

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

WHEREAS, On the 15th day of November 2015, SANDRA J. BAKER, a single woman (hereinafter "Mortgagor", whether one or more) executed a Deed of Trust conveying to JERRY INCE, as Trustee, the Real Estate hereinafter described, to secure \$19,495.00 in the payment of a debt therein described, said Deed of Trust being recorded in Volume 1006, Page 20, of the Official Public Records of Howard County, Texas; and

WHEREAS, default has occurred in the payment of said indebtedness, and the same is now wholly due, and the owner and holder of said debt has requested the undersigned to sell said property to satisfy said indebtedness.

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that I will sell all of the interest of Mortgagor encumbered by said Deed of Trust in said Real Estate as follows:

- (1) a public sale at auction;
- (2) on September 5, 2017, being the first Tuesday of the month;
- (3) the sale shall be conducted at the north door of the Howard County Courthouse building, Big Spring, Texas.
- (4) the sale shall be conducted between the following hours, local time: 10:00 a.m. - 1:00 p.m.; and
- (5) the real property shall be sold to the highest bidder for cash.

Said Real Estate is described as follows:

Being the S/48' of Lot Six (6), in Block No. Eighteen (18), COLE & STRAYHORN ADDITION, an Addition to the City of Big Spring, Howard County, Texas, according to the proper map or plat of record in Envelope 21/B, Plat Records of Howard County, Texas.

WITNESS MY HAND this 10th day of August 2017.


CHUCK ROSENBAUM, SUBSTITUTE TRUSTEE

2017 AUG 10 PM 1:33
BRENT ZITLER
COUNTY CLERK HOWARD COUNTY
BY DEPUTY *Angie White*

~~FILED~~
Posted

Notice of Acceleration

Dear Borrowers:

Please be advised that the undersigned law firm represents the Mortgage Servicer with respect to the above-referenced debt.

This letter constitutes formal notice to you of your default under the terms of the Note evidencing the Loan and the deed of trust (the "Security Instrument") securing the loan.

According to and relying on the information provided to this firm by the Mortgage Servicer, you are advised:

1. Because of the non-payment of all past due loan installments and other amounts legally due, The Mortgage Servicer has ACCELERATED the maturity of the debt.
2. You have the right to reinstate the Loan after acceleration in the time and manner provided by the Loan Documents and you have the right to bring a court action to assert the non-existence of a default or any defense to acceleration, foreclosure, or other rights reserved by the Loan Documents and Applicable Law.
3. Should you wish to request a full payoff, please fax your written request to the fax number above. On your request, please include your name, loan number, property address, a phone number where you can be reached and either a fax number or a mailing address.

FAIR DEBT COLLECTION PRACTICES ACT; CONSUMER NOTICE

The following notice is provided pursuant to the Fair Debt Collections Practices Act (ACT), public law 95-109, 15 U.S.C. § 1601 et seq.

1. THE AMOUNT OF THE DEBT IS \$96,238.72
2. THE NAME OF THE CREDITOR TO WHOM THE DEBT IS OWED IS DITECH FINANCIAL LLC.
3. PLEASE BE ADVISED THAT UNLESS YOU DISPUTE THE VALIDITY OF THE ABOVE-DESCRIBED DEBT OR ANY PORTION OF THE DEBT WITHIN THIRTY (30) DAYS AFTER RECEIPT OF THIS NOTICE, THE ATTORNEY AND THE CREDITOR WILL ASSUME THAT THIS DEBT IS VALID AND THE CREDITOR MAY PROCEED IN ACCORDANCE WITH THE ACT (PUBLIC LAW 95-109) TO LEGALLY RECOVER MONIES OWED TO THE CREDITOR.
4. FURTHERMORE, YOU ARE ADVISED THAT YOU HAVE THE RIGHT TO CONTACT THE CREDITOR, ATTORNEY OR DEBT COLLECTOR TO DISPUTE THE DEBT.
5. IF YOU DISPUTE THE VALIDITY OF THE DEBT, YOU SHOULD NOTIFY THE ATTORNEY WHO SENT THIS LETTER TO YOU, OF YOUR DISPUTE IN WRITING WITHIN THIRTY (30) DAYS FROM THE RECEIPT OF THIS NOTICE. IF YOU DISPUTE THE DEBT, THE ATTORNEY WILL OBTAIN A VERIFICATION OF THE DEBT AND MAIL IT TO YOU.
6. UPON YOUR WRITTEN REQUEST WITHIN THE ABOVE-DESCRIBED THIRTY (30) DAY TIME PERIOD, THE ATTORNEY OR DEBT COLLECTOR WILL PROVIDE YOU WITH THE NAME AND ADDRESS OF THE ORIGINAL CREDITOR, IF THE

CREDITOR SEEKING TO COLLECT THE DEBT IS DIFFERENT FROM THE ORIGINAL CREDITOR.

