

FILED FOR RECORD  
IN MY OFFICE

AT 1:50 O'CLOCK P M

## NOTICE OF SUBSTITUTE TRUSTEE'S SALE

JUL 11 2016

Matter No.: 042352-TX

Date: July 1, 2016

County where Real Property is Located: Panola

BOBBIE DAVIS  
COUNTY CLERK, PANOLA COUNTY, TEXAS  
BY M. Turner DEPUTY

ORIGINAL MORTGAGOR: BRANDY L. FOUNTAIN, A MARRIED PERSON AND JOHN G. FOUNTAIN, A MARRIED PERSON

ORIGINAL MORTGAGEE: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC., SOLELY AS NOMINEE FOR CENDANT MORTGAGE CORPORATION, ITS SUCCESSORS AND ASSIGNS

CURRENT MORTGAGEE: PHH Mortgage Corporation

MORTGAGE SERVICER: PHH Mortgage Corporation

DEED OF TRUST DATED 8/30/2001, RECORDING INFORMATION: Recorded on 9/6/2001, as Instrument No. 72565, in Book 1129, Page 698,

SUBJECT REAL PROPERTY (LEGAL DESCRIPTION): ALL THAT CERTAIN TRACT OR PARCEL OF LAND SITUATED IN THE EDWIN SMITH SURVEY, A-601, PANOLA COUNTY, TEXAS, MORE COMPLETELY DESCRIBED IN ATTACHED EXHIBIT "A"

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on **9/6/2016**, the foreclosure sale will be conducted in **Panola** County in the area of the courthouse designated by the Commissioners Court, pursuant to Section 51.002 of the Texas Property Code as the place where the foreclosure sales are to take place. If no place is designated by the Commissioners Court, sale will be conducted at the place where the Notice of Trustee's Sale was posted. The trustee's sale will be conducted no earlier than **10:00 AM**, or not later than three (3) hours after that time, by one of the Substitute Trustees who will sell, to the highest bidder for cash, subject to the unpaid balance due and owing on any lien indebtedness superior to the Deed of Trust.

PHH Mortgage Corporation is acting as the Mortgage Servicer for PHH Mortgage Corporation who is the Mortgagee of the Note and Deed of Trust associated with the above referenced loan. PHH Mortgage Corporation, as Mortgage Servicer, is representing the Mortgagee, whose address is:

PHH Mortgage Corporation  
One Mortgage Way  
Mt Laurel NJ 08054

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 property securing the above referenced loan.



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**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.**

By: Sheryl LaMont 7-11-16 Substitute Trustee  
SHERYL LAMONT OR ROBERT LAMONT OR DAVID  
SIMS OR CAROL HAMPTON OR SHARON ST. PIERRE OR  
HARRIETT FLETCHER OR PAUL A. HOEFKER, ROBERT L.  
NEGRIN

**Return to:**  
ALDRIDGE PITE, LLP  
4375 JUTLAND DR., SUITE 200  
P.O. BOX 17935  
SAN DIEGO, CA 92177-0935  
FAX #: 619-590-1385  
866-931-0036

EXHIBIT A – LEGAL DESCRIPTION

EXHIBIT "B"

ALL THAT CERTAIN TRACT OR PARCEL OF LAND SITUATED IN THE EDWIN SMITH SURVEY, A-601, PANOLA COUNTY, TEXAS, BEING 0.882 ACRES BY THIS SURVEY AND BEING THE SAME PARCELS CALLED THE RESIDUE OF A 2.00 ACRE TRACT CONVEYED TO FRANK DIXON AND WIFE, JANICE DIXON IN A DEED RECORDED IN VOLUME 657, PAGE 619 AND A CALLED 0.203 ACRE TRACT CONVEYED TO FRANKLIN K. DIXON AND WIFE, JANICE DIXON IN VOLUME 657, PAGE 619 AND A CALLED 0.203 ACRE TRACT CONVEYED TO FRANKLIN K. DIXON AND WIFE, JANICE DIXON IN VOLUME 956, PAGE 291 OF THE DEED RECORDS OF PANOLA COUNTY, TEXAS, SAID 0.882 ACRES MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD FOUND ON THE NORTH MARGIN OF COUNTY ROAD 2162 FOR THE SOUTHEAST CORNER OF SAID 0.882 ACRES, THIS POINT BEING THE SOUTHWEST CORNER OF THE RESIDUE OF A CALLED 2.00 ACRE TRACT CONVEYED TO KELLY WADE VANDERGRUFF AND WIFE, SHELLY VANDERGRUFF (VOL. 892, PAGE 658)

THENCE NORTH 89 DEGREES 48 MINUTES 37 SECONDS WEST ALONG THE NORTH MARGIN OF COUNTY ROAD 2162 FOR A DISTANCE OF 29.96 FEET TO A 1/2" IRON PIPE FOUND FOR CORNER AT THE ORIGINAL SOUTHWEST CORNER OF SAID 0.203 ACRES.

THENCE NORTH 89 DEGREES 39 MINUTES 00 SECONDS WEST CONTINUING ALONG THE NORTH LINE OF SAID ROAD FOR A DISTANCE OF 100.01 FEET TO 1/2" IRON ROD FOUND FOR THE SOUTHWEST CORNER OF SAID 0.882 ACRES, THIS POINT BEING THE SOUTHEAST CORNER OF A PARCEL CALLED 2.00 ACRES SAVE AND EXCEPT THE EAST 100 FEET OF SAID LOT AS CONVEYED TO MARLON MOTLEY AND WIFE, JILL MOTLEY (VOL. 823, PAGE 92).

THENCE NORTH 00 DEGREES 15 MINUTES 36 SECONDS WEST, AT 97.88 FEET PASS A POWER POLE WHICH IS 0.46 FEET WEST OF LINE, CONTINUING AND AT 143.08 FEET PASS A 2" IRON PIPE FOUND 0.12 FEET EAST OF LINE, CONTINUING IN ALL FOR A TOTAL DISTANCE OF 296.26 FEET TO A 1/2" IRON ROD FOUND IN A FENCE LINE AT THE NORTHWEST CORNER OF SAID 0.882 ACRES, THIS POINT BEING THE NORTHEAST CORNER OF SAID MOTLEY TRACT AND BEING ON THE SOUTH LINE OF A CALLED 9.968 ACRE TRACT CONVEYED TO JERRY FORREST HANNA AND WIFE, COURTNEY DAWN HANNA (VOL. 1000, PAGE 769, PAGE 770).

THENCE SOUTH 89 DEGREES 09 MINUTES 24 SECONDS EAST ALONG SAID FENCE LINE AND THE SOUTH LINE OF SAID 9.968 ACRES, 99.87 FEET PASS A POINT FOR CORNER AT THE ORIGINAL NORTHWEST CORNER OF SAID 0.23 ACRES CONTINUING IN ALL FOR A TOTAL DISTANCE OF 129.87 FEET TO A 1/2" IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAID 0.882 ACRES, THIS POINT BEING THE NORTHWEST CORNER OF SAID VANDERGRUFF LOT.

THENCE SOUTH 00 DEGREES 17 MINUTES 00 SECONDS EAST (BEING THE BASIS OF BEARING FOR THIS SURVEY) FOR A DISTANCE OF 295.06 FEET THE PLACE OF BEGINNING AND CONTAINING 0.882 ACRES OF LAND, MORE OR LESS.