

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.

Copy of Original
Filed 7/10/2017
Not Compared
or Verified

NOTICE OF SALE BY SUBSTITUTE TRUSTEE

STATE OF TEXAS
COUNTY OF LIMESTONE

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§
§

KNOW ALL MEN BY THESE PRESENTS:

Note: Retail Installment Contract dated October 31, 2002 executed and delivered by Sharolyn Busby to Neatherlin Homes, Inc.

Security Instrument: Mechanic's Lien Contract with Power of Sale, dated October 31, 2002, executed and delivered by Sharolyn Busby to Neatherlin Homes, Inc., to secure payment of that certain Retail Installment Contract, recorded on December 16, 2002 in Volume 1100 at Page 150, in Limestone County, Texas.

Agreed Order Allowing Foreclosure: Agreed Order Allowing Foreclosure dated May 24, 2017, in Cause No. 8504; *In Re: The Estate of Sharolyn Busby, Deceased*, in the County Court at Law of Limestone County, Texas

Original Creditor: Neatherlin Homes, Inc.

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

Current Owner: Ditech Financial LLC FKA Green Tree Servicing LLC

Mortgage 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

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.

In accordance with Texas Property Code Section 51.0076, the undersigned attorney for the mortgage servicer has named and appointed, and by these

PROPERTY ADDRESS: 302 Askew Coolidge, TX 76635	RP FILE NO. GTSL02-684	BORROWER: Busby, Sharolyn
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**Names and Street Address
of Substitute Trustees:**

presents hereby does name and appoint the following individuals as Substitute Trustees to act under and by virtue of said Security Instrument.

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:

302 Askew, Coolidge, TX 76635, 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, August 1, 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 Instrument. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

PROPERTY ADDRESS: 302 Askew Coolidge, TX 76635	RP FILE NO. GTSL02-684	BORROWER: Busby, Sharolyn
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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:

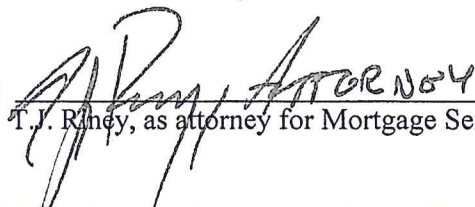
The sale is a non-judicial sale being conducted pursuant to the power of sale granted by the Security Instrument executed by Sharolyn Busby.

Default and Notice:

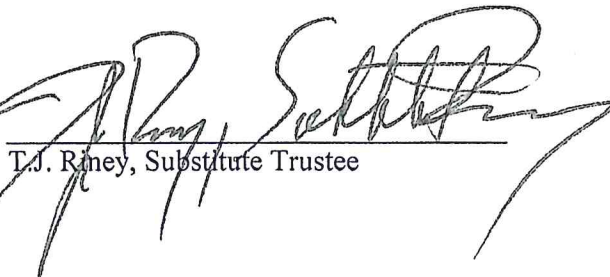
Default has been made in payment of the Note and Security Instrument and the Note is now unpaid, delinquent and in default. All required notices have been given to Sharolyn Busby and any and all other necessary parties with regard to the defaulted indebtedness. Servicer has requested the undersigned, 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 23, 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 NAY INFORMATION OBTAINED
WILL BE USED FOR THAT PURPOSE**

PROPERTY ADDRESS: 302 Askew Coolidge, TX 76635	RP FILE NO. GTSL02-684	BORROWER: Busby, Sharolyn
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Busby, Sharolyn

EXHIBIT "A"

ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND BEING THE EAST ONE-HALF (1/2) OF LOT FOUR (4) AND ALL OF LOTS FIVE (5) AND SIX (6), BLOCK TEN (10) OF THE SOUTH ADDITION TO THE CITY OF COOLIDGE, LIMESTONE COUNTY, TEXAS, IN ACCORDANCE WITH THE PLAT OF SAID ADDITION DULY RECORDED IN VOLUME 39, PAGE 553, OF THE LIMESTONE COUNTY DEED RECORDS.

