

# NOTICE OF TRUSTEE'S SALE AND APPOINTMENT OF SUBSTITUTE TRUSTEE

**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. Sender is: Codilis & Moody, P.C., 20405 State Highway 249, Suite 170, Houston, TX 77070**

## INSTRUMENT BEING FORECLOSED AND MORTGAGE SERVICER INFORMATION

Deed of Trust dated February 02, 2007 and recorded under Clerk's File No. 00001431, in the real property records of NAVARRO County Texas, with Mike D. Miller and Jana Miller, husband and wife as Grantor(s) and Texas State Home Loans, Inc. as Original Mortgagee.

Deed of Trust executed by Mike D. Miller and Jana Miller, husband and wife securing payment of the indebtedness in the original principal amount of \$206,511.00 and obligation therein described including but not limited to the promissory note and all modifications, renewal and extensions of the promissory note (the "Note") executed by Mike D. Miller. Wells Fargo Bank, National Association as Trustee for Soundview Home Loan Trust 2007-OPT1, Asset-Backed Certificates, Series 2007-OPT1 is the current mortgagee (the "Mortgagee") of the Note and Deed of Trust or Contract Lien.

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 property securing the above referenced loan. PHH Mortgage Corporation is acting as the Mortgage Servicer for the Mortgagee. PHH Mortgage Corporation, is representing the Mortgagee, whose address is: 1 Mortgage Way, Mount Laurel, NJ 08054.

### Legal Description:

ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND BEING A 52.392 ACRES SITUATED IN THE JOSEPH WEST SURVEY, ABSTRACT NO. 823, IN NAVARRO COUNTY, TEXAS, AND BEING THE TRACT CONVEYED BY MAUDE PERTEET SAWYER AND GUSSIE PERTEET FORSYTHE TO RAYMOND HAYES IN DEED DATED OCTOBER 6, 1965 AND RECORDED IN THE DEED RECORDS OF NAVARRO COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES:

### SALE INFORMATION

2024-017  
FILED FOR RECORD  
AT 1:45 O'CLOCK P.M.

Date of Sale: 04/02/2024

Earliest Time Sale Will Begin: 11:00 AM

FEB 12 2024

Location of Sale: The place of the sale shall be: NAVARRO County Courthouse, Texas at the following location: On the front steps of the Navarro County Courthouse, or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner's Court  
BY [Signature] DEPUTY CLERK

### TERMS OF SALE

A default has occurred in the payment of said herein referenced indebtedness, and the same is now wholly due, and the Mortgagee and/or Mortgage Servicer has requested the hereinafter appointed Substitute Trustee to sell said property to the highest bidder for cash and to distribute or apply the proceeds of said sale in accordance with the terms of said Deed of Trust.

The Sale will be conducted as a public auction to the highest bidder for cash, except that Mortgagee's bid may be by credit against the indebtedness secured by the lien of the Deed of Trust. 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.

The sale will begin at the earliest time stated above, or within three (3) hours after that time. 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.**

WHEREAS, in my capacity as attorney for the Mortgagee and/or Its Mortgage Servicer, and pursuant to Section 51.0076 of the Texas Property Code, I HEREBY APPOINT AND DESIGNATE Robert LaMont, Sheryl LaMont, Harriett Fletcher, Sharon St. Pierre, Mollie McCoslin, Ramiro Cuevas, Aurora Campos, Jonathan Harrison, Patrick Zwiers, Dana Kamin, Lisa Bruno, Angie Useton, Conrad Wallace, Tonya Washington, Kristopher Holub, Meryl Olsen, Misty McMillan, Tiffiney Bruton, David Ray, Ashlee Luna, Lori Garner, Sharon St. Pierre, Robert LaMont, Sheryl LaMont, Allan Johnston, Ronnie Hubbard, Mollie McCoslin, Thomas Delaney, Danya Gladney, Aaron Demuth, Codilis & Moody, P.C., or Auction.com, as Substitute Trustee.

The address for the Substitute Trustee for purposes of Section 51.0075(e) of the Texas Property Code is:  
Codilis & Moody, P.C.  
20405 State Highway 249, Suite 170  
Houston, TX 77070  
(281) 925-5200

Executed on 02/08/2024.

/s/ Will Morphis SBOT No. 24131905, Attorney at Law  
Codilis & Moody, P.C.  
20405 State Highway 249, Suite 170  
Houston, TX 77070  
(281) 925-5200

Posted and filed by:



Printed Name: Sheryl LaMont, February 12, 2024

C&M No. 44-22-3494

## Exhibit A

### TRACT 1:

All that certain lot, tract or parcel of land being a 52.392 acres situated in the Joseph West Survey, Abstract No. 823, in Navarro County, Texas, and being the tract conveyed by Maude Perteet Sawyer and Gussie Perteet Forsythe to Raymond Hayes in deed dated October 6, 1965 and recorded in the Deed Records of Navarro County, Texas, and being more particularly described as follows:

**BEGINNING** at a nail set for corner in a county road, said nail bears South 60 degrees West, 5875.83 feet and South 30 degrees East, 20.0 feet from the Northeast corner of the Joseph West Survey;

**THENCE** South 30 degrees East 2191 feet with the West line of a tract of land described in deed recorded in Volume 1780, Page 607, Deed Records, Navarro County, Texas;

**THENCE** up said creek with its meanders as follows:

South 39 degrees 30 minutes West, 165.0 feet;

North 61 degrees 30 minutes West, 100.0 feet;

South 63 degrees 30 minutes West, 85.0 feet;

South 0 degrees 30 minutes West, 75.0 feet;

South 59 degrees 30 minutes West, 210.0 feet;

North 52 degrees 20 minutes West, 240.0 feet;

South 80 degrees 30 minutes West, 325.0 feet;

North 66 degrees 33 minutes West, 287.7 feet to a point for corner in said creek;

**THENCE** North 30 degrees West, 1658.0 feet with the West line of said Raymond Hayes tract;

**THENCE** North 60 degrees East, 1107.0 feet with the North line of said tract and with said county road to the POINT OF BEGINNING and containing 52.392 acres of land, more or less.

### TRACT 2:

All that certain lot, tract or parcel of land being 2.745 acres situated in the Joseph West Survey, Abstract No. 823, in Navarro County, Texas and being a part of a called 53.66 acre tract described in deed from Vivian Sawyer, et vir, to T.H. Gullett, dated May 21, 1931, recorded in Volume 347, Page 489 of the Deed Records of Navarro County, Texas, and being East of Farm Road 638 and being more particularly described as follows:

**BEGINNING** at a 3/8 inch iron rod set for corner in a county road, said point is in the Northeast corner of the called 53.66 acre tract, in the North line of the Joseph West Survey, and bears South 60 degrees West, 6982.83 feet from the Northeast corner of the Joseph West Survey;

**THENCE** South 30 degrees East, 1164.0 feet with the East line of said called 53.66 acre tract and in the West line of said 52.392 acre tract;

**THENCE** South 62 degrees 22 minutes West, 97.0 feet to a 3/8 inch iron rod set for corner in the East right of way line of Farm Road No. 638 which is a part of said 53.66 acre tract conveyed to the State of Texas by deed from T.H. Gullett in deed dated March 29, 1948, recorded in Volume 477, Page 353 of the Deed Records of Navarro County, Texas;

**THENCE** North 30 degrees 36 minutes West, 1160.1 feet with the east right of way of said road to a 3/8 inch iron rod set for corner;

**THENCE** North 60 degrees East, 109.0 feet with said county road and the North line of said called 53.66 acre tract to the POINT OF BEGINNING and containing 2.745 acres of land, more or less.