

## 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:** 06/02/2020

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

**Place:** THE SOUTHEAST PORCH AT 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:** 200 SUMMITT STREET, ALVORD, TX 76225

**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 04/23/2004 and recorded 04/26/2004 in Book OR 1415 Page 499 Document 347736, real property records of Wise County, Texas, with **Robert N Ponder and Latecia Kay Ponder, husband and wife** grantor(s) and NEW CENTURY MORTGAGE CORPORATION as Lender, U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR THE REGISTERED HOLDER OF ASSET BACKED SECURITIES CORPORATION HOME EQUITY LOAN TRUST 2004-HE5 ASSET BACKED PASS-THROUGH CERTIFICATES, SERIES 2004-HE5 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 RAMIRO CUEVAS, AURORA CAMPOS, JONATHAN HARRISON, PATRICK ZWIERS, IRENE LINDSAY, DANA KAMIN, LISA BRUNO, RONDA TYLER, KRISTOPHER HOLUB, ANGIE USELTON, DAVID STOCKMAN, DENISE BOERNER, DONNA STOCKMAN, BRENDA WIGGS, GUY WIGGS, TIM LEWIS, MICHELLE SCHWARTZ, KATHY ARRINGTON OR MICHAEL W. ZIENTZ

, Substitute Trustee to act under and by virtue of said Deed of Trust.

**5. Obligation Secured:** Deed of Trust or Contract Lien executed by **Robert N Ponder and Latecia Kay Ponder, husband and wife**, securing the payment of the indebtedness in the original principal amount of \$89,100.00, and obligations therein described including but not limited to the promissory note; and all modifications, renewals and extensions of the promissory note. U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR THE REGISTERED HOLDER OF ASSET BACKED SECURITIES CORPORATION HOME EQUITY LOAN TRUST 2004-HE5 ASSET BACKED PASS-THROUGH CERTIFICATES, SERIES 2004-HE5 is the current mortgagee of the note and deed of trust or contract lien.

POSTED

AT 10:30 o'clock 2 M

MAR 31 2020

SHERRY LEMON, COUNTY CLERK  
WISE COUNTY, TEXAS

By Kathy Gyger DEPUTY

Kathy Gyger

### 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: March 30, 2020**



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

RAMIRO CUEVAS, AURORA CAMPOS, JONATHAN HARRISON, PATRICK ZWIERS,  
IRENE LINDSAY, DANA KAMIN, LISA BRUNO, RONDA TYLER, KRISTOPHER HOLUB,  
ANGIE USELTON, DAVID STOCKMAN, DENISE BOERNER, DONNA STOCKMAN,  
BRENDA WIGGS, GUY WIGGS, TIM LEWIS, MICHELLE SCHWARTZ, KATHY  
ARRINGTON OR MICHAEL W. ZIENTZ  
- 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, 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 Wise County Clerk and caused it to be posted at the location directed by the Wise County Commissioners Court.

### **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:

**BEING LOT ONE (1), BLOCK ONE (1), TRIO ADDITION, TO THE CITY OF ALVORD, TEXAS, ACCORDING TO THE PLAT RECORDED IN CABINET "A", SECTION 48, MAP RECORDS, WISE 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**

## NOTICE OF FORECLOSURE 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 OR 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. Property to Be Sold.** The property to be sold is described as follows: LOT 20, BLOCK 1, KING'S TERRACE ESTATES, AN ADDITION TO THE CITY OF DECATUR, WISE COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN PLAT CABINET B, SLIDE 473, PLAT RECORDS, WISE COUNTY, TEXAS.

**2. Instrument to be Foreclosed.** The instrument to be foreclosed is the Deed of Trust dated 03/20/2013 and recorded in Document 2013-18783 real property records of Wise County, Texas.

**3. Date, Time, and Place of Sale.** The sale is scheduled to be held at the following date, time, and place:

Date: 06/02/2020

Time: 01:00 PM


Place: Wise County, Texas at the following location: THE SOUTHEAST PORCH AT THE COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE or as designated by the County Commissioners Court.


**4. 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.

**5. Obligations Secured.** The Deed of Trust executed by MATTHEW B. BADGER AND KELLY BADGER, provides that it secures the payment of the indebtedness in the original principal amount of \$176,739.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. BOKF, N.A. is the current mortgagee of the note and deed of trust and BANK OF OKLAHOMA, N.A. is mortgage servicer. A servicing agreement between the mortgagee, whose address is BOKF, N.A. c/o BANK OF OKLAHOMA, N.A., 6242 East 41st Street, Tulsa, OK 74135 and the mortgage servicer and Texas Property Code § 51.0025 authorizes the mortgage servicer to collect the debt.

**6. Substitute Trustee(s) Appointed to Conduct Sale.** In accordance with Texas Property Code Sec. 51.0076, the undersigned attorney for the mortgage servicer has named and appointed, and by these presents does name and appoint DONNA STOCKMAN, BRENDA WIGGS, DENISE BOERNER, GUY WIGGS, DAVID STOCKMAN, TIM LEWIS, MICHELLE SCHWARTZ, KATHY ARRINGTON OR MICHAEL W. ZIENTZ, Substitute Trustee to act under and by virtue of said Deed of Trust.

**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.**

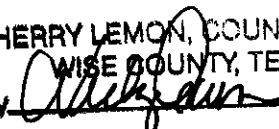
  
Mackie Wolf Zientz & Mann, P.C.  
Brandon Wolf, Attorney at Law  
L. Keller Mackie, Attorney at Law  
Michael Zientz, Attorney at Law  
Lori Liane Long, Attorney at Law  
Chelsea Schneider, Attorney at Law  
Ester Gonzales, Attorney at Law  
Parkway Office Center, Suite 900  
14160 North Dallas Parkway  
Dallas, TX 75254

  
DONNA STOCKMAN, BRENDA WIGGS, DENISE  
BOERNER, GUY WIGGS, DAVID STOCKMAN, TIM  
LEWIS, MICHELLE SCHWARTZ, KATHY ARRINGTON  
OR MICHAEL W. ZIENTZ  
c/o AVT Title Services, LLC  
5177 Richmond Avenue Suite 1230  
Houston, TX 77056

Certificate of Posting  
I am \_\_\_\_\_ whose address is c/o AVT Title Services, LLC, 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 Wise County Clerk and caused it to be posted at the location directed by the Wise County Commissioners Court.

**POSTED**  
AT 10:08 o'clock A M

MAR 26 2020

SHERRY LEMON, COUNTY CLERK  
WISE COUNTY, TEXAS  
By  DEPUTY

Vicky Gaona