

## 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:** 07/04/2017

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

**Place:** THE EAST FOYER, JUST INSIDE THE FIRST FLOOR EAST ENTRANCE TO THE LAMAR COUNTY COURTHOUSE AT 119 NORTH MAIN STREET, PARIS, LAMAR COUNTY. 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:** 2620 Ballard Drive, Paris, TX 75460

- 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 06/30/2006 and recorded 06/30/2006 in Document 00039344, Book OR 1769 Page 40, real property records of Lamar County Texas, with **Derek Franklin and Taknocka Franklin, husband and wife**, grantor(s) and Option One Mortgage Corporation, a California Corporation.
- 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 Derek Franklin and Taknocka Franklin, husband and wife, securing the payment of the indebtedness in the original principal amount of **\$64,720.00**, 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 Merrill Lynch Mortgage Investors Trust, Mortgage Loan Asset-Backed Certificates, Series 2006-OPT1 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 lot, tract or parcel of land situated in Lamar County, Texas, part of the Hiram Williams Survey, Abst. No. 1003 and being Lot Seven (7) in Block B of The Winchester Estates, according to plat of such addition recorded in Envelope 227-C Lamar County Plat Records and by Replat of record in Envelope 229-A, Lamar County Plat Records.

Filed Notes 2620 Ballard Drive Paris, Texas

Being a 0.2117 acre tract of land in the Hiram Williams Survey, Abstract No. 1003, in the City of Paris, Lamar county, Texas; being all of Lot 7, Block B of Winchester Estates, as recorded in Envelope 227-C of the Lamar County Plat Records (L.C.P.R.); and being all of that certain tract of land described in deed dated December 3, 2004, to Bruce L. Duncan, recorded in Volume 1553, Page 48 of the Lamar County Official Public Records (L.C.O.P.R.); said 0.2117 acre tract of land is more particularly described by metes and bounds as follows (all bearings cited herein are based on due East along the north boundary line of subject tract per Env. 227-C, L.C.P.R.)

BEGINNING at a 1/2-inch iron rod found in the south right-of-way line of Ballard Drive (50' wide per Env. 227-C, L.C.P.R.), for the northeast corner of Lot 6 of said block B, said Lot 6 being that same tract of land described in deed dated August 20, 1984, to John W. Norton, et ux, recorded in Vol. 674, Pg. 980 of the Lamar County Deed Records (L.C.D.R.), and the northwest corner of the herein described tract;

- 1.) THENCE East (reference bearing), along the south right-of-way line of Ballard Drive, a distance of 65.03 feet to a 3/8-inch iron rod found for the northwest corner Lot 8 of said Block B, said Lot 8 being that same tract of land described in deed dated March 30, 1994, to Roger P. Durant, et ux, recorded in Vol. 430, Pg. 333 of the Lamar County Real Property Records (L.C.R.P.R.);
  
- 2.) THENCE South 00 deg. 00 min. 57 sec. East, along the west boundary line of said Lot 8, a distance of 141.97 feet (Plat call 141.51') to a 1/2-inch iron rod found in the south boundary line of said Block B for the southwest corner of said Lot 8, the northwest corner of Lot 8 of Briarwood Addition # 2, as recorded in Env. 352-C, L.C.P.R., for the northeast corner of Lot 7 of Briarwood Addition, as recorded in Env. 331-C, L.C.P.R., said Lot 8 of Briarwood Addition # 2 being that same tract of land described in deed dated November 14, 2005, to Gayle Denise Ferguson, recorded in Vol. 1689, Pg. 92, L.C.O.P.R., said Lot 7 of Briarwood Addition being that same tract of land described in deed dated July 24, 2001, to Douglas Scott Biard, et ux, recorded in Vol. 1097, Pg. 249, L.C.R.P.R.;

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3.) **THENCE North 89 deg. 58 min. 39 sec. West, along the north boundary line of said Lot 7 of Briarwood Addition, a distance of 64.87 feet to a 1/2-inch iron rod found for the northwest corner of said Lot 7 of Briarwood Addition, the northeast corner of Lot 6 of said Briarwood Addition, and the southeast corner of said Lot 6 of Winchester Estates, said Lot 6 of Briarwood Addition being that same tract of land described in deed dated August 15, 2005, to Tammy L. Kilpatrick, et al, recorded in Vol. 1648, Pg. 120, L.C.O.P.R.;**

4.) **THENCE North 00 deg. 04 min. 49 sec. West, along the east boundary line of said Lot 6 of Winchester Estates, a distance of 141.94 feet to the POINT OF BEGINNING and containing 0.2117 acre of land.**

**I, Dennis E. Chalaire, certify that the above property description and the accompanying plat dated June 26, 2006 represent a survey made on the ground under my supervision.**

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:

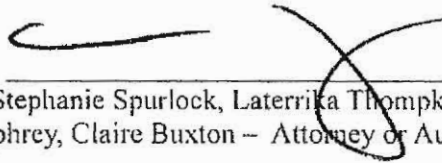
**C/O Ocwen Loan Servicing, LLC  
1661 Worthington Rd., Suite 100  
West Palm Beach, FL 33409  
Phone: 1-800-746-2936**

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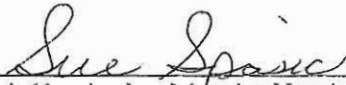
9. **Limitation of Damages:** If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the funds paid. The Purchaser shall have no further recourse against the Mortgagor, the Mortgagee, or the Mortgagee's attorney.

**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: May 25, 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



Shannah Howle, Jon Murphy Howle, Sue Spasic, Zoran W. Spasic, Allan Johnston, David Sims, Robert Lamont, Jarriett Fletcher, Sheryl Lamont, David Sims, Sharon St. Pierre, Aurora Campos, Ramiro Cuevas, Matthew Wolfson, Clay Golden, Markcos Pineda, Chris Demarest, Kelley Burns, Tanya Graham, Daniel Willsie, 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.**