

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

STATE OF TEXAS §  
COUNTY OF LIMESTONE § KNOW ALL MEN BY THESE PRESENTS:  
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**Note:** Retail Installment Contract dated January 30, 2003 executed and delivered by Kimberly Jones to Jim Walter Homes, Inc.

**Security Instrument:** Mechanic's Lien Contract with Power of Sale, dated April 14, 2003, executed and delivered by Kimberly Jones to Jim Walter Homes, Inc., to secure payment of that certain Retail Installment Contract, recorded on April 29, 2003 as Document No. 032176 in Volume 1110 at Page 0779, as corrected by Correction of Retail Installment Contract and Mechanic's Lien Contract with Power of Sale dated May 11, 2003 and recorded on August 11, 2003 as Document No. 034025 in Volume 1119 at Page 410, as corrected by Correction of Retail Installment Contract and Mechanic's Lien Contract with Power of Sale dated September 29, 2003 and recorded on September 30, 2003 as Document No. 034935 in Volume 1123 at Page 686, in Limestone County, Texas.

**Original Creditor:** Jim Walter Homes, Inc.

**Current Holder:** The Bank of New York Mellon, f/k/a The Bank of New York, as trustee for Mid-State Capital Corporation 2004-1 Trust 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.

PROPERTY ADDRESS: 1110 E Sumpter St Mexia, TX 76667	RP FILE NO. DITE02-214	BORROWER: Jones, Kimberly
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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.

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:

1110 E Sumpter St, Mexia, TX 76667, 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, July 4, 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 Mechanic's Lien Contract with Power of Sale permitting the beneficiary thereunder to have the bid credited to the note up to the amount of the unpaid debt secured by the Mechanic's Lien Contract with Power of Sale 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

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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 Mechanic's Lien Contract with Power of Sale. 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.

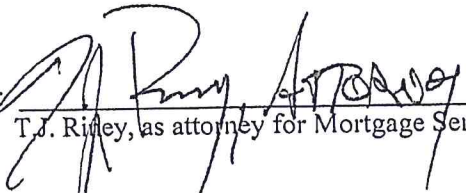
**Type of Sale:**

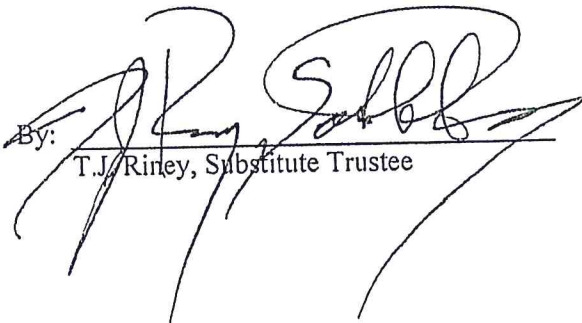
The sale is a non-judicial sale being conducted pursuant to the power of sale granted by the Security Instrument executed by Kimberly Jones.

**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 Kimberly Jones 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: June 8, 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**

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Jones, Kimberly

## EXHIBIT "A"

FIELD NOTES FOR 0.4034 ACRES OF LAND, BEING A 50 FOOT BY 293 FOOT TRACT IN DIVISION LII, BLOCK C IN THE CITY OF MEXIA, LIMESTONE COUNTY, TEXAS, ACCORDING TO MAP OR PLAT RECORDED IN SLIDE 514 IN THE PLAT RECORDS OF LIMESTONE COUNTY, TEXAS AND BEING THE SAME TRACT CONVEYED TO BOOKER T. JONES AND INEZ JONES IN VOLUME 563, PAGE 160 IN THE DEED RECORDS OF LIMESTONE COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2 inch steel pin set on the south margin of East Sumpter Street, being the northeast corner of a 0.14 acre tract conveyed to Ronald Edward Jones and wife, Pinky Delores Jones in Volume 667, Page 107 in the Deed Records of Limestone County, Texas and being the northwest corner of a tract conveyed to Booker T. Jones and Inez Jones in Volume 563, Page 160 in the Deed Records of Limestone County, Texas and also being the northwest corner of this tract;

THENCE with the south margin of East Sumpter Street along the north line of said Booker T. Jones tract, North 85° 20' 00" East for 60.00 feet to a 1/2 inch steel pin set for the northeast corner of said Booker T. Jones tract and the northeast corner of this tract;

THENCE with the east line of said Booker T. Jones tract, South 03° 10' 00" East for 293.00 feet to a 1/2 inch steel pin set for the southeast corner of said Booker T. Jones tract and the southeast corner of this tract;

THENCE with the south line of said Booker T. Jones tract, South 85° 20' 00" West for 60.00 feet to the southwest corner of said Booker T. Jones tract and the southwest corner of this tract;

THENCE with the west line of said Booker T. Jones tract, North 03° 10' 00" West, passing at 183.00 feet the southeast corner of said 0.14 acre Ronald Edward Jones tract and at a total distance of 293.00 feet to the POINT OF BEGINNING.

As surveyed on the ground March 20, 2003.

Filed for Record in:  
Limestone County

On: Jun 12, 2017 at 11:55A

By: Olsa Guzman

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.

Jun 12, 2017

Pessy Beck, County Clerk  
Limestone County

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