

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: 01/04/2022

Time: The sale will begin at 12:00 PM or not later than three hours after that time

Place: Hunt County, Texas at the following location: **THE NORTH STEPS OF THE COURTHOUSE INCLUDING THE HALLWAY AREA 20 FT. INSIDE ON THE 2ND FLOOR 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: 2858 FM 2194, CELESTE, TX 75423

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 08/05/2005 and recorded 08/11/2005 in Book OR Vol 1349 Page 300 Document 13131, real property records of Hunt County, Texas, with JAMES HUEY DAUGHERTY, JR. AKA JAMES DAUGHERTY AND SPOUSE MELISA L. DAUGHERTY, grantor(s) and OPTION ONE MORTGAGE CORPORATION, A CALIFORNIA CORPORATION, as Lender, Wells Fargo Bank, National Association as Trustee for Option One Mortgage Loan Trust 2005-4, Asset-Backed Certificates, Series 2005-4, 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 JAMES HUEY DAUGHERTY, JR. AKA JAMES DAUGHERTY AND SPOUSE MELISA L. DAUGHERTY, securing the payment of the indebtedness in the original principal amount of \$100,521.00, and obligations therein described including but not limited to the promissory note; and all modifications, renewals and extensions of the promissory note. Wells Fargo Bank, National Association as Trustee for Option One Mortgage Loan Trust 2005-4, Asset-Backed Certificates, Series 2005-4 is the current mortgagee of the note and deed of trust or contract lien.

FILED FOR RECORD
BECKY LANDRUM
COUNTY CLERK HUNT CO. TX

21 NOV 12 AM 8:28
BY: *Culbertson*
DEPUTY

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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 certain lot tract, or parcel of land situated in Hunt County, Texas, being part of the Joseph D. Freeman Survey, Abstract No. 315, being all of a 10.00 acre tract of land described in a Warranty Deed from Kimberly Dawn Daugherty to James Huey Daugherty as recorded in Volume 244 at Page 649 of the Real Property Records of Hunt County, Texas, and being described as follows:

BEGINNING at a 1/2 inch iron rod found for a corner at the southeast corner of said 10.00 acre tract on the north right-of-way of Farm to Market No. 2194 **THENCE** N 62° 36' 46" W along the north right-of-way of Farm to Market No. 2194, a distance of 270.80 feet to a point for a corner, said corner being at the beginning of a curve to the left having a central angle of 04° 40' 06", a radius of 1196.28 feet, a chord bearing N 64° 56' 50" W a distance of 97.45 feet;

THENCE in the Northwesterly direction along the north right-of-way of Farm to Market No. 2194 and said curve to the left at an arc length of 97.47 feet to a 1/2 inch iron rod found for a corner; **THENCE** N 01° 15' 39" E a distance of 1305.52 feet to a 1/2 inch Iron rod found for a corner at the northwest corner of said 10.00 acre tract; **THENCE** S 90° 00' 00" E a distance of 300.00 feet to a 1/2 inch iron rod found in said fence for a corner at the northeast corner of said 10.00 acre tract;

THENCE S 00° 00' 00" W along a fence and the east line of said 10.00 acre tract, distance of 1471.03 feet to the Point of Beginning and containing 10.031 acres of land and being known as No. 2858 Farm to Market No. 2194.

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

TS No.: 2021-00015-TX
21-000083-673

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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: November 9, 2021


Camisha Scott, Iman Walcott, ~~Tanesha Humphrey~~, Claire Buxton, Glenda Hamilton – 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

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 Hunt County Clerk and caused it to be posted at the location directed by the Hunt County Commissioners Court.