

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.

**NOTICE OF SALE BY SUBSTITUTE TRUSTEE**

Copy of Original  
Filed 4/11/16  
Not Compared  
or Verified

STATE OF TEXAS

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KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF LIMESTONE

**Note:** Sale Contract dated November 6, 2006 executed and delivered by James E. Hutchison, Jr. to Walter Mortgage Servicing, Inc.

**Security Instrument:** Purchase Money Deed of Trust, dated November 6, 2006, executed and delivered by James E. Hutchison, Jr. to Walter Mortgage Servicing, Inc., to secure payment of that certain Sale Contract, recorded on December 18, 2006, as Document 00612673 in Volume 1227 at Page 240, in Limestone County, Texas.

**Original Creditor:** Walter Mortgage Servicing, Inc.

**Current Owner and Holder:** U.S. Bank, N.A., as trustee for Mid-State Trust XI by Ditech Financial LLC, as servicer with delegated authority

**Loan Servicer:** Ditech Financial LLC FKA Green Tree Servicing LLC ("Servicer"), 7360 S Kyrene Rd, Mailstop T325, Tempe, AZ 85283, by virtue of a loan servicing agreement

**Appointed Substitute Trustees:** JIM MILLS, SUSAN MILLS, EMILY NORTHERN, ALEXANDRA ZOGRAFOS HOLUB, KORY MORGAN, DENISE MORGAN, LORI GARNER

*Note: Each substitute trustee is authorized* 9065 Jollyville, Suite 203A, Austin, TX 78759

*individually, to act alone without the joinder of the other trustees.*

AND

T. J. RINEY, J.O. CREWSE, S.G. HARVEY, B.K. PACKARD,  
5420 LBJ Freeway, Suite 220, Dallas, TX 75225

The Substitute Trustees are authorized to sell the Premises at public venue to the highest bidder or bidders, for cash.

**PROPERTY ADDRESS:**  
2675 Hwy 84 W  
Mexia, TX 76661

**RP FILE NO.** DITE02-42

**BORROWER:** Hutchison, Jr., James E.

**Property to be sold:** 2675 Hwy 84 W, Mexia, TX 76661, 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, May 3, 2016.

**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.

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

<b>PROPERTY ADDRESS:</b> 2675 Hwy 84 W Mexia, TX 76661	<b>RP FILE NO. DITE02-42</b>	<b>BORROWER:</b> Hutchison, Jr., James E.
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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.

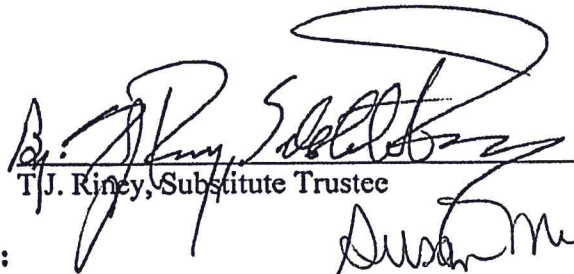
**Type of Sale:**

The sale is a non-judicial sale being conducted pursuant to the power of sale granted by the Security Instrument executed by James E. Hutchison, Jr.

**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 James E. Hutchison, Jr. 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: April 5, 2016.

  
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

PROPERTY ADDRESS:  
2675 Hwy 84 W  
Mexia, TX 76661

RP FILE NO. DITE02-42

BORROWER: Hutchison, Jr., James E.

EXHIBIT "A"

FIELD NOTES FOR 1.0636 ACRES OUT OF THE P. VARELA ELEVEN GRANT IN LIMESTONE COUNTY, TEXAS AND BEING THE SAME TRACT CONVEYED TO PAMELA N. WHITT AND HUSBAND, MILTON R. WHITT IN VOLUME 1064, PAGE 82 IN THE REAL PROPERTY RECORDS OF LIMESTONE COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY NETS AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2 inch steel pin set on the south margin of Highway 84 and being the northeast corner of this tract;

THENCE with the east line of this tract, South 08° 50' 17" East for 218.84 feet to a 1/8 inch steel pin found in a fence line for the southeast corner of this tract;

THENCE with the fence line along the south line of this tract, South 73° 39' 30" West for 274.41 feet to a 1/2 inch steel pin set for the southwest corner of this tract;

THENCE with the fence line along the west line of this tract, North 35° 53' 27" West for 119.43 feet to a 1/2 inch steel pin set for the most westerly northwest corner of this tract;

THENCE North 85° 35' 00" East for 235.20 feet to a 1/2 inch steel pin set for an ell corner of this tract;

THENCE with the west line of this tract, North 35° 38' 14" West for 200.00 feet to a 1/2 inch steel pin found on the south margin of said Highway 84 for the most northerly northwest corner of this tract;

THENCE with the south margin of said Highway 84, North 85° 35' 00" East for 182.60 feet to the POINT OF BEGINNING.

As surveyed on the ground August 14, 2002.

Filed for Record in:  
Limestone County

On: Apr 11, 2016 at 10:19A

By: Janice Ledet

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.

Apr 11, 2016

Peggy Beck, County Clerk  
Limestone County

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