

FILED
NICOLE TANNER, COUNTY CLERK
HILL COUNTY, TEXAS

2019 OCT -4 A 10: 19

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613 HCR 3430
MALONE, TX 76660

NOTICE OF [SUBSTITUTE] TRUSTEE'S SALE

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.

1. Date, Time, and Place of Sale.

Date: November 05, 2019
Time: The sale will begin at 11:00 AM or not later than three hours after that time.
Place: THE EAST DOOR OF THE HILL COUNTY COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONERS or as designated by the county commissioners.

2. Terms of Sale. Cash.

3. Instrument to be Foreclosed. The Instrument to be foreclosed is the Deed of Trust or Contract Lien dated September 02, 1998 and recorded in Document VOLUME 991, PAGE 831 real property records of HILL County, Texas, with DAVID JONES AND ETHEL JONES, grantor(s) and NEATHERLIN HOMES, INC., mortgagee.

Obligations Secured. Deed of Trust or Contract Lien executed by DAVID JONES AND ETHEL JONES, securing the payment of the indebtednesses in the original principal amount of \$212,832.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. U.S. Bank, N.A., as Trustee, successor in interest to Wachovia Bank, National Association, as Trustee, successor by merger to First Union National Bank as Trustee, for Mid-State Trust VIII is the current mortgagee of the note and Deed of Trust or Contract Lien.

5. Property to Be Sold. The property to be sold is described in the attached Exhibit A.

6. Mortgage Servicer Information. 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 lien securing the Property referenced above. DITECH FINANCIAL LLC, as Mortgage Servicer, is representing the current mortgagee, whose address is:

c/o DITECH FINANCIAL LLC
2100 E ELLIOT RD.
BLDG 94
TEMPE, AZ 85284



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.

The undersigned as attorney for the mortgagee or mortgage servicer does hereby remove the original trustee and all successor substitute trustees and appoints in their stead DONNA STOCKMAN, TIM LEWIS, BRENDA WIGGS, DENISE BOERNER, GUY WIGGS, DAVID STOCKMAN, MICHELLE SCHWARTZ, KATHY ARRINGTON, PATRICK ZWIERS, SHAWN SCHILLER, ANGIE USELTON, RAMIRO CUEVAS, AURORA CAMPOS, KRISTOPHER HOLUB, DANA KAMIN, RONDA TYLER OR CECIL KESTER whose address is c/o BARRETT DAFFIN FRAPPIER TURNER & ENGEL, LLP, 4004 Belt Line Road, Suite 100, Addison, Texas 75001-4320 as Substitute Trustee, who shall hereafter exercise all powers and duties set aside to the said original trustee under the said Deed of Trust; and, further does hereby request, authorize, and instruct said Substitute Trustee to conduct and direct the execution of remedies set aside to the beneficiary therein.



Ryan Bourgeois

Certificate of Posting

My name is _____, and my address is c/o 4004 Belt Line Road, Suite 100, Addison, Texas 75001-4320. I declare under penalty of perjury that on _____ I filed at the office of the HILL County Clerk and caused to be posted at the HILL County courthouse this notice of sale.

Declarants Name: _____

Date: _____

EXHIBIT "A"

A TRACT OR PARCEL OF LAND CONTAINING 3.0000 ACRES OUT OF THE SOUTHERLY PORTION OF A CERTAIN SO CALLED 4.165 ACRE TRACT CONVEYED TO DAVID AND ETHEL JONES OUT OF A 100 ACRE TRACT CONVEYED FROM ADLINE A. RADKE TO GROVER A. RADKE AND JAMES R. RADKE IN INSTRUMENT RECORDED IN VOLUME 711, PAGE 79 OF THE HILL COUNTY DEED RECORDS OUT OF THE GILFORD RATLIFF SURVEY, ABSTRACT 776, IN HILL COUNTY, TEXAS SAID 3.0000 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS TO -WIT:

COMMENCING AT 1/2 INCH IRON ROD MARKING THE NORTHEAST CORNER OF NORTHERLY APEX CORNER OF SAID 100 ACRE TRACT AS DESCRIBED IN INSTRUMENT RECORDED IN VOLUME 711, PAGE 79 OF THE HILL COUNTY DEED RECORDS AND MARKING THE EASTERLY APEX CORNER OF THE J. C. WHITE 100 ACRE TRACT AS DESCRIBED IN INSTRUMENT RECORDED IN VOLUME 401, PAGE 192 OF THE HILL COUNTY DEED RECORDS IN THE CENTER LINE OF 40 FOOT HILL COUNTY ROAD NO. 3430 AND MARKING THE NORTH CORNER OF A RESIDUAL 1.165 ACRE TRACT;