7. ANY POSTDATED CHECKS SENT TO THE DEBT COLLECTOR WILL BE DEPOSITED OR PLACED FOR COLLECTION.

NOTE: If you request proof of the debt within the 30 day period that begins with your receipt of this letter, the law requires me to suspend my efforts (through litigation or otherwise) to collect the debt until I mail the requested information to you.

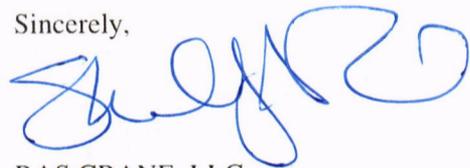
NON BANKRUPCTY STATUS

The creditor and this office have no knowledge that you have filed a Federal Bankruptcy Petition, or that if you have previously filed; that the bankruptcy stay is applicable. Likewise, the creditor and this office have no knowledge that all or part of the debt has been discharged by any bankruptcy proceeding.

If you have a filed bankruptcy, and the automatic stay is in effort or a prior bankruptcy discharged the debts, then this office will suspend collection efforts and comply with federal or state law once you notify this office of your bankruptcy filing. Please send this office the name of the debtor, the case number, the proceeding type, the court's name and location and the name, address and telephone number of your bankruptcy attorney.

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.

Sincerely,



RAS CRANE, LLC

Notice of Substitute Trustee's Sale

Notice Concerning Military Duty: **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. Tex. Prop. Code § 51.002(i)**

Deed of Trust Date: September 24, 2015	Original Mortgagor/Grantor: JAKE MOORE, A SINGLE MAN
Original Beneficiary / Mortgagee: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. AS NOMINEE FOR LRS FINANCIAL NETWORK, INC. DBA HNB MORTGAGE	Current Beneficiary / Mortgagee: DITECH FINANCIAL LLC
Recorded in: Volume: 1486 Page: 136 Instrument No: 2015-00007363	Property County: Howard County, Texas
Mortgage Servicer: Ditech Financial LLC	Mortgage Servicer's Address: 345 St Peter Street, St Paul, Minnesota 55102-1211

* 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 property securing the above referenced loan.

Secures: Note in the original principal amount of \$93,610.00, executed by JAKE MOORE ("Borrower") and payable to the order of Lender.

Property Address/Mailing Address: 3304 DUKE AVE, BIG SPRING, TX 79720

Legal Description of Property to be Sold: LOT NO. TWELVE (12), BLOCK NO. TWENTY-EIGHT (28), COLLEGE PARK ESTATES, AN ADDITION TO THE CITY OF BIG SPRING, HOWARD COUNTY, TEXAS, FILED IN ENVELOPE NO. 28/B, PLAT RECORDS OF HOWARD COUNTY, TEXAS.

Date of Sale: September 05, 2017	Earliest time Sale will begin: 10:00am (10a-1p)
---	--

Place of sale of Property: THE NORTH DOOR OF THE COURTHOUSE, or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner's Court

The Substitute Trustee will sell the property by public auction to the highest bidder for cash at the place and date specified. The sale will begin at the earliest time stated above or within three (3) hours after that time.

Appointment of Substitute Trustee: Default has occurred in the payment of the Note and in the performance of the obligations of the Deed of Trust, the same is now wholly due. Because of that default, *DITECH FINANCIAL LLC*, the owner and holder of the Note, has requested Shelley Nail, Donna Trout, Johnie Eads, Trustee(s) to sell the property. The Trustee(s) has/have been appointed Substitute Trustee in the place of the original trustee, in the manner authorized by the deed of trust.

Terms of Sale: The Foreclosure Sale will be conducted as a public auction and the Property will be sold to the highest bidder for cash, except that *DITECH FINANCIAL LLC* bid may be by credit against the indebtedness secured by the lien of the Deed of Trust.

Pursuant to section 51.009 of the Texas Property Code, the Property will be sold "AS IS," without any expressed or implied warranties, except as to the warranties (if any) provided for under the Deed of Trust. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the Property.



BY DEPUTY *Maamie*
Ariz
Brent Zitterhoff
COUNTY CLERK HOWARD COUNTY

2017 AUG 10 PM 2:52

FILED
POSTED

Pursuant to section 51.0075(a) of the Texas Property Code, Shelley Nail, Donna Trout, Johnie Eads, Trustee(s) reserves the right to set further reasonable conditions for conducting the Foreclosure Sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by Shelley Nail, Donna Trout, Johnie Eads, Trustee(s).

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 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.

/s/Anthony Waddell

Anthony Waddell

Attorney for DITECH FINANCIAL LLC

State Bar No.:24042105

twaddell@rascrane.com

RAS CRANE, LLC / Attorney for Mortgagee

1900 Enchanted Way, Suite 125

Grapevine, TX 76051

Telephone: 817-873-3080

Facsimile: (817)796-6079

Posted By
