

HOME EQUITY POSTING WITH ORDER ATTACHED

67 WINDMILL DRIVE
HEMPSTEAD, TX 77445

20110031407416

NOTICE OF SUBSTITUTE TRUSTEE SALE
(See TEX. CONST. art. XVI, § 50a(6) Order attached)

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: April 07, 2015

Time: The sale will begin at 1:00PM or not later than three hours after that time.

Place: THE FOYER AT THE SOUTH ENTRANCE OF THE WALLER 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 June 14, 2006 and recorded in Document CLERK'S FILE NO. 604754 VOL 0966 PAGE 561 AS AFFECTED BY VOLUME 1192 PAGE 824 real property records of WALLER County, Texas, with KENNETH B. PAYNE, grantor(s) and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS"), AS NOMINEE, mortgagee.

4. **Obligations Secured.** Deed of Trust or Contract Lien executed by KENNETH B. PAYNE, securing the payment of the indebtedness in the original principal amount of \$140,000.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. WILMINGTON TRUST COMPANY, AS TRUSTEE FOR THE MERRILL LYNCH MORTGAGE INVESTORS TRUST, MORTGAGE LOAN ASSET-BACKED CERTIFICATES, SERIES 2006-HE5 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 as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN FOR ALL PURPOSES.

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. NATIONSTAR MORTGAGE, LLC, as Mortgage Servicer, is representing the current mortgagee, whose address is:

c/o NATIONSTAR MORTGAGE, LLC
8950 CYPRESS WATERS BLVD.
COPPELL, TX 75019


DEBBY JURASEK, MEGAN L. BENDER OR AMY JURASEK
Substitute Trustee

c/o
15000 Surveyor Boulevard, Suite 100
Addison, Texas 75001



NOS20110031407416



FIELD NOTES OF A 1.99 ACRE TRACT OF LAND, KNOWN AS TRACT 67 OF RIVERWOOD II, A SUBDIVISION OF 196.87 ACRES OF LAND OUT OF JARED GROCE SURVEY, ABSTRACT NO. 30, WALLER COUNTY, TEXAS.

COMMENCING AT A 22-INCH DIAMETER OAK TREE AT THE NORTHEAST CORNER OF THE SAID JARED E. GROCE SURVEY, ABSTRACT NO. 30, THE NORTHWEST CORNER OF THE JUSTO LIENDO SURVEY, ABSTRACT NO. 41 AND THE NORTHEAST CORNER OF A 494 ACRE TRACT DESCRIBED IN DEED OF SEPTEMBER 12, 1955 FROM F.L. CARPENTER, ET UX, TO A.L. CARPENTER AND M.L. CARPENTER AND RECORDED IN VOLUME 141, PAGE 455 OF THE WALLER COUNTY DEED RECORDS:

THENCE SOUTH 89 DEGREES 31 MINUTES 25 SECONDS WEST 2204.49 FEET ALONG THE NORTH LINE OF THE SAID GROCE SURVEY* TO A 5/8 INCH IRON ROD SET AT THE POINT OF BEGINNING, BEING THE NORTHEAST CORNER;

THENCE SOUTH 01 DEGREES 00 MINUTES 30 SECONDS EAST 419.05 FEET TO THE CENTER LINE OF A 70-FOOT WIDE ROAD EASEMENT, BEING THE SOUTHEAST CORNER, PASSING AT 384.05 FEET A 5/8-INCH IRON ROD SET ON THE ROAD EASEMENT LINE;

THENCE SOUTH 88 DEGREES 59 MINUTES 30 SECONDS WEST 207.11 FEET ALONG THE SAID CENTER LINE OF ROAD TO THE SOUTHWEST CORNER;

THENCE NORTH 01 DEGREES 00 MINUTES 30 SECONDS WEST 420.97 FEET TO A 5/8-INCH IRON ROD SET IN THE SAID NORTH LINE OF THE GROCE SURVEY, BEING THE NORTHWEST CORNER, PASSING AT 35.00 FEET A 5/8-INCH IRON ROD SET ON THE ROAD EASEMENT LINE;

THENCE NORTH 89 DEGREES 31 MINUTES 25 SECONDS EAST 207.12 FEET ALONG THE SAID NORTH LINE OF THE GROCE SURVEY TO THE POINT OF BEGINNING, CONTAINING 1.99 ACRES OF LAND, MORE OR LESS.

FILED AND RECORDED

Instrument Number: 15-031

Filing and Recording Date: 03/16/2015 04:46:56 PM Pages: 3 Recording Fee: \$5.00

I hereby certify that this instrument was FILED on the date and time stamped hereon by me and was duly RECORDED in the OFFICIAL PUBLIC RECORDS of Waller County,



Debbie Hollan

Debbie Hollan, County Clerk
Waller County, Texas

ANY PROVISION CONTAINED IN ANY DOCUMENT WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE REAL PROPERTY DESCRIBED THEREIN BECAUSE OF RACE OR COLOR IS INVALID UNDER FEDERAL LAW AND IS UNENFORCEABLE.

Jenifer Deutrich, Deputy

Returned To: