

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.

FILED AT 1:07 o'clock P. M

NOTICE OF SALE BY SUBSTITUTE TRUSTEE

APR 11 2017

STATE OF TEXAS

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JC Perez III, Co. Clerk, Jim Wells Co, Texas
Deputy

KNOW ALL MEN BY THESE PRESENTS.

COUNTY OF JIM WELLS

Note: Retail Installment Contract dated September 11, 2004 executed and delivered by Hector M. Chavera and Rosa M. Chavera to Jim Walter Homes, Inc.

Security Instrument: Mechanic's Lien Contract with Power of Sale, dated September 11, 2004, executed and delivered by Hector M. Chavera and Rosa M. Chavera to Jim Walter Homes, Inc., to secure payment of that certain Retail Installment Contract, recorded on October 8, 2004 as Document No. 360997 in Volume 880, at Page 371, in Jim Wells County, Texas.

Original Creditor: Jim Walter Homes, Inc.

Current Holder: U.S. Bank, N.A., as trustee for Mid-State Capital Corporation 2005-1 by Ditech Financial LLC, as servicer with delegated authority

Current Owner: Ditech Financial LLC

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, JUSTIN SOUTHERN, CYNTHIA CARRASCO, SHELLY WALLACE, BRUCE MENKING, HARRY BRELSFORD
9065 Jollyville, Suite 203A, Austin, TX 78759

Note: Each substitute trustee is authorized individually, to act alone without the joinder of the other trustees.

AND

T. J. RINEY, H. HOOPER, 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

PROPERTY ADDRESS: 138 County Rd 121 Alice, TX 78332	RP FILE NO. GTSL05-07	BORROWER: Chavera, Hector M.; Chavera, Rosa M.
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the highest bidder or bidders, for cash.

Property to be sold: 138 County Rd 121, Alice, TX 78332, 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 2, 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 Jim Wells County, Texas, at the South door of the courthouse, unless the location of the sale has been otherwise designated to a specific location by the Commissioner's Court of Jim Wells 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 Jim Wells 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.

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

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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.

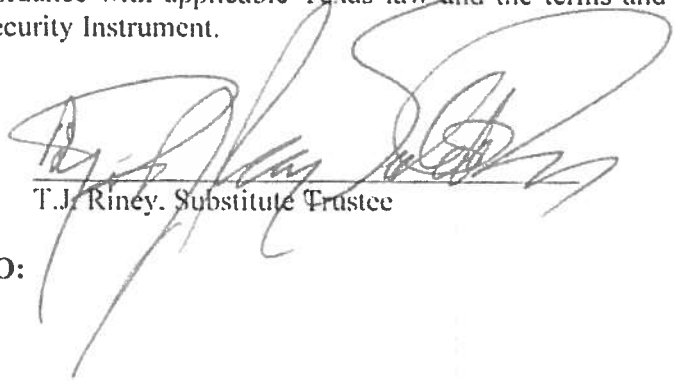
Type of Sale:

The sale is a non-judicial sale being conducted pursuant to the power of sale granted by the Security Instrument executed by Hector M. Chavera and Rosa M. Chavera.

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 Hector M. Chavera and Rosa M. Chavera 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 11, 2017.



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

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EXHIBIT "A"

TRACT NO. 6

FIELD NOTES for 2.13 acres of land here designated Tract No. 6 out of Lots 5 and 6 of the OWL RANCH SUBDIVISION, UNIT ONE a map of which is recorded in Vol. 6, Pg. 30 of the Map Records of Jim Wells County, Texas and said 2.13 acres of land being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8" iron rod (set) under an existing fence, the East line of said Lot 6 for the S.E. corner of a 2.13 acre tract designated Tract No. 5 and for the N.E. corner of this tract and from whence an iron rod (found) near a fence corner post for the S.E. corner of Lot 7 of said OWL RANCH SUBDIVISION, UNIT ONE, the N.E. corner of said Lot 6 and the N.E. corner of said Tract No. 5 bears N-00°-16'-07"-W, 250.00';

THENCE, S-00°-16'-07"-E, along an existing fence, the East line of said Lot 6, a distance of 250.00' to a 5/8" iron rod (set) for the N.E. corner of a 2.13 acre tract designated Tract No. 7 and for the S.E. corner of this tract;

THENCE, S-89°-50'-00"-W, along the North line of said Tract No. 7, and across said Lots 6 and 5, a distance of 372.00' to a 5/8" iron rod (set) for the N.W. corner of said Tract No. 7, the N.E. corner of a 2.13 acre tract designated Tract No. 2, the S.E. corner of a 2.13 acre tract designated Tract No. 3 and for the S.W. corner of this tract;

THENCE, N-00°-16'-07"-W, along the East line of said Tract No. 3, a distance of 250.00' to a 5/8" iron rod (set) for the N.E. corner of said Tract No. 3, the S.E. corner of a 2.13 acre tract designated Tract No. 4, the S.W. corner of said Tract No. 5 and for the N.W. corner of this tract;

THENCE, N-89°-50'-00"-E, along the South line of said Tract No. 5, a distance of 372.00' to the PLACE OF BEGINNING and containing 2.13 acres of land including a 15' easement for road along the West line and a 50' radial easement for road out of the N.W. corner.

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