

TS No.: 2024-00074-TX  
24-000034-673

SUSANA R. GARZA, CLERK  
WILLACY COUNTY, TEXAS  
BY: *Alma Mireles* DEPUTY

**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:** 03/05/2024

**Time:** The sale will begin at 12:00 PM or not later than three hours after that time

**Place:** Willacy County, Texas at the following location: **FRONT DOOR OF THE COURTHOUSE FACING SOUTH ON WEST HIDALGO AVENUE 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:** 1901 SOUTH 7TH STREET, RAYMONDVILLE, TX 78580

**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 08/30/2004 and recorded 09/02/2004 in Vol. 368, Page 055, Document 296998, real property records of Willacy County, Texas, with **CANDY KAFKA AND SPOUSE, ERNESTO KAFKA** grantor(s) and AVAILABLE MORTGAGE FUNDING, LLC, as Lender, MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. 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 AVT Title Services, LLC, located at 5177 Richmond Avenue, Suite 1230, Houston, TX 77056, Substitute Trustee to act under and by virtue of said Deed of Trust.

**5. Obligation Secured:** Deed of Trust or Contract Lien executed by **CANDY KAFKA AND SPOUSE, ERNESTO KAFKA**, securing the payment of the indebtedness in the original principal amount of **\$83,125.00**, 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 TRUST COMPANY, NATIONAL ASSOCIATION FKA THE BANK OF NEW YORK TRUST COMPANY, N.A. AS SUCCESSOR TO JPMORGAN CHASE BANK, AS TRUSTEE FOR RESIDENTIAL ASSET MORTGAGE PRODUCTS, INC., MORTGAGE ASSET-BACKED PASS-THROUGH CERTIFICATES SERIES 2004-RS10** is the current mortgagee of the note and deed of trust or contract lien.

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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:

