



※UG-165-2019-2887※

SUBSTITUTE TRUSTEE'S NOTICE OF SALE

Assert and protect your rights as a member of the armed forces of the United States. If you 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: Retail Installment Contract
Date: March 23, 2006, modified January 28, 2016
Original Creditor: Jim Walter Homes, Inc.
Debtor: Michael Moore and Wanda C. Moore
Current Holder: The Bank of New York Mellon, as Indenture Trustee for Mid-State Capital Corporation 2010-1 Trust by Ditech Financial LLC, as servicer with delegated authority

Security Instrument:

Mechanic's Lien Contract with Power of Sale
Date: March 23, 2006, modified January 28, 2016
Grantor: Michael Moore and Wanda C. Moore
Trustee: Joseph H. Kelly, Jr.
Recording Information: Volume 854 at pages 176 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 Holder: The Bank of New York Mellon, as Indenture Trustee for Mid-State Capital Corporation 2010-1 Trust 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 Holder.

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 3, 2019

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 Holder 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 Holder 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 Capital Corporation 2010-1 Trust under a Servicing Agreement.

Dated: August 6, 2019

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) 760-3333 Telephone
(361) 760-3339 Telecopier

EXHIBIT "A"

FIELD NOTES OF 0.3503 OF AN ACRE TRACT OF LAND SURVEYED FOR HARLOW LEWIS AND SITUATED IN THE JAMES ALLEN SURVEY, ABSTRACT NO. 1, CHAMBERS COUNTY, TEXAS, AND BEING THE SAME TRACT OF LAND CONVEYED TO HARLOW LEWIS BY CHARLIE BLUE BY DEED DATED OCTOBER 13, 1989, AND RECORDED IN VOLUME 116 AT PAGE 471 OF THE OFFICIAL PUBLIC RECORDS OF CHAMBERS COUNTY, TEXAS. THIS 0.3503 OF AN ACRE TRACT OF LAND IS MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, TO-WIT:

NOTE: BEARINGS BASED ON CORNERS FOUND AND BEARINGS CALLED FOR IN PARTITION DEED RECORDED IN VOLUME 263 AT PAGE 566 OF THE DEED RECORDS OF CHAMBERS COUNTY, TEXAS. REFERENCE IS MADE TO PLAT OF EVEN DATE ACCOMPANYING THIS DESCRIPTION.

BEGINNING AT A ½ INCH IRON ROD WITH CAP SET FOR THE NORTHEAST CORNER OF THIS TRACT OF LAND AND THE SOUTHEAST CORNER OF A TRACT OF LAND CONVEYED TO EARNESTINE WILRIDGE BY CHARLIE BLUE BY DEED DATED SEPTEMBER 10, 1987, AND RECORDED IN VOLUME 25 AT PAGE 22 OF THE OFFICIAL PUBLIC RECORDS OF CHAMBERS COUNTY, TEXAS. THIS BEGINNING CORNER IS IN THE WEST RIGHT OF WAY LINE OF THE ORIGINAL RIGHT OF WAY OF F.M. HIGHWAY NO. 563 AND FROM THIS BEGINNING CORNER A ½ INCH IRON ROD SET IN THE WEST RIGHT OF WAY LINE OF THE EXISTING F.M. HIGHWAY NO. 563, 120 FOOT RIGHT OF WAY BEARS SOUTH 87 DEG. 41' 58" EAST 50.11 FEET.

THENCE IN A SOUTHERLY DIRECTION WITH THE EAST LINE OF THIS TRACT AND A CURVE TO THE LEFT IN THE ORIGINAL RIGHT OF WAY OF HIGHWAY 563 HAVING A CENTRAL ANGLE OF 02 DEG. 51' 04", A RADIUS OF 1667.91 FEET AND A LENGTH OF 83.00 FEET TO A ½ INCH IRON ROD WITH CAP SET FOR THE SOUTHEAST CORNER OF THIS TRACT OF LAND AND THE MOST EASTERN NORTHEAST CORNER OF THE RESIDUE OF A 3.883 ACRE TRACT OF LAND AWARDED TO JOSEPHINE HENDERSON BY PARTITION DEED DATED MAY 12, 1965, AND RECORDED IN VOLUME 265 AT PAGE 566 OF THE DEED RECORDS OF CHAMBERS COUNTY, TEXAS. FROM THIS CORNER, A ½ INCH IRON ROD WITH CAP SET IN THE WEST RIGHT OF WAY OF F.M. HIGHWAY NO. 563, 120 FOOT RIGHT OF WAY BEARS SOUTH 87 DEG., 41' 58" EAST 49.52 FEET.

THENCE NORTH 87 DEG. 41' 58" WEST WITH THE SOUTH LINE OF THIS TRACT OF LAND AND THE NORTH LINE OF THE RESIDUE OF SAID 3.883 ACRE TRACT OF LAND A DISTANCE OF 200.00 FEET TO A ½ INCH IRON ROD WITH CAP FOUND FOR THE SOUTHWEST CORNER OF THIS TRACT OF LAND AND A CORNER OF THE RESIDUE OF SAID 3.883 ACRE TRACT OF LAND.

THENCE NORTH 25 DEG. 13' 40" EAST WITH THE WEST LINE OF THIS TRACT OF LAND AND THE EAST LINE OF THE RESIDUE OF SAID 3.883 ACRE TRACT OF LAND A DISTANCE OF 83.00 FEET TO A ½ INCH IRON ROD FOUND FOR THE NORTHWEST CORNER OF THIS TRACT OF LAND AND A CORNER OF THE RESIDUE OF SAID 3.883 ACRE TRACT OF LAND.

THENCE SOUTH 87 DEG. 41' 58" EAST WITH THE NORTHLINE OF THIS TRACT OF LAND AND THE SOUTH LINE OF THE RESIDUE OF SAID 3.883 ACRE TRACT OF LAND, AT 50.00 FEET FOUND A ½ INCH IRON ROD IN LINE FOR A CORNER OF THE RESIDUE OF SAID 3.883 ACRE TRACT OF LAND AND THE SOUTHWEST CORNER OF THE WILRIDGE TRACT OF LAND, CONTINUING ON THE NORTH LINE OF THIS TRACT OF LAND AND THE SOUTH LINE OF THE WILRIDGE TRACT OF LAND A TOTAL DISTANCE OF 200.00 FEET TO THE PLACE OF BEGINNING, CONTAINING WITHIN SAID BOUNDARIES 0.3503 OF AN ACRE OF LAND.

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

Glinda Cole
9065 Jollyville, Suite 203A
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Kyle Barclay
9065 Jollyville, Suite 203A
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Julia Perez
9065 Jollyville, Suite 203A
Austin, Travis County, Texas 78759

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

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

Ed Henderson
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.

FILED FOR RECORD IN:
Chambers County
On: 8/12/2019 10:39:19 AM
Doc Number: 2019-2887
Number of Pages: 4
Amount: 10.00
Order#: 20190812000009
By: KH



Heather H. Hawthorne, County Clerk

Recorded

Klaus Hampton