

TS No.: 2025-01060-TX  
25-000734-673

RECEIVED BY  
LAMAR COUNTY CLERKS OFFICE  
ON THIS THE 16 DAY OF Sep. 25.

## 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:** 11/04/2025

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

**Place:** Lamar County, Texas at the following location: **THE NORTH DOOR OF 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:** 948 COUNTY ROAD 32240, SUMNER, TX 75486

**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 11/06/2009 and recorded 11/30/2009 in Document 074547-2009, real property records of Lamar County, Texas, with **FLOYD E. ELLIOTT AND JEAN M. ELLIOTT, HUSBAND AND WIFE** grantor(s) and **AMERIGROUP MORTGAGE CORPORATION A DIVISION OF MORTGAGE INVESTORS CORPORATION** as Lender, **PHH MORTGAGE CORPORATION** 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 **FLOYD E. ELLIOTT AND JEAN M. ELLIOTT, HUSBAND AND WIFE**, securing the payment of the indebtedness in the original principal amount of \$93,850.00, and obligations therein described including but not limited to the promissory note; and all modifications, renewals and extensions of the promissory note. **PHH MORTGAGE CORPORATION** is the current mortgagee of the note and deed of trust or contract lien.



## 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:

**SITUATED ABOUT 5 MILES NORTH 60 DEGREES WEST OF THE CITY OF PARIS, COUNTY OF LAMAR, AND STATE OF TEXAS, PART OF THE HENRY BUCKLER #127, AND BEING CALLED 2.35 ACRE TRACT OF LAND CONVEYED TO ERNEST WADE NUTT ET UX BY DEED RECORDED IN VOL. 532, PAGE 99, OF THE DEED RECORDS OF SAID COUNTY AND STATE. BEGINNING AT A 6 POST (F) FOR CORNER AT THE NORTHWEST CORNER OF SAID NUTT 2.35 ACRE AND AT THE SOUTHWEST CORNER OF A CALLED 1 ACRE TRACT OF LAND CONVEYED TO ERNEST NUTT ET UX BY DEED RECORDED IN VOL. 597, PAGE 319, OF SAID DEED RECORDS. THENCE SOUTH 89 DEGREES 03 FEET AND 31 INCH EAST WITH A FENCE A DISTANCE OF 285.01 FEET TO A 6 INCH POST (F) FOR CORNER AT THE NORTHEAST CORNER OF SAID NUTT 2.35 ACRE TRACT AND AT THE SOUTHEAST CORNER OF SAID NUTT 1 ACRE TRACT, SAID CORNER BEING IN THE WEST BOUNDARY LINE OF A CALLED 5.035 ACRE TRACT OF LAND CONVEYED TO ARVEY JOHNSON BY DEED RECORDED IN VOL. 1740, PAGE 304, OF THE OFFICIAL RECORDS OF SAID COUNTY AND STATE; THENCE SOUTH 0 DEGREES 21 FEET 46 INCHES WEST WITH A FENCE ALONG THE WEST BOUNDARY LINE OF SAID JOHNSON 5.035 ACRE TRACT A DISTANCE OF 364.51 FEET TO A CROSS TIE (F) FOR CORNER AT THE SOUTHEAST CORNER OF SAID NUTT 2.35 ACRE TRACT AND AT THE NORTHEAST CORNER OF A CALLED 1 ACRE TRACT OF LAND CONVEYED TO TERRY L. DICKERSON, SR., AND SANDRA L. YOUNT BY DEED RECORDED IN VOL. 303, PAGE 276, OF THE REAL PROPERTY RECORDS OF SAID COUNTY AND STATE; THENCE NORTH 86 DEGREES 54 FEET 43 INCHES WEST WITH A FENCE A DISTANCE OF 289.70 FEET TO A ONE HALF INCH CAPPED (NELSON SURVEYING) IRON PIN (S) FOR CORNER AT THE SOUTHWEST CORNER OF SAID NUTT 2.35 ACRE TRACT AND AT THE NORTHWEST CORNER OF SAID DICKERSON & YOUNT 1 ACRE TRACT; THENCE ALONG THE EAST BOUNDARY LINE OF LAMAR COUNTY ROAD 32240 ACRE TRACT AS FOLLOWS: NORTH 1 DEGREE 31 FEET 57 INCHES EAST A DISTANCE OF 115.45 FEET TO A ONE HALF INCH CAPPED (NELSON SURVEYING) IRON PIN (S); NORTH 0 DEGREES 50 FEET 55 INCHES A DISTANCE OF 238.20 FEET TO THE PLACE OF BEGINNING AND CONTAINING 2.364 ACRES OF LAND.**

**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.: 2025-01060-TX  
25-000734-673

## 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: 09/15/2025



Lihui Xia – 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.hubzu.com](http://www.hubzu.com) or (855) 882-1314

**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.**

I am Jabria Foy <sup>Certificate of Posting</sup> 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 September 16, 2025 I filed this Notice of Foreclosure Sale at the office of the Lamar County Clerk and caused it to be posted at the location directed by the Lamar County Commissioners Court.

  
Jabria Foy