

Notice of [Substitute] Trustee Sale

OCT 06 2017

Gina Goldme

BOBBIE DAVIS

Assert and protect your rights as a member of the armed forces of the United States 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: 11/07/2017

Time: The sale will begin at 01:00 PM or not later than three hours after that time

Place: THE STEPS OF THE PANOLA COUNTY COURTHOUSE, SUCH STEPS BEING LOCATED ON THE EAST SIDE OF THE PANOLA 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: 1372 Highway 79 North, Carthage, TX 75633

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 08/24/2006 and recorded 08/30/2006 in Document 113283, Book OR VL 1335 Page 107, real property records of Panola County Texas, with Charles Smith and Ugala Smith, husband and wife grantor(s) and Merchants Home Loan, Inc.
4. **Appointment of Substitute Trustee:** The undersigned has been appointed Substitute Trustee in the place of said original Trustee, upon the contingency and in the manner authorized by the above referenced Deed of Trust.
5. **Obligation Secured:** Deed of Trust or Contract Lien executed by Charles Smith and Ugala Smith, husband and wife securing the payment of the indebtedness in the original principal amount of \$ 99,000.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. DEUTSCHE BANK NATIONAL TRUST COMPANY, as Trustee for HOME EQUITY MORTGAGE LOAN ASSET-BACKED TRUST Series INABS 2006-E, HOME EQUITY MORTGAGE LOAN ASSET-BACKED CERTIFICATES Series INABS 2006-E is the current mortgagee of the note and the 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 that certain 5.000 acre tract of land, a part of DAVID BROWN Survey, Abstract No. 104, Panola County, Texas, and being a part of that certain tract of land called a remainder of 33.115 acres described as "First Parcel" in a deed from Josephine Dukes West to Judy Dukes Williams, dated December 13, 2002 recorded in Vol. 1171, Page 171 of the Official Public Records of Panola County, Texas, being out of a tract of land originally called 73.171 acres described in a deed from Jean Evelyn Tanniehill to Josephine Dukes, dated April 11, 1979, recorded in Vol. 655, Page 123 of the Deed Records of Panola County, Texas, and the said 5.000 acre subject tract is more particularly described as follows:

Beginning at a 1/2-inch iron rod set for a corner and Point of Beginning in the South Right-of-Way line of U.S. Highway No. 79 at its intersection with the West Boundary line of the said original tract called 73.171 acres, same being the West boundary line of the said remainder parent tract called 33.115 acres:

Thence North 63°31'26" East with the said Highway Right-of-Way line a distance of 300.40 feet to a 1/2- inch iron rod set for the Northeast corner of the subject tract;

Thence South 37°18'40" East a distance of 696.69 feet to a 1/2-inch iron rod set for the Southeast corner of the Subject tract;

THENCE South 47°33'07" West a distance of 296.24 feet to a 1/2-inch iron rod set for the Southwest corner of the Subject tract;

THENCE North 37°18'40" West a distance of 779.68 feet to the Point of Beginning, containing a total area of 5.000 acres

8. **Mortgage Servicer Information:** The Mortgage Service 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. **Ocwen Loan Servicing, LLC**, as Mortgage Servicer, is representing the current mortgagee, whose address is:

**C/O Ocwen Loan Servicing, LLC
1661 Worthington Rd., Suite 100
West Palm Beach, FL 33409
Phone: 1-800-746-2936**

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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 2, 2017

Stephanie Spurlock, Laterrika Thompkins, Camisha Scott, Keisha Lyons, Melisa Jones, Iman Walcott, Tanesha Humphrey, Claire Buxton, – Attorney or Authorized Agent of The Mortgagee or Mortgage Servicer

Lisa DeLong, Allan Johnston, Sheryl Lamont, Robert Lamont, David Sims, Sharon St. Pierre, Harriett Fletcher, Carol Hampton, Terri Worley, Mark Hartman, Aurora Campos, Ramiro Cuevas, Kelley Burns, Tanya Graham, Evan Press, Jack Burns II, Daniel Willsie, Phillip Pierceall, Terry Waters, Logan Thomas, Chance Oliver, Max Murphy or Bret Allen—Substitute Trustee(s)

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.