

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: 03/05/2019

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

Place: **EAST DOOR OF THE HILL COUNTY 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: 720 E Walnut Street, Hillsboro, TX 76645

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 08/01/2006 and recorded 08/04/2006 in Book 1432 Page 0207 Document 009037 , real property records of Hill County, Texas, with **BILLY TOM FRANKLIN, A SINGLE MAN** grantor(s) and **OPTION ONE MORTGAGE CORPORATION, A CALIFORNIA CORPORATION** as Lender, Wells Fargo Bank, National Association as Trustee for **ABFC 2006-OPT3 Trust, Asset Backed Funding Corporation Asset-Backed Certificates, Series 2006-OPT3** 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 **TIM LEWIS, DENISE BOERNER, BRENDA WIGGS, DONNA STOCKMAN, DAVID STOCKMAN, GUY WIGGS, KATHY ARRINGTON, JUANITA COX, JIMMY CARROLL BREWER, STEPHEN RAWLINGS, MICHAEL W. ZIENTZ, MICHELLE SCHWARTZ OR CARL NIENDORFF**, Substitute Trustee to act under and by virtue of said Deed of Trust.

5. Obligation Secured: Deed of Trust or Contract Lien executed by **BILLY TOM FRANKLIN, A SINGLE MAN**, securing the payment of the indebtedness in the original principal amount of **\$78,600.00**, and obligations therein described including but not limited to the promissory note; and all modifications, renewals and extensions of the promissory note. **Wells Fargo Bank, National Association as Trustee for ABFC 2006-OPT3 Trust, Asset Backed Funding Corporation Asset-Backed Certificates, Series 2006-OPT3** is the current mortgagee of the note and deed of trust or contract lien.

FILED
NICOLE TAMMERS, COUNTY CLERK
HILL COUNTY, TEXAS
2019 JAN 24 P 1:16

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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 FOR THE SURVEY OF A CERTAIN LOT, TRACT, OR PARCEL OF LAND BEING A PART OF LOT 11 OF THE HUFFINES ADDITION TO THE CITY OF HILLSBORO IN HILL COUNTY, TEXAS, ACCORDING TO PLAT RECORDED IN VOLUME 195, PAGE 153 OF THE DEED RECORDS OF HILL COUNTY. SAID LAND IS ALL OF THAT CERTAIN TRACT DESCRIBED IN A DEED FROM ALPHONSO JACKSON TO SYLVIA PATE RECORDED IN VOLUME 1341, PAGE 643 OF THE OF OFFICIAL PUBLIC RECORDS OF HILL COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A 1/2" IRON ROD FOUND ON THE EAST SIDE OF A CONCRETE CURB IN THE SOUTH LINE OF EAST WALNUT STREET FOR THE NORTHEAST CORNER OF THAT CERTAIN TRACT DESCRIBED IN A DEED OF TRUST FROM CATHY MAY RECORDED IN VOLUME 1249, PAGE 816 OF THE OFFICIAL PUBLIC RECORDS OF HILL COUNTY, FOR THE NORTHWEST CORNER OF SAID LOT 11, AND FOR THE NORTHWEST CORNER OF THIS: THENCE WITH THE SOUTH LINE OF EAST WALNUT STREET, S89°17'55"E 66.93 FEET TO A 1/2" IRON ROD FOUND IN THE EAST LINE OF A CONCRETE CURB FOR THE NORTHWEST CORNER OF THAT CERTAIN 0.493 ACRE TRACT DESCRIBED IN A DEED TO EDGAR BRUMBALOW RECORDED IN VOLUME 832, PAGE 385 OF THE OFFICIAL PUBLIC RECORDS OF HILL COUNTY, FOR THE NORTHEAST CORNER OF SAID LOT 11, AND FOR THE NORTHEAST CORNER OF THIS; THENCE WITH THE EAST LINE OF SAID LOT 11, S00°24'17"E 333.33 FEET TO A 1/2" IRON ROD FOUND AT A FENCE CORNER FOR THE SOUTHWEST CORNER OF SAID BRUMBALOW TRACT, FOR THE NORTHWEST CORNER OF THAT CERTAIN TRACT DESCRIBED IN A DEED TO TERRY SCHULZ RAMIREZ RECORDED IN VOLUME 1004, PAGE 263 OF THE OFFICIAL PUBLIC RECORDS OF HILL COUNTY, AND FOR THE SOUTHEAST CORNER OF THIS; THENCE S83°56'07"W 67.45 FEET TO A 5/8" IRON ROD FOUND IN THE WEST LINE OF SAID LOT 11 AND IN THE EAST LINE OF SAID MAY TRACT FOR THE NORTHWEST CORNER OF THAT CERTAIN 0.28 ACRE TRACT DESCRIBED IN A DEED TO JOHN RICHARD SMITH RECORDED IN VOLUME 868, PAGE 542 OF THE OFFICIAL PUBLIC RECORDS OF HILL COUNTY AND FOR THE SOUTHWEST CORNER OF THIS; THENCE N00°22'14"W 341.27 FEET TO THE PLACE OF BEGINNING, CONTAINING 0.518 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. **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: January 17, 2019

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

TIM LEWIS, DENISE BOERNER, BRENDA WIGGS, DONNA STOCKMAN, DAVID STOCKMAN, GUY WIGGS, KATHY ARRINGTON, JUANITA COX, JIMMY CARROLL BREWER, STEPHEN RAWLINGS, MICHAEL W. ZIENTZ, MICHELLE SCHWARTZ OR CARL NIENDORFF - Substitute Trustee(s)

C/O AVT Title Services, LLC
1101 Ridge Rd. Suite 222
Rockwall, TX 75087

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, 1101 Ridge Rd., Suite 222, Rockwall, TX 75087. I declare under penalty of perjury that on _____ I filed this Notice of Foreclosure Sale at the office of the Hill County Clerk and caused it to be posted at the location directed by the Hill County Commissioners Court.