THENCE SOUTH 36 DEGREES 54 MINUTES 05 SECONDS EAST WITH THE CENTER LINE OF SAID HILL COUNTY ROAD NO. 3430 AND THE NORTHEAST BOUNDARY LINE OF SAID 100 ACRE TRACT DESCRIBED IN INSTRUMENT RECORDED IN VOLUME 711, PAGE 79 OF THE HILL COUNTY DEED RECORDS A DISTANCE OF 100.73 FT. TO A 3/8 INCH IRON ROD SET MARKING THE NORTHERLY APEX CORNER OF THE HEREIN DESCRIBED 3.0000 ACRE TRACT AND MARKING THE EASTERLY CORNER OF SAID SAVE AND EXCEPT 1.165 ACRE REMAINDER TRACT AND PLACE OF BEGINNING OF THE HEREIN DESCRIBED 3.0000 ACRE TRACT;

THENCE SOUTH 36 DEGREES 54 MINUTES 05 SECONDS EAST WITH THE CENTER LINE OF COUNTY ROAD NO. 3430 A DISTANCE OF 466.44 FT. TO A 1/4 INCH IRON ROD SET MARKING THE EASTERLY APEX CORNER OF THE HEREIN DESCRIBED 3.0000 ACRE TRACT AND SAID 4.165 ACRE TRACT;

THENCE NORTH 89 DEGREES 14 MINUTES 15 SECONDS WEST WITH THE NORTHERLY LINE OF THE REMAINDER OF SAID 100 ACRE TRACT AS DESCRIBED IN INSTRUMENT RECORDED IN VOLUME 711, PAGE 79 OF THE HILL COUNTY DEED RECORDS PASSING A 1/2 INCH IRON ROD AT 30.58 FT. IN THE SOUTHWESTERLY BOUNDARY LINE OF HILL COUNTY ROAD NO. 3430 IN ALL A TOTAL DISTANCE OF 226.50 FT. TO A 1/2 INCH IRON ROD FOUND AT AN ANGLE CORNER;

THENCE NORTH 35 DEGREES 29 MINUTES 42 SECONDS WEST A DISTANCE OF 76.38 FT. TO A 5/8 INCH IRON ROD AT AN ANGLE CORNER;

THENCE SOUTH 86 DEGREES 18 MINUTES 53 SECONDS WEST WITH THE SOUTH LINE OF SAID JONES 4.165 ACRE TRACT AND THE NORTH LINE OF THE REMAINDER OF SAID 100 ACRE TRACT A DISTANCE OF 574.06 FT. TO A 5/8 INCH IRON ROD FOUND AT THE LOWER SOUTHWEST CORNER OF SAID 4.165 ACRE TRACT;

THENCE NORTH 50 DEGREES 31 MINUTES 38 SECONDS WEST A DISTANCE OF 90.40 FT. TO A 5/8 INCH IRON ROD FOUND AT THE WEST APEX CORNER OF THE SAID 4.165 ACRE TRACT MARKING THE WEST CORNER OF THE HEREIN DESCRIBED 3.0000 ACRE TRACT IN THE NORTHWESTERLY BOUNDARY LINE OF SAID RADKE 100 ACRE TRACT AS DESCRIBED IN INSTRUMENT RECORDED IN VOLUME 711, PAGE 79 OF THE HILL COUNTY DEED RECORDS AND IN THE SOUTHEAST LINE OF THE J. C. WHITE 100 ACRE TRACT AS DESCRIBED IN INSTRUMENT RECORDED IN VOLUME 401, PAGE 192 OF THE HILL COUNTY DEED RECORDS.

THENCE NORTH 60 DEGREES 00 MINUTES 00 SECONDS EAST WITH AN OLD FENCE LINE AND THE DIVISION LINE BETWEEN SAID 100 ACRE TRACTS A DISTANCE OF 149.52 FT. TO A 3/8 INCH IRON ROD AT THE WEST CORNER OF SAID REMAINDER TRACT AND THE LOWER NORTH CORNER OF THE HEREIN DESCRIBED 3.0000 ACRE TRACT;

THENCE SOUTH 36 DEGREES 54 MINUTES 05 SECONDS EAST A DISTANCE OF 100.73 FT. TO A 3/8 INCH IRON ROD AT THE SOUTH CORNER OF SAID SAVE AND EXCEPT 1.165 ACRE TRACT AND MARKING A RE-ENTRANT CORNER OF THE

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HEREIN DESCRIBED 3.0000 ACRE TRACT;

HENCE NORTH 60 DEGREES 00 MINUTES 00 SECONDS EAST WITH THE SOUTHEAST LINE OF SAID 1.165 ACRE SAVE AND EXCEPT TRACT PASSING A 3/8 INCH IRON ROD FOR REFERENCE IN THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF COUNTY ROAD NO 3430 AT 486.97 FT. IN ALL A TOTAL DISTANCE OF 507.47 FT. TO THE PLACE OF BEGINNING AND CONTAINING 3.0000 ACRES OF LAND.