG. 37 MIN. EAST 80.60 FEET, SOUTH 89 DEG. 0 MIN. EAST 300.90 FEET, NORTH 87 DEG. 10 MIN. EAST 231.23 FEET, NORTH 88 DEG. 54 MIN. EAST 320.90 FEET, NORTH 89 DEG. 44 MIN. EAST 229.50 FEET, NORTH 88 DEG. 55 MIN. EAST 193.09 FEET, NORTH 83 DEG. 01 MIN. EAST 44.33 FEET, NORTH 60 DEG. 35 MIN. EAST 44.53 FEET, NORTH 28 DEG. 04 MIN. EAST 47.52 FEET AND NORTH 11 DEG. 54 MIN. EAST 331.49 FEET TO A POINT IN THE SOUTH LINE OF THE ABOVE DESCRIBED 17.03 ACRE TRACT, SOUTH 88 DEG. 54 MIN. 28 SEC. WEST 845.00 FEET FROM ITS SOUTHEAST CORNER. EASEMENT NO. TWO: AN EASEMENT FOR THE RIGHT OF INGRESS AND EGRESS AND THE INSTALLATION AND MAINTENANCE OF UTILITIES OVER AND ACROSS THE FOLLOWING DESCRIBED LAND: ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN VAN ZANDT COUNTY, TEXAS, A PART OF THE H.

BRYANT SURVEY, ABSTRACT NO. 94, AND THE A. MARTIN SURVEY, ABSTRACT NO. 534, AND BEING A 30 FOOT RIGHT OF WAY EASEMENT WITH THE CENTER LINE DESCRIPTION BEING MORE FULLY DESCRIBED AS FOLLOWS:BEING A PART OF A CERTAIN 138.89 ACRE TRACT OF LAND DESCRIBED IN DEED FROM OLVIA CHAPMAN ET AL. TO DON TROTTER AND JACKIE TROTTER, DATED MAY 31, 1979, RECORDED IN VOLUME 913, PAGE 643, DEED RECORDS OF VAN ZANDT COUNTY, TEXAS;BEGINNING AT A POINT IN THE SOUTH LINE OF A CERTAIN 40.25 ACRE TRACT OF LAND DESCRIBED IN DEED FROM HAROLD E. NICHOLAS AND WIFE, LORELEI NICHOLAS, TO PAUL ADAMS AND WIFE, JOYCE ADAMS, DATED JUNE 25, 1986, RECORDED IN VOLUME 1093, PAGE 139, REAL RECORDS OF VAN ZANDT COUNTY, TEXAS, SAME BEING NORTH 88 DEG. 29 MIN. 23 SEC. EAST 15.0 FEET FROM THE SOUTHWEST CORNER OF SAID 40.25 ACRE TRACT OF LAND;THENCE: SOUTH 00 DEG. 08 MIN. 44 SEC. EAST 679.41 FEET TO A POINT; THENCE: SOUTH 00 DEG. 24 MIN. 44 SEC. EAST 996.15 FEET TO A POINT;THENCE: SOUTH 01 DEG. 09 MIN. 13 SEC. EAST 321.61 FEET TO A POINT IN THE CENTER OF F. M. ROAD NO. 314.

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**

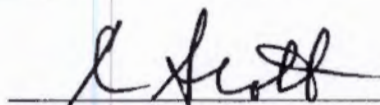
Phone: 877-744-2506

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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.

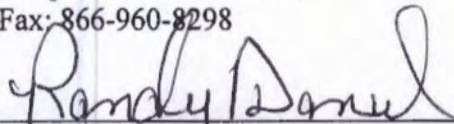
THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE(S) IDENTIFIED TO SELL THE PROPERTY DESCRIBED IN THE SECURITY INSTRUMENT IDENTIFIED IN THIS NOTICE OF SALE. THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY OR AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.

Date: January 22, 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



RAMIRO CUEVAS, AURORA CAMPOS, JONATHAN HARRISON, SHAWN SCHILLER, PATRICK ZWIERS, DARLA BOETTCHER, DANA KAMIN, LISA BRUNO, RONDA TYLER, ANGIE USELTON, MONICA HENDERSON, JAMI HUTTON, RANDY DANIEL, CINDY DANIEL, JIM O'BRYANT, MICHAEL W. ZIENTZ, WES WEBB OR CARL NIENDORFF
- 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.

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