

FILED

2019 FEB -1 AM 11:57

JOHN F. WARREN  
COUNTY CLERK  
DALLAS COUNTY  
BY \_\_\_\_\_ DEPUTY

RECORDING REQUESTED BY:

WHEN RECORDED MAIL TO:

John Beazley, Kenny Shirey, Rick Montgomery, Craig Muirhead, Aaron Parker, Clay Golden, Brent Graves, Wendy Lambert, Terry Waters, Shawn Schiller, Matthew Hansen, Logan Thomas, Guy Wiggs, Russell Stockman, David Stockman, Tim Lewis, Vanessa McHaney  
c/o Malcolm Cisneros/Trustee Corps  
17100 Gillette Avenue  
Irvine, CA 92614  
(949) 252-8300

TS No TX07000319-18-2S

APN 12076500020100000

TO No 180370031 -TX-RWI

15L55782

### NOTICE OF SUBSTITUTE TRUSTEE'S SALE

WHEREAS, on January 18, 2013, JAMES P REID, A MARRIED MAN, JOINED BY HIS WIFE, BALINDA REID, NON TITLED SPOUSE JOINING AS TO MARITAL AND/OR HOMESTEAD RIGHTS ONLY as Grantor/Borrower, executed and delivered that certain Deed of Trust in favor of CALVIN C. MANN, JR. as Trustee, MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. as nominee for FREEDOM MORTGAGE CORPORATION, its successors and assigns, as original Beneficiary, which Deed of Trust secures the payment of that certain Promissory Note of even date therewith in the original amount of \$104,513.00, payable to the order of FREEDOM MORTGAGE CORPORATION as current Beneficiary, which Deed of Trust recorded on January 28, 2013 as Document No. 201300025579 in Dallas County, Texas. Deed of Trust covers all of the real property described therein, including, but not limited to, all of the following described property, rights and interests (the "Property"), to-wit: **SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF**

APN 12076500020100000

WHEREAS, the Trustee named in the Deed of Trust having been removed, the legal holder of the indebtedness described in the Deed of Trust appointed **John Beazley, Kenny Shirey, Rick Montgomery, Craig Muirhead, Aaron Parker, Clay Golden, Brent Graves, Wendy Lambert, Terry Waters, Shawn Schiller, Matthew Hansen, Logan Thomas, Guy Wiggs, Russell Stockman, David Stockman, Tim Lewis, Vanessa McHaney** or either of them, as Substitute Trustee (each being referred to as the "Substitute Trustee"), upon the contingency and in the manner authorized by the Deed of Trust; and

WHEREAS, defaults have occurred in the covenants of the Deed of Trust, monetary or otherwise, and the indebtedness secured by and described in the Deed of Trust is now wholly due, and **FREEDOM MORTGAGE CORPORATION**, the legal holder of such indebtedness and the liens securing same has requested either one of the Substitute Trustees to sell the Property in accordance with applicable law and the terms and provisions of the Deed of Trust.

A

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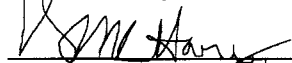
NOW THEREFORE, NOTICE IS HEREBY GIVEN that on **Tuesday, April 2, 2019 at 10:00 AM**, no later than three (3) hours after such time, being the first Tuesday of such month, the Substitute Trustee will sell the Property at public venue to the highest bidder for cash. The sale will take place in Dallas County, Texas, at the area designated by the Commissioner's Court for sales of real property under a power of sale conferred by a Deed of Trust or other contract lien as follows: **George Allen Courts Building, 600 Commerce Street, Dallas, TX 75202.**

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of and FREEDOM MORTGAGE CORPORATION's election to proceed against and sell both the real property and any personal property described in said Deed of Trust in accordance with and FREEDOM MORTGAGE CORPORATION's rights and remedies under the Deed of Trust and Section 9.604(a) of the Texas Business and Commerce Code.

NOTICE IS FURTHER GIVEN, that except to the extent that the Substitute Trustee may bind and obligate Mortgagors to warrant title the Property under the terms of the Deed of Trust. Pursuant to Section 51.009 of the Texas Property Code, the Property will be sold in "as is", "where is" condition. Conveyance of the Property shall be made without any representations or warranties whatsoever, expressed or implied. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters and are advised to conduct an independent investigation of the nature and physical condition 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 expressed or implied warranties, except as to the warranted.

WITNESS, my hand this 30 day of January, 2019.



