

**NOTICE OF FORECLOSURE 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 OR 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. Property to Be Sold.** The property to be sold is described as follows: ALL OF LOTS NOS. ONE (1) AND TWO (2), AND THE EAST HALF (E/2) OF LOT NO. THREE (3), BLOCK NO. TEN (10), DUGGAN ANNEX, AN ADDITION TO THE CITY OF LITTLEFIELD, LAMB COUNTY, TEXAS, AS SHOWN BY MAP OR PLAT OF SAID ADDITION RECORDED IN THE OFFICE OF THE COUNTY CLERK OF LAMB COUNTY, TEXAS.

**2. Instrument to be Foreclosed.** The instrument to be foreclosed is the Deed of Trust dated 11/24/2004 and recorded in Book 576 Page 823 real property records of Lamb County, Texas.

**3. Date, Time, and Place of Sale.** The sale is scheduled to be held at the following date, time, and place:

Date: 08/01/2017

Time: 10:00 AM

Place: Lamb County Courthouse, Texas at the following location: THE STEPS AT THE FRONT DOORS ON THE NORTH SIDE OF THE LAMB COUNTY COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE or as designated by the County Commissioners Court.

**4. 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.

**5. Obligations Secured.** The Deed of Trust executed by BILLY DEAN JOYCE AND RENE JOYCE, provides that it secures the payment of the indebtedness in the original principal amount of \$76,500.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. THE BANK OF NEW YORK MELLON, F/K/A THE BANK OF NEW YORK AS SUCCESSOR TO JPMORGAN CHASE BANK, N.A. AS TRUSTEE FOR ASSET BACKED FUNDING CORPORATION, ASSET-BACKED CERTIFICATES, SERIES 2005-HE1 is the current mortgagee of the note and deed of trust and OCWEN LOAN SERVICING, LLC is mortgage servicer. A servicing agreement between the mortgagee, whose address is THE BANK OF NEW YORK MELLON, F/K/A THE BANK OF NEW YORK AS SUCCESSOR TO JPMORGAN CHASE BANK, N.A. AS TRUSTEE FOR ASSET BACKED FUNDING CORPORATION, ASSET-BACKED CERTIFICATES, SERIES 2005-HE1 c/o OCWEN LOAN SERVICING, LLC, 1661 Worthington Road, Suite 100, West Palm Beach, FL 33409 and the mortgage servicer and Texas Property Code § 51.0025 authorizes the mortgage servicer to collect the debt.

**6. Order to Foreclose.** THE BANK OF NEW YORK MELLON, F/K/A THE BANK OF NEW YORK AS SUCCESSOR TO JPMORGAN CHASE BANK, N.A. AS TRUSTEE FOR ASSET BACKED FUNDING CORPORATION, ASSET-BACKED CERTIFICATES, SERIES 2005-HE1 obtained a Order from the 154th District Court of Lamb County on 05/24/2017 under Cause No. DCV-19658-17. The mortgagee has requested a Substitute Trustee conduct this sale pursuant to the Court's Order.

**7. Substitute Trustee(s) Appointed to Conduct Sale.** In accordance with Texas Property Code Sec. 51.0076, the undersigned attorney for the mortgage servicer has named and appointed, and by these presents does name and appoint RONALD BYRD, JOSE A. BAZALDUA OR ANTONIO BAZALDUA, Substitute Trustee to act under and by virtue of said Deed of Trust.

**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.**

*[Handwritten signature]*

Mackie Wolf Zientz & Mann, P.C.  
Brandon Wolf, Attorney at Law  
L. Keller Mackie, Attorney at Law  
Lori Liane Long, Attorney at Law  
Tracey Midkiff, Attorney at Law  
Marissa Sibal, Attorney at Law  
Parkway Office Center, Suite 900  
14160 North Dallas Parkway  
Dallas, TX 75254

*[Handwritten signature: Ronald Byrd]*

RONALD BYRD, JOSE A. BAZALDUA OR ANTONIO BAZALDUA  
c/o AVT Title Services, LLC  
1101 Ridge Rd. Suite 222  
Rockwall, TX 75087

FILED FOR RECORD  
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TOBYA NITCHE  
COUNTY CLERK LAMB CO. TX  
No. 6082

Certificate of Posting

I am Ronald Byrd whose address is 14160 N. Dallas Pkwy, Suite 900, Dallas, TX 75254. I declare under penalty of perjury that on 7-11-17 I filed this Notice of Foreclosure Sale at the office of the Lamb County Clerk and caused it to be posted at the location directed by the Lamb County Commissioners Court.

