

APR 09 2018

703 N 19TH STREET  
COPPERAS COVE, TX 76522  
COUNTY CLERK, CORYELL CO., TEXAS 00000006296545

(15)

**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: May 01, 2018

Time: The sale will begin at 10:00AM or not later than three hours after that time.

Place: THE NORTH DOOR OF THE CORYELL COUNTY COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONERS or as designated by the county commissioners.

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

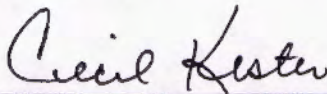
**3. Instrument to be Foreclosed.** The Instrument to be foreclosed is the Deed of Trust or Contract Lien dated August 04, 2004 and recorded in Document CLERK'S FILE NO. 173889 real property records of CORYELL County, Texas, with GEORGE W DIXON, grantor(s) and NEW CENTURY MORTGAGE CORPORATION, mortgagee.

**4. Obligations Secured.** Deed of Trust or Contract Lien executed by GEORGE W DIXON, securing the payment of the indebtednesses in the original principal amount of \$52,000.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. DEUTSCHE BANK NATIONAL TRUST COMPANY, AS INDENTURE TRUSTEE FOR NEW CENTURY HOME EQUITY LOAN TRUST 2004-3 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



CECIL KESTER, TIM LEWIS, BRENDA WIGGS, DENISE BOERNER, DONNA STOCKMAN, GUY WIGGS, DAVID STOCKMAN, OR MICHELLE SCHWARTZ

Substitute Trustee

c/o BARRETT DAFFIN FRAPPIER TURNER & ENGEL, LLP  
4004 Belt Line Road, Suite 100  
Addison, Texas 75001



**EXHIBIT "A"**

BEING ALL THAT CERTAIN PROPERTY DESCRIBED AS LOT NUMBER EIGHT (8) IN BLOCK NUMBER FOUR (4), NORTHERN HILLS ADDITION TO THE CITY OF COPPERAS COVE, TEXAS, AS SHOWN BY PLAT THEREOF OF RECORD IN VOLUME 3, PAGE 44, PLAT RECORDS OF CORYELL COUNTY, TEXAS.

DEUTSCHE BANK NATIONAL  
TRUST COMPANY, AS  
INDENTURE TRUSTEE FOR NEW  
CENTURY HOME EQUITY LOAN  
TRUST 2004-3,  
Plaintiff,

IN THE DISTRICT COURT

v.

GEORGE W. DIXON, JR.,  
CHRISTOPHER G. DIXON,  
QUENTIN J. DIXON, AND THE  
UNKNOWN HEIRS AT LAW OF  
GEORGE W. DIXON, DECEASED,  
Defendants.

OF CORYELL COUNTY, TEXAS

In Re: 703 N 19TH STREET,  
COPPERAS COVE,

440TH JUDICIAL DISTRICT

DEFAULT AND AGREED JUDGMENT

After considering plaintiff, Deutsche Bank National Trust Company, as indenture trustee for New Century Home Equity Loan Trust 2004-3's, its successors or assigns, motion for default and entry of an agreed judgment, pleadings, and evidence on file the Court GRANTS the motion and finds:

1. Citation properly served on defendants according to law and remained on file with the Clerk of this Court for the time prescribed by law.
2. Defendant, George W. Dixon, Jr. was served with process and defendant has not filed an answer or any pleading constituting an answer and has not entered an appearance in this lawsuit. The last known address for defendant, George W. Dixon, Jr. is as follows: 703 N. 19th, Copperas Cove, Texas 76522.

3. Defendant, Christopher G. Dixon was served with process and defendant has not filed an answer or any pleading constituting an answer and has not entered an appearance in this lawsuit.

Default and Agreed Judgment  
EDFILE # 6490264

FILED  
330 CORYELL COUNTY  
CLERK

JAN 25 2018

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*[Handwritten Signature]*

The last known address for defendant, Christopher G. Dixon is as follows: 1400 Elm 3452, Palestine, Texas 75803.