By: John Beazley, Kenny Shirey, Rick Montgomery, Craig Muirhead, Aaron Parker, Clay Golden, Brent Graves, Wendy Lambert, Terry Waters, Shawn Schiller, Matthew Hansen, Logan Thomas, Guy Wiggs, Russell Stockman, David Stockman, Tim Lewis, Vanessa McHaney  
Substitute Trustee(s)

**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.**

**SALE INFORMATION CAN BE OBTAINED ONLINE AT [www.Auction.com](http://www.Auction.com)  
FOR AUTOMATED SALES INFORMATION PLEASE CALL: [Auction.com](http://Auction.com) at 800.280.2832**

FOR REINSTATEMENT / PAY OFF REQUESTS CONTACT: (949) 252-8300  
THIS IS AN ATTEMPT TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

**To the extent your original obligation was discharged, or is subject to an automatic stay of bankruptcy under Title 11 of the United States Code, this notice is for compliance and/or informational purposes only and does not constitute an attempt to collect a debt or to impose personal liability for such obligation. However, a secured party retains rights under its security instrument, including the right to foreclose its lien.**

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TO No 180370031 -TX-RWI

**EXHIBIT "A"**

**BEING LOT 10 IN BLOCK 2, OF FIFTH INSTALLMENT OF SPRING OAKS ADDITION, AN ADDITION TO THE CITY OF BALCH SPRINGS, DALLAS COUNTY, TEXAS, ACCORDING TO THE MAP THEREOF RECORDED IN VOLUME 533, PAGE 1940, MAP RECORDS, DALLAS COUNTY, TEXAS**

### 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:** 04/02/2019

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

**Place:** NORTH SIDE OF THE GEORGE ALLEN COURTS BUILDING FACING  
COMMERCE STREET OR AS DESIGNATED BY THE COUNTY COMMISSIONERS  
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:** 4908 Peachtree Road, Balch Springs, TX 75180

**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 01/03/2008 and recorded 01/11/2008 in Book Page Document 20080010899 , real property records of Dallas County, Texas, with Tracy Cooksey, a single man and Araceli Chavez, a single woman grantor(s) and ALETHER, LLC as Lender, MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. 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 BRENT GRAVES, CRAIG MUIRHEAD, AARON PARKER, LOGAN THOMAS, RICK MONTGOMERY, PHILLIP PIERCEALL, CARY CORENBLUM, SHAWN SCHILLER, MATTHEW HANSEN, TERRY WATERS, CLAY GOLDEN, MICHELLE SCHWARTZ, GUY WIGGS, RUSSELL STOCKMAN, CARL NIENDORFF, L. KELLER MACKIE, MICHAEL W. ZIENTZ, MICHAEL D. VESTAL, WES WEBB, KRISTEN WALL, DONNA STOCKMAN OR DAVID STOCKMAN, Substitute Trustee to act under and by virtue of said Deed of Trust.

**5. Obligation Secured:** Deed of Trust or Contract Lien executed by Tracy Cooksey, a single man and Araceli Chavez, a single woman, securing the payment of the indebtedness in the original principal amount of \$143,069.00, and obligations therein described including but not limited to the promissory note; and all modifications, renewals and extensions of the promissory note. Ocwen Loan Servicing, LLC is the current mortgagee of the note and deed of trust or contract lien.

BY \_\_\_\_\_  
JOHN E. WARREN  
COUNTY CLERK  
DALLAS COUNTY  
SECURITY

2019 JAN 31 PM 2:32

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### Notice of [Substitute] Trustee Sale

**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 5, BLOCK B, OF SPENCE ESTATES ADDITION, AN ADDITION TO DALLAS COUNTY, TEXAS, ACCORDING TO THE MAP THEREOF RECORDED IN VOLUME 27, PAGE 233, OF THE MAP RECORDS OF DALLAS COUNTY, TEXAS, NOW IN THE CITY OF BALCH SPRINGS.**

**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. **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**

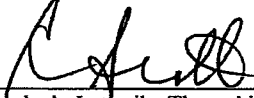
**Phone: 1-800-746-2936**

**Notice of [Substitute] Trustee Sale**

**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.

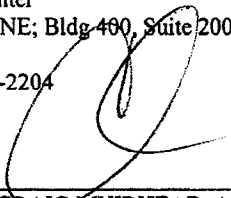
**THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE(S) IDENTIFIED TO SELL THE PROPERTY DESCRIBED IN THE SECURITY INSTRUMENT IDENTIFIED IN THIS NOTICE OF SALE. THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY OR AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.**

**Date:** January 30, 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



~~BRENT GRAVES, CRAIG MUIRHEAD, AARON PARKER, LOGAN THOMAS, RICK MONTGOMERY, PHILLIP PIERCEALL, CARY CORENBLUM, SHAWN SCHILLER, MATTHEW HANSEN, TERRY WATERS, CLAY GOLDEN, MICHELLE SCHWARTZ, GUY WIGGS, RUSSELL STOCKMAN, CARL NIENDORFF, L. KELLER MACKIE, MICHAEL W. ZIENTZ, MICHAEL D. VESTAL, WES WEBB, KRISTEN WALL, DONNA STOCKMAN OR DAVID STOCKMAN - Substitute Trustee(s)~~

C/O AVT Title Services, LLC  
1101 Ridge Rd. Suite 222  
Rockwall, TX 75087

**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 Forclosures Sale at the office of the Dallas County Clerk and caused it to be posted at the location directed by the Dallas County Commissioners Court.