

### 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:** 01/07/2020

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

**Place:** **THE EAST DOOR OF 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:** 217 N Jacobs Street, Albany, TX 76430

**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 06/02/2005 and recorded 08/03/2005 in Book 0508 Page 0174 Document 250746 , Re-filed 10/03/2019 in Document 20190733 , real property records of Shackelford County, Texas, with **JIMMY BROOKS JR AND KAREN BROOKS, HUSBAND AND WIFE** 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 2005-3, Asset-Backed Certificates, Series 2005-3 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 **TERRY BROWDER, LAURA BROWDER, MARSHA MONROE, KEVIN KEY, JAY JACOBS, JONATHAN SCHENDEL, RAMIRO CUEVAS, KRISTIE ALVAREZ OR PATRICK ZWIERS** , Substitute Trustee to act under and by virtue of said Deed of Trust.

**5. Obligation Secured:** Deed of Trust or Contract Lien executed by **JIMMY BROOKS JR AND KAREN BROOKS, HUSBAND AND WIFE**, securing the payment of the indebtedness in the original principal amount of \$60,000.00, 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 2005-3, Asset-Backed Certificates, Series 2005-3** is the current mortgagee of the note and deed of trust or contract lien.

**FILED**  
11/21/19 2:58pm  
CHERI HAWKINS  
COUNTY & DISTRICT CLERK  
SHACKELFORD COUNTY, TX  
*Jasminne Cargas*  
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:

**LOT NO. 7 AND THE NORTHEAST ¼ OF LOT NO. 8, BLOCK NO.19, RAILROAD ADDITION TO THE TOWN OF ALBANY IN SHACKELFORD COUNTY, TEXAS, AS SHOWN ON THE MAP OR PLAT OF SAID ADDITION, RECORDED IN THE OFFICE OF THE COUNTY CLERK OF SHACKELFORD COUNTY, TEXAS.**

**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:** November 14, 2019



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



**PERRY BROWDER, LAURA BROWDER, MARSHA MONROE, KEVIN KEY, JAY JACOBS,  
JONATHAN SCHENDEL, RAMIRO CUEVAS, KRISTIE ALVAREZ OR PATRICK ZWIERS**  
- 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, 1101 Ridge Rd., Suite 222, Rockwall, TX  
75087. I declare under penalty of perjury that on \_\_\_\_\_ I filed this Notice of Foreclosure Sale at the office of the  
Shackelford County Clerk and caused it to be posted at the location directed by the Shackelford County Commissioners Court.