4. Defendant, Quentin J. Dixon was served with process and defendant has not filed an answer or any pleading constituting an answer and has not entered an appearance in this lawsuit. The last known address for defendant, Quentin J. Dixon is as follows: 1723 Elizabeth St, Madison, Illinois 62060.

5. None of the defendants who were personally served are in active military service.

6. Kirby Smetek was appointed as attorney ad litem according to Tex. R. Civ. P. 244 for defendant, the unknown heirs-at-law of George W. Dixon, deceased served citation by publication.

7. The Loan Agreement between George W. Dixon and the plaintiff is in default and that plaintiff is the beneficiary of that agreement on the property made the basis of this lawsuit.

8. Plaintiff is entitled to the relief sought in plaintiff's original petition. Therefore it is:

**ORDERED that:**

All of George W. Dixon's ("Decedent") heirs-at-law have been made defendants in this suit and were immediately vested with all of Decedent's right, title and interest in the real property and improvements commonly known as 703 N. 19th Street, Coppens Cove, Texas 76522 ("Property") and legally described as:

**BEING ALL THAT CERTAIN PROPERTY DESCRIBED AS LOT NUMBER EIGHT (8) IN BLOCK NUMBER FOUR (4), NORTHERN HILLS ADDITION TO THE CITY OF COPPENAS COVE, TEXAS, AS SHOWN BY PLAT THEREOF OF RECORD IN VOLUME 3, PAGE 4, PLAT RECORDS OF CORYELL COUNTY, TEXAS.**

**FURTHER ORDERED** plaintiff has a valid lien on the Property by way of a Texas Home Equity Security Instrument, dated August 4, 2014 and filed under Clerk's File No. 175889 of the Official Public Records of Coryell County, Texas.

FURTHER ORDERED that this judgment serves as an Order authorizing plaintiff to foreclose its lien created under TEX. CONST. art. XVI, § 50(a)(1) in compliance with the Loan Agreement and TEX. PROP. CODE § 51.002.

FURTHER ORDERED that a copy of this judgment shall be sent to defendants with the notice of the date, time, and place of the foreclosure sale.

FURTHER ORDERED that plaintiff may communicate with the defendants and all third parties reasonably necessary to conduct the foreclosure sale.

FURTHER ORDERED that if defendants are represented by counsel, the notice of foreclosure sale also be mailed to counsel by certified mail.

FURTHER ORDERED that one of the effects of the non-judicial foreclosure shall be that defendants are divested and the purchaser of the Property at the non-judicial foreclosure sale is vested with all rights, title and interest in the Property.

FURTHER ORDERED that no personal liability or deficiency for the Loan Agreement debt shall be asserted against the defendants or the positive estate of Decedent.

FURTHER ORDERED that after the non-judicial foreclosure is held, if the property remains occupied after this judgment becomes final and the plaintiff is the purchaser of the Property at the non-judicial foreclosure sale, a writ of possession shall issue against any occupant of the Property in accordance with TEX. R. CIV. P. 510.

FURTHER ORDERED that as part of the costs of court, and payable by plaintiff Kirby Steiner, the Attorney Ad Litem is granted the sum of \$ 750<sup>00</sup> and discharged as Ad Litem in this cause.

FURTHER ORDERED that all other costs of court are taxed against the party incurring same.

All relief not expressly granted is denied.

Default and Agreed Judgment  
BDFTB #: 6490064

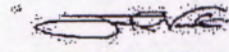
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This judgment finally disposes of all parties and all claims and is appealable.

SIGNED this 25<sup>th</sup> day of January, 2018.

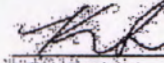
  
PRESIDING JUDGE

APPROVED AS TO FORM & SUBSTANCE: AGREED TO BY:



Joseph M. Vacek  
State Bar No.: 24039948  
4004 Belt Line Road, Suite 100  
Addison, Texas 75001-4320  
(972) 340-7800  
(972) 341-0734 (Facsimile)  
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ATTORNEY FOR PLAINTIFF



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ATTORNEY AD LITUM

Default and Agreed Judgment  
BDELE # 6490064

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