

COPY

POSTED  
Kendall County  
DARLENE HERRIN  
COUNTY CLERK  
On: 07/02/2020 10:27AM  
By: Beth A Steinruck, Deputy

TS No.: 2020-00565-TX  
20-000540-673

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:** 09/01/2020

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

**Place:** Kendall County, Texas at the following location: **MAIN ENTRANCE OF THE COURTHOUSE AT 201 E. SAN ANTONIO ST., BOERNE, TX 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:** 213 5TH ST, COMFORT, TX 78013

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 04/21/2006 and recorded 06/28/2006 in Book 1002 Page 456 Document 00210550, real property records of Kendall County, Texas, with **Gabriel Logan Box, a Single Man**, grantor(s) and **NEW CENTURY MORTGAGE CORPORATION**, as Lender, **DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR GSAMP TRUST 2006-NC2, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2006-NC2**, 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 **Gabriel Logan Box, a Single Man**, securing the payment of the indebtedness in the original principal amount of **\$76,800.00**, and obligations therein described including but not limited to the promissory note; and all modifications, renewals and extensions of the promissory note. **DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR GSAMP TRUST 2006-NC2, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2006-NC2** 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:

**BEING A 0.51 OF AN ACRE OF LAND, MORE OR LESS, COMPRISING THE NORTH PARTS OF LOT #227 AND LOT #228 OF THE TOWNSHIP OF COMFORT, KENDALL COUNTY, TEXAS, AS SHOWN ON A PLAT RECORDED IN VOLUME 22, AT PAGE 331 OF THE DEED RECORDS OF KENDALL COUNTY, TEXAS, SAID 0.41 OF AN ACRE OF LAND, MORE OR LESS, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS.**

**BEGINNING AT AN IRON ROD AT FENCE CORNER ON THE NORTHWEST LINE OF FIFTH STREET IN THE TOWNSHIP OF COMFORT, SAID ROD BEING THE COMMON EAST CORNER OF LOT #227 AND LOT #226;**

**THENCE SOUTH 29° 13' 23" WEST, WITH FENCE ALONG THE NORTHWEST LINE OF FIFTH STREET, 107.37 FEET TO AN IRON ROD FOUND AT A FENCE CORNER;**

**THENCE NORTH 60° 37' 57" WEST WITH FENCE, 208.97 FEET TO AN IRON ROD FOUND AT FENCE CORNER;**

**THENCE NORTH 28° 59' 48" EAST, WITH FENCE ON OR NEAR THE COMMON LINE OF COMFORT TOWNLOTS #228 AND #229, A DISTANCE OF 105.64 FEET TO AN IRON ROD FOUND AT THE NORTH CORNER OF SAID LOT #228;**

**THENCE SOUTH 61° 06' 16" EAST, A DISTANCE OF 209.39 FEET TO THE PLACE OF BEGINNING CONTAINING 0.51 ACRES 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**

**1 Mortgage Way  
Mt. Laurel, NJ 08054**

**Phone: 877-744-2506**

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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: July 1, 2020**



Stephanie Spurlock, Carnisha Scott, Inan 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

**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 Martha Rosington <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 7-2-2020 I filed this Notice of Foreclosure Sale at the office of the Kendall County Clerk and caused it to be posted at the location directed by the Kendall County Commissioners Court.

Posted by Martha Rosington