

FILED FOR RECORD
25 MAY 23 PM 1:12
PAM HARRISON
COUNTY CLERK, COOKE CO. TX
BY BC DEPUTY

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: 07/01/2025

Time: The sale will begin at 11:00 AM or not later than three hours after that time

Place: Cooke County, Texas at the following location: **IMMEDIATELY OUTSIDE AND WITHIN FIFTY (50) FEET OF THE FIRST FLOOR EAST ENTRANCE TO THE COURTHOUSE AS THE PRIMARY SALES AREA AND THE AREA IMMEDIATELY OUTSIDE AND WITHIN THIRTY (30) FEET OF THE FIRST FLOOR WEST ENTRANCE TO THE COURTHOUSE AS THE SECONDARY SALE AREA WHEN THE PRIMARY DESIGNATED AREA IS NOT AVAILABLE 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: 328 N TAYLOR STREET, GAINESVILLE, TX 76240

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 06/03/2005 in Book 1373 Page 389 Document 4612, real property records of Cooke County, Texas, with **SUSAN L. WALLACE AND SPOUSE, DALWIN ROY WALLACE, JR.** grantor(s) and SEBRING CAPITAL PARTNERS, LIMITED PARTNERSHIP 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 AVT Title Services, LLC, located at 5177 Richmond Avenue Suite 1230, Houston, TX 77056, Substitute Trustee to act under and by virtue of said Deed of Trust.

5. Obligation Secured: Deed of Trust or Contract Lien executed by **SUSAN L. WALLACE AND SPOUSE, DALWIN ROY WALLACE, JR.**, securing the payment of the indebtedness in the original principal amount of \$50,000.00, 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 Trust Company, National Association, as trustee, as successor-in-interest to U.S. Bank National Association, as Trustee for Residential Asset Securities Corporation, Home Equity Mortgage Asset-Backed Pass-Through Certificates, Series 2005-KS10 is the current mortgagee of the note and 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:

FIELD NOTES TO ALL THAT CERTAIN TRACT OT LAND SITUATED IN THE CITY OF GAINESVILLE, COOKE COUNTY, TEXAS AND BEING ALL OF THAT CERTAIN TRACT THREE DESCRIBED IN THE DEED FROM PAUL S. FISHER ET.AL. TO ALLAN W. SHUGART AND CORLOS D. VIGIL RECORDED IN VOLUME 1350 PAGE 245 OF THE DEED RECORDS OF COOKE COUNTY. TEXAS, THE SUBJECT TRACT BEING LOCALLY KNOW AS THE NORTH 1/2 OF LOT 8 OT FARTHING ADDITION AN UNRECORDED ADDITION IN THE CITY OF GAINESVILLE, TEXAS AND THE LOCATION OF LOT 8 IS AS INDICATED ON THE UNOFFICIAL MAP THEREOF, HELD IN THE CITY OF GAINESVILLE MAP RECORDS, AS RECOGNIZED AND OCCUPIED ON THE GROUND; THE SUBJECT TRACT BEING MORE PARTICULARLY DESCRIBED OS FOLLOWS;COMMENCING AT A CAPPED IRON ROD FOUND FOR THE MONUMENTED SOUTHEAST CORNER OF LOT 11 OF SAID FARTHING ADDITION ON THE NORTH SIDE OF BROADWAY STREET AND ON THE WEST SIDE OF A VARIABLE WIDTH ALLEY AS SHOWN ON SAID MAP.THENCE NORTH 00 DEGREES 58 MINUTES 51 SECONDS EAST WITH THE OCCUPIED WEST LINE OF SAID ALLEY OND EAST LINE OF VARIOUS LOTS A DISTANCE OF 345.78 FEET TO A CAPPED IRON ROD SET FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT, BEING THE APPARENT SOUTHEAST CORNER OF SAID SHUGART/VIGIL TRACT;THENCE NORTH 88 DEGREES 22 MINULES 58 SECONDS WEST WITH THE OCCUPIED SOUTH LINE THEREOF ALONG OND NEAR A FENCE, SEVERING SAID LOT A DISTANCE OF 1 75.00 FEET TO A CAPPED IRON ROD SET FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT ON THE EAST SIDE OF NORTH TAYLOR STREET;THENCE NORTH 02 DEGREES 05 MINUTES 01 SECONDS EAST ALONG SAID STREET A "DISTANCE OF 51.95 FEET TO A CAPPED IRON ROD SET FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT OT THE APPARENT NORTHWEST CORNER OF SAID LOT 8. SOME BEING THE SOUTHWEST CORNER OF LOT 7 OF SAID ADDITION;THENCE SOUTH 88 DEGREES 22 MINUTES 58 SECONDS EAST WITH THE APPARENT NORTH LINE OF SAID LOT 8 A DISTANCE OF 174.00 FEET TO A CAPPED IRON ROD SET FOR THE APPARENT NORTHEAST CORNER OF SAID LOT 8 ON THE WEST SIDE OF SAID ALLEY;THENCE SOUTH 00 DEGREES 58 MINUTES 51 SECONDS WEST ALONG SAID ALLEY AND THE APPARENT EAST LINE OF SAID LOT 8 A DISTANCE OF 51.95 FEET TO THE PLACE OF BEGINNING AND ENCLOSING 0.208 OF AN ACRE OF LAND MORE OR LESS.

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
PO BOX 24605
West Palm Beach, FL 33416-4605
Phone: 877-744-2506**

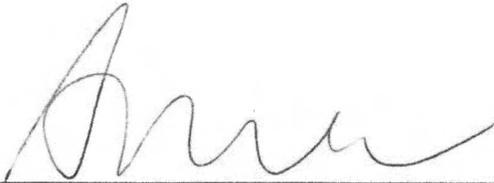
TS No.: 2025-00628-TX
25-000449-673

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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: May 15, 2025



**Sandra White – Attorney or Authorized Agent of
The Mortgagee or Mortgage Servicer**

C/O Power Default Services, Inc.
7730 Market Center Ave, Suite 100
El Paso, TX 79912
Telephone: 855-427-2204
Fax: 866-960-8298

For additional sale information visit: www.auction.com or (800) 280-2832

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, 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 Cooke County Clerk and caused it to be posted at the location directed by the Cooke County Commissioners Court.