**TRACT 1: BEING A TRACT OF LAND CONTAINING 0.85 ACRE OF LAND, MORE OR LESS, SITUATED OUT OF THE WEST TWELVE [12] ACRES OF THE SOUTH ONE-HALF [S. 1/2] OF LOT SIXTEEN [16], SECTION ONE [1], RAYMOND TOWN AND IMPROVEMENT COMPANY SUBDIVISION, AS RECORDED IN VOLUME 1, PAGE 575 OF THE TRANSCRIBED RECORDS OF CAMERON COUNTY TO WILLACY COUNTY, WILLACY COUNTY, TEXAS, AND FURTHER BEING OUT OF THAT SAME PROPERTY KNOWN AS TRACT 1, CONVEYED TO MOISES TORRES IN VOLUME 167, PAGE 227, DEED RECORDS, WILLACY COUNTY, TEXAS; SAID 0.85 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING FOR REFERENCE AT A POINT BEING THE SOUTHWEST CORNER OF SAID LOT SIXTEEN [16] AND THE NORTHWEST CORNER OF LOT SEVENTEEN [17] OF SAID RAYMOND TOWN AND IMPROVEMENT COMPANY SUBDIVISION; THENCE, ALONG THE WESTERLY LINE OF SAID LOT SIXTEEN [16], NORTH 07 DEGREES 35 MINUTES 41 SECONDS EAST, A DISTANCE OF 146.18 FEET TO THE POINT OF BEGINNING FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT; THENCE, CONTINUING ALONG THE WESTERLY LINE OF SAID LOT SIXTEEN [16], NORTH 07 DEGREES 35 MINUTES 41 SECONDS EAST, A DISTANCE OF 141.50 FEET TO A POINT FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT; THENCE, DEPARTING THE WESTERLY LINE OF SAID LOT SIXTEEN [16], SOUTH 82 DEGREES 24 MINUTES 19 SECONDS EAST, AT A DISTANCE OF 35.13 FEET PASSING A 1/2 INCH IRON ROD SET FOR REFERENCE IN THE APPARENT EASTERLY RIGHT OF WAY LINE OF BUSINESS "77" AND CONTINUING IN ALL A TOTAL DISTANCE OF 263.11 FEET TO A 1/2 INCH IRON ROD SET FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT; THENCE, SOUTH 07 DEGREES 35 MINUTES 41 SECONDS WEST, A DISTANCE OF 141.50 FEET TO A 1/2 INCH IRON ROD SET FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT; THENCE, NORTH 82 DEGREES 24 MINUTES 19 SECONDS WEST, AT A DISTANCE OF 227.98 FEET PASSING A 1/2 INCH IRON ROD SET IN THE APPARENT RIGHT OF WAY LINE OF SAID BUSINESS "77" AND CONTINUING IN ALL A TOTAL DISTANCE OF 263.11 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.85 ACRE OF WHICH 0.11 ACRE IS WITHIN THE ROAD RIGHT OF WAY LEAVING A NET AREA OF 0.74 ACRE OF LAND; SAVE AND EXCEPT 0.072 ACRE OF LAND CONVEYED TO IGNACIO TORRES AND WIFE, LEONOR TORRES BY DEED DATED SEPTEMBER 8, 1994, RECORDED IN VOLUME 111, PAGE 192, OFFICIAL REAL PROPERTY RECORDS, WILLACY COUNTY, TEXAS. TRACT 2: BEING A TRACT OF LAND CONTAINING 0.002 ACRE [74 SQ. FT.] OF LAND SITUATED OUT OF THE WEST TWELVE ACRES [12 AC.] OF THE SOUTH ONE-HALF [S. 1/2] OF LOT SIXTEEN [16], SECTION ONE [1], OF THE RAYMOND TOWN AND IMPROVEMENT COMPANY SUBDIVISION, AS RECORDED IN VOLUME 1, PAGE 575 OF THE TRANSCRIBED RECORDS OF CAMERON COUNTY TO WILLACY COUNTY, WILLACY COUNTY, TEXAS; SAID 0.002 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING FOR REFERENCE AT A POINT BEING THE SOUTHWEST CORNER OF SAID LOT SIXTEEN [16] AND LYING WITHIN THE RIGHT OF WAY OF U. S. BUSINESS "77"; THENCE, ALONG THE WESTERLY LINE OF SAID LOT SIXTEEN [16], NORTH 07 DEGREES 35 MINUTES 41 SECONDS EAST, A DISTANCE OF 141.94 FEET TO THE POINT OF BEGINNING AND BEING THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT; THENCE, CONTINUING ALONG THE WESTERLY LINE OF SAID LOT SIXTEEN [16], NORTH 07 DEGREES 35 MINUTES 41 SECONDS EAST, A DISTANCE OF 4.24 FEET TO A POINT FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT; THENCE, DEPARTING THE WESTERLY LINE OF SAID LOT SIXTEEN [16], SOUTH 82 DEGREES 24 MINUTES 19 SECONDS EAST, A DISTANCE OF 35.13 FEET TO A 1/2 INCH IRON ROD FOUND FOR THE MOST EASTERLY CORNER OF THE HEREIN DESCRIBED TRACT AND BEING IN THE APPARENT EASTERLY RIGHT OF WAY LINE OF SAID U. S. BUSINESS "77" THENCE, NORTH 89 DEGREES 17 MINUTES 17 SECONDS WEST, A DISTANCE OF 35.39 FEET TO**

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**THE POINT OF BEGINNING AND CONTAINING 0.002 ACRE [74 SQ. FT.] OF LAND, MORE OR LESS.**

**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. **PHH Mortgage Corporation**, as Mortgage Servicer, is representing the current mortgagee, whose address is:

**C/O PHH Mortgage Corporation**

**PO BOX 24605**

**West Palm Beach, FL 33416-4605**

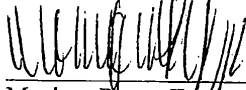
**Phone: 877-744-2506**

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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 18, 2024



Monique Patzer, Trustee Sale Assistant

C/O Power Default Services, Inc.  
7730 Market Center Ave, Suite 100  
El Paso, TX 79912  
Telephone: 855-427-2204  
Fax: 866-960-8298

For additional sale information visit: [www.realtybid.com/texas](http://www.realtybid.com/texas) or (877) 518-5700

**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, 5177 Richmond Avenue, Suite 1230, Houston, TX 77056. I declare under penalty of perjury that on \_\_\_\_\_ I filed this Notice of Foreclosure Sale at the office of the Willacy County Clerk and caused it to be posted at the location directed by the Willacy County Commissioners Court.