

ASSERT AND PROTECT YOUR RIGHTS AS A MEMBER OF THE ARMED FORCES OF THE UNITED STATES. IF YOU OR YOUR SPOUSE IS SERVING IN ACTIVE MILITARY DUTY, INCLUDING ACTIVE MILITARY DUTY AS A MEMBER OF THE TEXAS NATIONAL GUARD, 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.

Copy of Original
Filed 9/11/17
Not Compared
or Verified

00001274
NOTICE OF SALE BY SUBSTITUTE TRUSTEE

STATE OF TEXAS

COUNTY OF LIMESTONE

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KNOW ALL MEN BY THESE PRESENTS:

Note: Sale Contract dated January 16, 2014 executed and delivered by Solomon Carl Davis, III to Green Tree Servicing LLC

Security Instrument: Purchase Money Deed of Trust, dated January 16, 2014, executed and delivered by Solomon Carl Davis, III and Dorothy L. Davis to Green Tree Servicing LLC, to secure payment of that certain Sale Contract, recorded on February 7, 2014 as Document No. 20140422, in Limestone County, Texas.

Original Creditor: Green Tree Servicing LLC

Current Holder: The Bank of New York Mellon, f/k/a The Bank of New York, as trustee for Mid-State Capital Trust 2010-1 by Ditech Financial LLC, as servicer with delegated authority

Current Owner: Ditech Financial LLC

Mortgage Servicer: Ditech Financial LLC FKA Green Tree Servicing LLC ("Servicer"), 2100 E. Elliot Road, Bldg 94, Mail Stop T325, Tempe, AZ 85284, by virtue of a loan servicing agreement

Attorneys for Mortgage Servicer Authorized to Appoint Substitute Trustees: Theodore J. Riney, Bruce K. Packard, Hayden Hooper

Appointment of Substitute Trustees: 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.

In accordance with Texas Property Code Section 51.0076, the undersigned attorney for the mortgage servicer has named and appointed, and by these presents hereby does name and appoint the following individuals as Substitute Trustees to act under and by virtue of said Security Instrument.

PROPERTY ADDRESS: 707 W Minister Rd Tehuacana, TX 76686	RP FILE NO. DITE02-215	BORROWER: Davis, Solomon Carl, III; Davis, Dorothy L.
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**Names and Street Address
of Substitute Trustees:**

JIM MILLS, SUSAN MILLS, EMILY NORTHERN, ALEXANDRA
ZOGRAFOS HOLUB, KORY MORGAN, DENISE MORGAN, LORI
GARNER
9065 Jollyville, Suite 203A, Austin, TX 78759

AND

T. J. RINEY, H. HOOPER, S.G. HARVEY, B.K. PACKARD,
5420 LBJ Freeway, Suite 220, Dallas, TX 75240.

The Substitute Trustees are authorized to sell the Premises at public venue to the highest bidder or bidders, for cash. *Note: Each substitute trustee is authorized individually, to act alone without the joinder of the other trustees.*

Property to be sold:

707 W Minister Rd, Tehuacana, TX 76686, and as further described in Exhibit A attached hereto, along with the improvements on such real property and any after acquired permanent improvements or title to such improvements and/or real property (the "Premises" as described in §9.604 of the Texas Uniform Commercial Code).

Date of Sale:

Tuesday, October 3, 2017.

Time of Sale:

The sale will begin no earlier than **1:00 PM** and no later than three (3) hours thereafter.

Location of Sale:

At the **County Courthouse in Limestone County**, Texas, at the front door of the courthouse, unless the location of the sale has been otherwise designated to a specific location by the Commissioner's Court of Limestone County. If such a designation by the Commissioner's Court has been made and recorded after the date hereof and prior to the time of the sale, then the Substitute Trustee will sell the Premises at the area designated by the Commissioner's Court of Limestone County, Texas.

Terms of Sale:

The sale will be conducted as a public auction to the highest bidder for cash, subject to the provisions of the Purchase Money Deed of Trust permitting the beneficiary thereunder to have the bid credited to the note up to the amount of the unpaid debt secured by the Purchase Money Deed of Trust at the time of sale.

Those desiring to purchase the property will need to demonstrate their ability to pay their bid immediately in cash if their bid is accepted.

The sale will be made expressly subject to any title matters set forth in the Security Instrument, but prospective bidders are reminded that by law the sale will necessarily be made subject to all prior matters of record affecting the property, if any, to the extent that they remain in force and effect and have not been subordinated to the Security Instrument. The sale shall not cover any part of the property that has been released of public record from the lien of the Security Instrument. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

Pursuant to the Security Instrument, the beneficiary 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.

