

176

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
JAN 14 8:08 AM
HILL COUNTY CLERK
HILL COUNTY, TEXAS

NOTICE OF SALE BY SUBSTITUTE TRUSTEE

STATE OF TEXAS
COUNTY OF HILL

§
§
§

KNOW ALL MEN BY THESE PRESENTS:

Note: Real Estate Lien Note dated June 25, 2007 executed and delivered by Idiana E. Fontanez to Swartz & Brough, Inc.

Security Instrument: Deed of Trust, dated June 25, 2007, executed and delivered by Idiana E. Fontanez to Swartz & Brough, Inc., to secure payment of that certain Real Estate Lien Note, recorded on July 11, 2007 as Document Number 006535 in Book 1495 at Page 0772, in Hill County, Texas.

Original Creditor: Swartz & Brough, Inc.

Current Owner and Holder: Ditech Financial LLC

Loan Servicer: Ditech Financial LLC FKA Green Tree Servicing LLC ("Servicer"), 3000 Bayport Drive, Suite 880, Tampa, FL 33607

Appointed Substitute Trustees: JIM MILLS, SUSAN MILLS, EMILY NORTHERN, ALEXANDRA ZOGRAFOS, KAM COOK, DAVID TEEL
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, 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 to be sold: 205 N Hill St, Itasca, TX 76055, 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

PROPERTY ADDRESS: 205 N Hill St Itasca, TX 76055	RP FILE NO. DITE02-29	BORROWER: Fontanez, Idiana E.
---	------------------------------	--------------------------------------

and/or real property (the "Premises" as described in §9.604 of the Texas Uniform Commercial Code).

Date of Sale: **Tuesday, January 5, 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 Hill County, Texas, on the steps outside the East door of the courthouse or the interior of the courthouse near the East door in case of inclement weather, unless the location of the sale has been otherwise designated to a specific location by the Commissioner's Court of Hill 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 Hill 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 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 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 Deed of Trust. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the property.

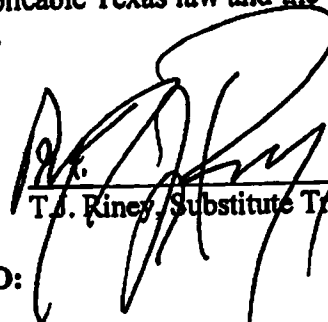
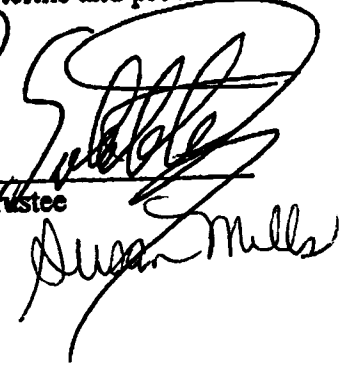
PROPERTY ADDRESS: 205 N Hill St Itasca, TX 76055	RP FILE NO. DITE03-29	BORROWER: Fontanez, Idiana E.
---	------------------------------	--------------------------------------

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 Idiana E. Fontanez.

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 Idiana E. Fontanez 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: December 4, 2015.


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: 205 N Hill St Itasca, TX 76055	RP FILE NO. DITE02-29	BORROWER: Fontanez, Idiana E.
---	------------------------------	--------------------------------------

Fontanez, Idiana E.

EXHIBIT "A"

ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND LYING AND SITUATED IN HILL COUNTY, TEXAS, AND BEING THE NORTH FIFTY FEET (N/50) OF LOT(S) ONE (1), TWO (2) AND THREE (3), BLOCK EIGHTEEN (18), IN THE CITY ITASCA, ORIGINAL TOWN OF ITASCA, HILL COUNTY, TEXAS.

TRACT 2:

FIELD NOTES FOR A LOT, TRACT OR PARCEL OF LAND CONTAINING 0.017 ACRES, BEING A PART OF LOTS ONE (1), TWO (2), AND THREE (3) IN BLOCK EIGHTEEN (18) OF THE ORIGINAL TOWN OF ITASCA IN HILL COUNTY, TEXAS. SAID LAND IS A PART OF THAT CERTAIN TRACT DESCRIBED IN A DEED FROM BILLY L. WALKER, SR. INDEPENDENT EXECUTOR OF THE ESTATE OF LETHA L. BOLTON BOURLAND TO BILLY L. WALKER, SR. AND BILLY L. WALKER, JR. AS RECORDED IN VOLUME 659, PAGE 307 OF THE DEED RECORDS OF HILL COUNTY. SAID LINE IS MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT AN IRON STAKE SET IN THE WEST LINE OF HILL STREET FOR THE NORTH EAST CORNER OF SAID WALKER TRACT AND THE SOUTHEAST CORNER OF THAT CERTAIN TRACT DESCRIBED IN A DEED FROM VESTA G. COFFIN, A WIDOW, TO JIMMY BRUCE HARDIN AS RECORDED IN VOLUME 678, PAGE 241 OF THE DEED RECORDS OF HILL COUNTY.

THENCE; S 19 DEG 1 MIN 0 SEC E 2.24 FEET ALONG SAID WEST LINE TO AN IRON A STAKE SET FOR A CORNER;

THENCE; S 68 DEG 52 MIN 25 SEC W 150.10 FEET TO AN IRON STAKE SET IN THE EAST LINE OF AN ALLEY FOR THE WEST LINE OF SAID WALKER TRACT;

THENCE; N 19 DEG 1 MIN 0 SEC W 7.77 FEET ALONG SAID EAST LINE TO AN IRON STAKE SET FOR THE NORTHWEST CORNER OF SAID WALKER TRACT AND THE SOUTHEAST CORNER OF SAID HARDIN TRACT;

THENCE; N 70 DEG 59 MIN 11 SEC E 150.00 FEET TO THE PLACE OF BEGINNING CONTAINING 0.017 ACRES OF LAND.

PROPERTY ADDRESS: 205 N Hill St Itasca, TX 76055	RP FILE NO. DITE02-29	BORROWER: Fontanez, Idiana E.
---	------------------------------	--------------------------------------