



UG-165-2018-2793

SUBSTITUTE TRUSTEE'S NOTICE OF 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.

Note: Sale Contract
Date: October 10, 2002, corrected October 23, 2002
Original Creditor: Jim Walter Homes, Inc. and Mid-State Trust II
Debtor: Steven Moore and Linda Evans
Current Holder: U. S. Bank, N.A., as Trustee, successor in interest to Wachovia Bank, National Association, as Trustee, successor by merger to First Union National Bank as Trustee for Mid-State Trust II by Ditech Financial LLC, as servicer with delegated authority

Security Instrument:

Purchase Money Deed of Trust
Date: October 10, 2002
Grantor: Steven Moore and Linda Evans
Trustee: Ronald K. Achille
Recording Information: Volume 02-591 at pages 603 et seq. recorded in the Official Records of Chambers County, Texas
Property: All that property (and improvements thereon) covered by and described in the above Security Instrument and as more particularly described in **Exhibit "A"** attached hereto (setting forth therein the legal description of the property as contained in or attached to the above Security Instrument) (referred to in this Notice of Sale as the "Property").

Current Beneficiary: U. S. Bank, N.A., as Trustee, successor in interest to Wachovia Bank, National Association, as Trustee, successor by merger to First Union National Bank as Trustee for Mid-State Trust II by Ditech Financial LLC, as servicer with delegated authority

Mortgage Servicer: Ditech Financial LLC (f/k/a Green Tree Servicing LLC), 2100 E. Elliot Road, T-314, Tempe, Arizona 85284, by virtue of a servicing agreement with Current Beneficiary.

Attorney for Mortgage Servicer Authorized to Appoint Substitute Trustees: Kenneth M. Culbreth, Jr.

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 Kenneth M. Culbreth, Jr. and others (identified in **Exhibit "B"** attached hereto) as Substitute Trustees, each to act individually (the "Substitute Trustee") under and by virtue of the Security Instrument.

Foreclosure Sale:

County: Chambers, Texas

Date of Sale (first Tuesday of month): September 4, 2018

Time of Sale: The sale of the Property will begin no earlier than 10:00 o'clock A.M. and no later than three (3) hours thereafter

Place of Sale: The sale of the Property will be held at the county courthouse in Chambers County, Texas (located at 404 Washington Avenue, Anahuac, Texas), the county in which the above described Property is located, and at that area of said county courthouse which has been so designated by the Chambers County Commissioners' Court as follows: East steps of courthouse.

Type of Sale: The sale of the Property is a non-judicial sale being conducted pursuant to the power of sale granted by the Security Instrument.

Terms of Sale: The sale of the Property will be conducted as a public auction to the highest bidder for cash, subject to the provisions of the Security Instrument permitting the Beneficiary to have the bid credited against the indebtedness secured by the Security Instrument at the time of the 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 of the Property 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 Substitute 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 Security Instrument.** Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the Property.

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 Debtor and any and all other necessary parties with regard to the defaulted indebtedness. Mortgage 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. Mortgage Servicer is representing Mid-State Trust II under a Servicing Agreement.

Dated: August 8, 2018

By: _____

Kenneth M. Culbreth, Jr., as
Attorney for Mortgage Servicer

By: _____

Kenneth M. Culbreth, Jr., as Substitute Trustee
500 North Shoreline, Suite 612
Corpus Christi, Texas 78401-0341
(361) 884-5678 Telephone
(361) 888-9149 Telecopier

Exhibit "A"

TRACT NO. I: BEGINNING at a point on the West boundary line of a tract of five acres of land out of the James Hoggatt League, Ab. 14, Chambers County, Texas that was described in a deed from R.A. Thornton, Jr. to Willie Bertand, dated February 15, 1944, recorded in Vol. 84, page 314 of the Deed Records of Chambers County, Texas, and 380 ft. South 1 deg. 23 min East from the Northwest corner of said tract; THENCE South 1 deg. 23 min East with the West line of said tract 50 ft. to the Southwest corner of this lot; THENCE South 89 deg. 56 min. East and parallel with the North line of said five acres, 125 ft. to the Southeast corner of this lot; THENCE North 1 deg. 23 min West, parallel with the West boundary line of said 5 acres, 50 ft. to the Northeast corner of this lot; THENCE North 89 deg. 56 min West parallel with and 380 ft. from said North line 125 ft. to the PLACE OF BEGINNING.

TRACT NO. II: BEGINNING at a point on the West boundary line of the five acres tract of land out of said Hoggatt League described in a deed from R.A. Thornton, Jr. to the said Willie Bertrand dated February 15, 1944, recorded in Vol. 84, pg. 314 of the Deed Records of Chambers County, Texas, and 430 ft. South 1 deg. 23 min East from the Northwest corner thereof; THENCE South 1 deg. 23 min East with said West line, 50 ft. to the Southwest corner of this lot; THENCE South 89 deg. 56 min East, parallel with the North line of said 5 acres, 125 ft. to the Southwest corner of this lot; THENCE North 1 deg. 23 min West, parallel with the West boundary line of said 5 acres 50 ft. to the Northeast corner of this lot; THENCE North 89 deg. 56 min West parallel with and 430 ft. from the said North line, 125 ft. the PLACE OF BEGINNING.

Exhibit "B"

Kenneth M. Culbreth, Jr.
500 North Shoreline, Suite 612
Corpus Christi, Nueces County, Texas 78401

Jim Mills
9065 Jollyville, Suite 203A
Austin, Travis County, Texas 78759

Susan Mills
9065 Jollyville, Suite 203A
Austin, Travis County, Texas 78759

Emily Northern
9065 Jollyville, Suite 203A
Austin, Travis County, Texas 78759

Alexandra Zografos Holub
9065 Jollyville, Suite 203A
Austin, Travis County, Texas 78759

Margie Allen
9065 Jollyville, Suite 203A
Austin, Travis County, Texas 78759

Tiffany Beggs
9065 Jollyville, Suite 203A
Austin, Travis County, Texas 78759

Kyle Barclay
9065 Jollyville, Suite 203A
Austin, Travis County, Texas 78759

Julia Perez
9065 Jollyville, Suite 203A
Austin, Travis County, Texas 78759

Alfred Perez
9065 Jollyville, Suite 203A
Austin, Travis County, Texas 78759

Tommy Jackson
9065 Jollyville, Suite 203A
Austin, Travis County, Texas 78759

Ron Harmon
9065 Jollyville, Suite 203A
Austin, Travis County, Texas 78759

Note: Individually and separate, each Substitute Trustee listed above is authorized to act alone without the joinder of the other Substitute Trustees.

Chambers

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Chambers County
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Order#: 20180814000026
By: LB



Heather H. Hawthorne, County Clerk

Recorded: *Leslie Borne*