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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 Purchase Money Deed of Trust. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the property.

Pursuant to section 51.0075 of the Texas Property Code, the trustee reserves the right to set further reasonable conditions for conducting the sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by the trustee or any substitute trustee.

Type of Sale:

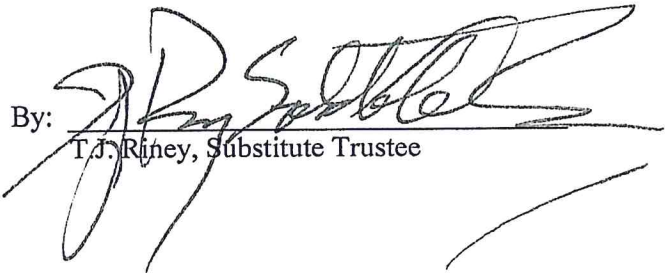
The sale is a non-judicial sale being conducted pursuant to the power of sale granted by the Security Instrument executed by Solomon Carl Davis, III and Dorothy L. Davis.

Default and Notice:

Default has been made in payment of the Note and Security Instrument and the Note is now unpaid, delinquent and in default. All required notices have been given to Solomon Carl Davis, III and Dorothy L. Davis and any and all other necessary parties with regard to the defaulted indebtedness. Servicer has requested the undersigned, substitute trustee, to post, file and give notice of foreclosure of the Security Instrument and the lien thereof in accordance with applicable Texas law and the terms and provisions of the Security Instrument.

Dated: August 25, 2017.

By: 
T.J. Riney, as attorney for Mortgage Servicer

By: 
T.J. Riney, Substitute Trustee

AFTER RECORDING, PLEASE RETURN TO:

Riney Packard, PLLC
Attn: T.J. Riney
Two Lincoln Centre
5420 LBJ Freeway, Suite 220
Dallas, Texas 75240

**THIS IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION OBTAINED
WILL BE USED FOR THAT PURPOSE**

PROPERTY ADDRESS: 707 W Minister Rd Tehuacana, TX 76686	RP FILE NO. DITE02-215	BORROWER: Davis, Solomon Carl, III; Davis, Dorothy L.
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EXHIBIT "A"

All that certain lot, tract or parcel of land, out of the original John Carruthers survey of tract, a part of the Lipscombing Norvell Survey, in Limestone County, Texas, and being a one-half acre tract of land lying and being situated just north of and adjacent to a one acre tract of land owned by Alfred Warren, which one acre tract is described by metes and bounds in a deed at Vol. 291, Page 566 of the deed records of Limestone County, Texas, conveyed to said Warren by R.A. & W.A. Falkiken, dated the 27th day of Dec., 1944.

Said lot is more particularly described as follows, to wit:

Beginning at a 5/8" iron rod set in the southeast line of West Minister Road at the north corner of the Alfred Warren 1.00 acre tract of land described in Deed recorded in Volume 291, Page 566 of the DRLCT and the west corner of the Vaughn tract;

Thence, N 45 degrees 00 minutes 00 seconds E (Assumed Reference Bearing), 104.36 feet along the southeast line of West Minister to a 1/2" iron rod found at the west corner of the Bernice Davis 1.25 acre tract of land described in Deed recorded in Volume 594, Page 380 of the DRLCT and the north corner of the Vaughn tract;

Thence S 56 degrees 47 minutes 25 seconds E, 208.73 feet along the common line of the Vaughn tract and the Davis tract to a 5/8" iron rod set at the east corner of the Vaughn tract and an inside corner of the Davis tract;

Thence S 45 degrees 00 minutes 00 seconds W, 104.36 feet along the common line of the Vaughn tract and the Davis tract to a 5/8" iron rod set at the south corner of the Vaughn tract and the east corner of the Warren tract;

Thence N 56 degrees 47 minutes 25 seconds W, 208.73 feet along the common line of the Vaughn tract and the Warren tract to the Point of Beginning and containing 0.49 acre of land more or less.

Filed for Record in:
Limestone County

Filed for Record in:
Limestone County

On: Sep 11, 2017 at 11:57A

By: Peggy Beck

STATE OF TEXAS

COUNTY OF LIMESTONE

I hereby certify that this instrument was filed on the date and time stamped hereon by me and was duly recorded in the named records of Limestone County as stamped hereon by me.

Sep 11, 2017

PROPERTY ADDRESS: 707 W Minister Rd Tehuacana, TX 76686	RP FILE NO. DITE02-215	Borrower: ^{Peggy Beck, County Clerk} Davis, Solomon Carl, III; Davis, Dorothy L. Limestone County
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