

NOV 12 2019

Jane Jones, County Clerk  
DELTA COUNTY, TEXAS  
*Jane*

11 WARNER LN  
PECAN GAP, TX 75469

00000008047847

**NOTICE OF [SUBSTITUTE] TRUSTEE'S 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: December 03, 2019

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

Place: THE STEPS ON THE EAST SIDE OF THE DELTA COUNTY COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONERS or as designated by the county commissioners.

**2. Terms of Sale. Cash.**

**3. Instrument to be Foreclosed.** The Instrument to be foreclosed is the Deed of Trust or Contract Lien dated December 18, 2006 and recorded in Document VOLUME 287, PAGE 517 real property records of DELTA County, Texas, with ROBERT N WARNER AND MARY E WARNER, grantor(s) and COUNTRYWIDE HOME LOANS, INC., mortgagee.

**4. Obligations Secured.** Deed of Trust or Contract Lien executed by ROBERT N WARNER AND MARY E WARNER, securing the payment of the indebtednesses in the original principal amount of \$96,000.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. THE BANK OF NEW YORK MELLON, F/K/A THE BANK OF NEW YORK AS TRUSTEE FOR REGISTERED HOLDERS OF CWABS, INC., ASSET-BACKED CERTIFICATES, SERIES 2006-23 is the current mortgagee of the note and Deed of Trust or Contract Lien.

**5. Property to Be Sold.** The property to be sold is described in the attached Exhibit A.

**6. 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. CARRINGTON MORTGAGE SERVICES, LLC, as Mortgage Servicer, is representing the current mortgagee, whose address is:

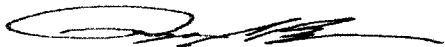
c/o CARRINGTON MORTGAGE SERVICES, LLC  
1600 SOUTH DOUGLASS ROAD  
SUITE 200-A  
ANAHEIM, CA 92806



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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.

The undersigned as attorney for the mortgagee or mortgage servicer does hereby remove the original trustee and all successor substitute trustees and appoints in their stead SHANNAH WALKER, AL DAVIS, KEVIN MCCARTHY, MURPHY HOWLE OR BEATRICE CARRILLO whose address is c/o BARRETT DAFFIN FRAPPIER TURNER & ENGEL, LLP, 4004 Belt Line Road, Suite 100, Addison, Texas 75001-4320 as Substitute Trustee, who shall hereafter exercise all powers and duties set aside to the said original trustee under the said Deed of Trust; and, further does hereby request, authorize, and instruct said Substitute Trustee to conduct and direct the execution of remedies set aside to the beneficiary therein.



Ryan Bourgeois

**Certificate of Posting**

My name is Kevin McCarthy, and my address is c/o 4004 Belt Line Road, Suite 100, Addison, Texas 75001-4320. I declare under penalty of perjury that on 11/12/2019 I filed at the office of the DELTA County Clerk and caused to be posted at the DELTA County courthouse this notice of sale.



Declarants Name: Kevin McCarthy

Date: 11/12/2019

**EXHIBIT "A"**

SITUATED ABOUT 7.4 MILES NORTH OFF 78 DEG. WEST FROM THE CITY OF COOPER, IN THE COUNTY OF DELTA, STATE OF TEXAS, A PART OF THE MOSES WILLIAMS SURVEY, ABSTRACT NO. 371, AND BEING PART OF A CALLED 22.042 ACRE TRACT OF LAND CONVEYED TO ROBERT N. WARNER AND WIFE, MARY E. WARNER BY DEED RECORDED IN VOLUME 196, PAGE 478 OF THE DEED RECORDS OF SAID COUNTY AND STATE;

BEGINNING AT A 5/8 INCH IRON PIN FOUND AT THE SOUTHWEST CORNER OF A CALLED 23.5 ACRE TRACT OF LAND DESCRIBED IN AN AFFIDAVIT TO PRISCILLA ANN LANDERS RECORDED IN VOLUME 276, PAGE 366 OF THE OFFICIAL RECORDS OF SAID COUNTY AND STATE, SAID POINT BEING IN THE EAST BOUNDARY LINE OF FARM MARKET 64 AND BEING THE NORTHWEST CORNER OF THE 22.042 ACRE TRACT;

THENCE SOUTH 88 DEG. 06 MIN. 20 SEC. EAST A DISTANCE OF 2955.28 FEET TO A 5/8 INCH IRON PIN FOUND AT THE SOUTHEAST CORNER OF SAID 23.5 ACRES AND BEING THE WEST BOUNDARY LINE OF CALLED 136.806 ACRE TRACT OF LAND CONVEYED TO HERB PUTZ BY DEED RECORDED IN VOLUME 215, PAGE 723 OF SAID OFFICIAL PUBLIC RECORDS, SAID POINT BEING THE NORTHEAST CORNER OF THE 22.042 ACRE TRACT;

THENCE SOUTH 4 DEG. 00 MIN. 43 SEC. WEST A DISTANCE OF 326.60 FEET TO A 3/8 INCH CAPPED IRON PIN (HF 5699) FOUND AT THE NORTHEAST CORNER OF A CALLED 22.036 ACRE TRACT OF LAND CONVEYED TO GEORGE VAN METER, JR. BY DEED RECORDED IN VOLUME 145, PAGE 228 OF SAID DEED RECORDS, SAID POINT BEING THE SOUTHEAST CORNER OF THE 22.042 ACRES;

THENCE NORTH 88 DEG. 08 MIN. 24 SEC. WEST (REFERENCE BEARING) A DISTANCE OF 2717.11 FEET TO A 3/8 INCH CAPPED IRON PIN (HF 5699) SET IN THE SOUTH BOUNDARY LINE OF THE 22.042 ACRES;

THENCE NORTH 3 DEG. 53 MIN. 39 SEC. EAST A DISTANCE OF 107.30 FEET TO A 3/8 INCH CAPPED PIN (HF 5699) SET;

THENCE NORTH 86 DEG. 22 MIN. 18 SEC. WEST A DISTANCE OF 77.04 FEET TO A 3/8 INCH CAPPED IRON PIN (HF 5699) SET;

THENCE SOUTH 3 DEG. 53 MIN. 39 SEC. WEST A DISTANCE OF 109.67 FEET TO THE SOUTH BOUNDARY LINE OF SAID 22.042 ACRES AND THE NORTH BOUNDARY LINE OF THE 22.036 ACRES, SAID POINT BEING THE SOUTHEAST CORNER OF A 25 FOOT ACCESS EASEMENT SURVEYED THIS SAME DAY;

THENCE NORTH 88 DEG. 08 MIN. 24 SEC. WEST ALONG THE SOUTH BOUNDARY LINE OF THE 25 FOOT ACCESS EASEMENT A DISTANCE OF 147.33 FEET TO THE NORTHWEST CORNER OF THE 22.036 ACRE TRACT AND THE SOUTHWEST CORNER OF THE 22.042 ACRES AND BEING THE EAST BOUNDARY LINE OF FARM MARKET 64;

THENCE NORTH 1 DEG. 35 MIN. 54 SEC. EAST A DISTANCE OF 328.15 FEET TO THE POINT OF BEGINNING AND CONTAINING 21.96 ACRES OF LAND, MORE OR LESS.