

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.

ATLANTA LOCKER M  
FILED  
JUL 15 2015  
CLERK  
County Court at Law  
Angelina County, Texas

**NOTICE OF SALE BY SUBSTITUTE TRUSTEE**

STATE OF TEXAS

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KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF ANGELINA

**Note:** Sale Contract - Texas dated May 15, 2015 executed and delivered by Jaime Franco to Green Tree Servicing LLC

**Security Instrument:** Purchase Money Deed of Trust, dated May 15, 2015, executed and delivered by Jaime Franco and Ashley Franco to Green Tree Servicing LLC, to secure payment of that certain Sale Contract - Texas, recorded on June 1, 2015 as Instrument Number 2015-00328774, in Angelina County, Texas.

**Original Creditor:** Green Tree Servicing LLC

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

**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, MARLENE ZOGRAFOS, PAIGE BENTLEY, ANDREW FARLEY, CAROL DARTEZ  
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 the highest bidder or bidders, for cash.

PROPERTY ADDRESS: 416 Fargo St Lufkin, TX 75901	RP FILE NO. DITE02-117	BORROWER: Franco, Jaime; Franco, Ashley
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**Property to be sold:** 416 Fargo St, Lufkin, TX 75901, 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, September 6, 2016.

**Time of Sale:** The sale will begin no earlier than 10:00 AM and no later than three (3) hours thereafter.

**Location of Sale:** At the County Courthouse in Angelina County, Texas, at the Commissioners courtroom in annex building, unless the designated sale date is on a holiday, in which case the sale shall be held on the front steps of the main entrance to the courthouse, unless the location of the sale has been otherwise designated to a specific location by the Commissioner's Court of Angelina 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 Angelina 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 Purchase Money 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 Purchase Money 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

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the Purchase Money Deed of Trust. 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 Jaime Franco and Ashley Franco.

**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 Jaime Franco and Ashley Franco 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: July 21, 2016.

  
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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Franco, Jaime; Franco, Ashley

**EXHIBIT "A"**

All that certain lot, tract, or parcel of land lying and situated in Angelina County, Texas, and being Lot No. Five (5) Block Three (3) Lufkin Land & Lumber Company First Addition to the City of Lufkin of record in Cabinet B, Slide 47 B of the Map and Plat Records of Angelina County, Texas, record reference to which is here made for any and all purposes.

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