PROPERTY ADDRESS: 302 Askew Coolidge, TX 76635	RP FILE NO. GTSL02-684	BORROWER: Busby, Sharolyn
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Filed 5/24/2017 1:46:34 PM
Peggy Beck, County Clerk
Limestone County, Texas
By: Rhonda Jefferson,
Deputy Clerk

5048

CAUSE NO. 8504

IN RE: THE ESTATE OF SHAROLYN) IN THE COUNTY COURT
BUSBY,)
) AT LAW
)
DECEASED) LIMESTONE COUNTY, TEXAS

AGREED ORDER ALLOWING FORECLOSURE

On this day the Court considered the Petition for foreclosure of Petitioner, Ditech Financial LLC FKA Green Tree Servicing, as Mortgage Servicer for U.S. Bank, N.A., as trustee for Mid-State Trust XI. The Court, after reviewing and considering the documents filed here, taking judicial notice of the notice of the contents of the Court's file, and the arguments of counsel, makes the following findings:

1. On June 14, 2016, Letters of Dependent Administration were issued to Benjie Reed;
2. that the Authenticated claim of Ditech Financial LLC FKA Green Tree Servicing LLC was presented to Benjie Reed on July 26, 2016;
3. A memorandum of Allowance of Claim was executed and approved by Dependent Administrator Benjie Reed on August 29, 2016, allowing the claim in full as a preferred debt in lien according with TEX. EST. CODE § 355.151 which provides in relevant part the claim be paid "...[A]ccording to the terms of the contract that secured the lien;" and
4. On May 4, 2017, Petitioner filed its Petition seeking foreclosure and submitting affidavit evidence of a default under the Lien Contract; and
5. Petitioner's Petition establishes, by affidavit evidence, a default under the terms of the Lien Contract, whose terms contemplate the invocation of the power of sale contained therein

It is therefore ORDERED, ADJUDGED, and DECREED that, in accordance with TEX. EST. CODE §§ 356.401-403, TEX. PROP. CODE § 51.002, and the terms of the



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Lien Contract, Petitioner, its successors in interest and assigns may sell by public auction the property commonly known as 302 Askew, Coolidge, TX 76635 and more fully described as:

ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND BEING THE EAST ONE-HALF (1/2) OF LOT FOUR (4) AND ALL OF LOTS FIVE (5) AND SIX (6), BLOCK TEN (10) OF THE SOUTH ADDITION TO THE CITY OF COOLIDGE, LIMESTONE COUNTY, TEXAS, IN ACCORDANCE WITH THE PLAT OF SAID ADDITION DULY RECORDED IN VOLUME 39, PAGE 553, OF THE LIMESTONE COUNTY DEED RECORDS.

It is further ORDERED, ADJUDGED, and DECREED that the public sale will be conducted in accordance with the terms of the Lien Contract and TEX. PROP. CODE § 51.002; and

It is further ORDERED, ADJUDGED, and DECREED that, not later than the 30th day after the date of the sale under this order, Petitioner shall file with a Court a Report pursuant to TEX. EST. CODE § 356.551.

SIGNED on this the 24th day of May, 2017.


JUDGE PRESIDING

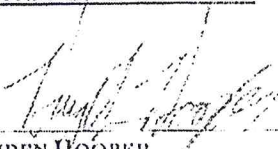


A CERTIFIED COPY
Peggy Beck, County Clerk
Limestone County, Texas

00001264


20172212

APPROVED & AGREED


 HAYDEN HOOPER
 State Bar No. 24066517
 hhooper@rineypackard.com
 RINEY PACKARD, PLLC
 Two Lincoln Centre
 5420 LBJ Freeway, Suite 220
 Dallas, TX 75240
 Telephone: (214) 461-1200
 Facsimile: (214) 461-1210

ATTORNEYS FOR PETITIONER
DITECH FINANCIAL LLC FKA
GREEN TREE SERVICING LLC

AGREED


 BENJIE REED
 State Bar No. 16674400
 Douglowe.law@gmail.com
 REED & REED, L.L.P.
 P.O. Box 1072
 Mexia, Texas 76667-1072
 Telephone: (254) 562-5547
 Facsimile: (254) 562-3332

DEPENDENT ADMINISTRATOR OF
THE ESTATE OF SHAROLYN
BUSBY, DECEASED

Filed for Record in:
Limestone County

On: Jun 07, 2017 at 08:48A

By: Lederle Salazar

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 07, 2017

Peggy Beck, County Clerk
Limestone County

I, Peggy Beck, County Clerk,
Limestone County, Texas, do hereby certify
that this is a true and correct copy as the
same appears of record in my office.
Witness my hand and Seal of Office
on May 26, 2017



Peggy Beck, County Clerk
By: 
Deputy



A CERTIFIED COPY
Peggy Beck, County Clerk
Limestone County, Texas

00001264

Filed for Record in:
Limestone County

On: Jul 10, 2017 at 12:28P

By: Delores Crabb

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.

Jul 10, 2017

Peggy Beck, County Clerk
Limestone County