

FILED  
AT 2:20 O'CLOCK P.M.

DEC 15 2015

AMY FINCHER  
County Clerk, County Court at Law  
Angelina County, Texas

**SUBSTITUTE TRUSTEE'S NOTICE OF 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.**

**Note:** Sale Contract  
Date: December 7, 2012  
Original Creditor: Green Tree Servicing LLC  
Debtor: Shaquille O. Teel  
Current Holder: U. S. Bank, N.A., as trustee for Mid-State Trust IV by  
Ditech Financial LLC, as servicer with delegated  
authority

**Purchase Money Deed of Trust:**

Date: December 7, 2012  
Grantor: Shaquille O. Teel  
Trustee: Joseph H. Kelly  
Recording Information: Document #2013-00300408 recorded in the Official  
Records of Angelina County, Texas  
Property: All that property (and improvements thereon) covered by and  
described in the above Purchase Money Deed of Trust (attached  
hereto for convenience is an **Exhibit "A"** intended to be a copy of  
the property description contained in or attached to the aforesaid  
Purchase Money Deed of Trust).  
Current Beneficiary: U. S. Bank, N.A., as trustee for Mid-State Trust IV by  
Ditech Financial LLC, as servicer with delegated authority

**County:** Angelina, Texas

**Date of Sale (first Tuesday of month):** January 5, 2016

**Time of Sale:** 10:00 o'clock A.M. or no later than three (3) hours thereafter

**Place of Sale:** The sale will be held at the county courthouse annex in Angelina County, Texas (located at 606 East Lufkin Avenue, Lufkin, Texas), the county in which the above described Property is located, and at that area of said county courthouse annex which has been so designated by the Commissioners' Court as follows: Commissioners' courtroom in annex building.

**Substitute Trustee:** Current Beneficiary has appointed Kenneth M. Culbreth, Jr. and others (identified in **Exhibit "B"** attached hereto) as Substitute Trustee, each to act individually (the "Substitute Trustee") under the Purchase Money Deed of Trust and has instructed Substitute Trustee to offer the above-described Property for sale toward satisfaction of the Sale Contract, as a result of the default thereunder.

NOTICE IS HEREBY GIVEN that Substitute Trustee will offer the above described Property (and improvements thereon) to the highest bidder for cash on the Date of Sale, at the Time of Sale and at the Place of Sale as stated above.

Please be advised that Ditech Financial LLC is representing Mid-State Trust IV under a Servicing Agreement with Mid-State Trust IV. The address of Ditech Financial LLC is 7360 S. Kyrene Road, Mailstop T325, Tempe, Arizona 85283.

**Dated:** December 9, 2015



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Kenneth M. Culbreth, Jr., Substitute Trustee  
500 N. SHORELINE, SUITE 900  
CORPUS CHRISTI, TX 78471-0341  
(361) 884-5678 (361) 888-9149 telefax

**Exhibit "A"**

Being Lot #16, in the A. Varilla League, Angelina County, Texas, and being the same land known as River Oaks Addition and recorded in Vol. 5, Page 39 of the Plat Records of Angelina County, Texas.

**Exhibit "B"**

Kenneth M. Culbreth, Jr.  
500 North Shoreline, Suite 900  
Corpus Christi, Nueces County, Texas 78471

Paige Bentley  
9065 Jollyville, Suite 203A  
Austin, Travis County, Texas 78759

Jim Mills  
9065 Jollyville, Suite 203A  
Austin, Travis County, Texas 78759

Andrew Farley  
9065 Jollyville, Suite 203A  
Austin, Travis County, Texas 78759

Susan Mills  
9065 Jollyville, Suite 203A  
Austin, Travis County, Texas 78759

Emily Northern  
9065 Jollyville, Suite 203A  
Austin, Travis County, Texas 78759

Alexandra Zografos Holub  
9065 Jollyville, Suite 203A  
Austin, Travis County, Texas 78759

Marlene Zografos  
9065 Jollyville, Suite 203A  
Austin, Travis County, Texas 78759

Carol Dartez  
9065 Jollyville, Suite 203A  
Austin, Travis County, Texas 78759

**Note:** Individually and separate, each Substitute Trustee listed above is authorized to act alone without the joinder of the other Substitute Trustees.



The Substitute Trustees are authorized to sell the Premises at public venue to the highest bidder or bidders, for cash.

**Property to be sold:** 179 Lancewood Circle, Lufkin, TX 75904, 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, January 5, 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 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.

<b>PROPERTY ADDRESS:</b> 179 Lancewood Circle Lufkin, TX 75904	<b>RP FILE NO. DIFA02-34</b>	<b>BORROWER:</b> Capps, Jeff T.; Capps, Shelby
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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 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.

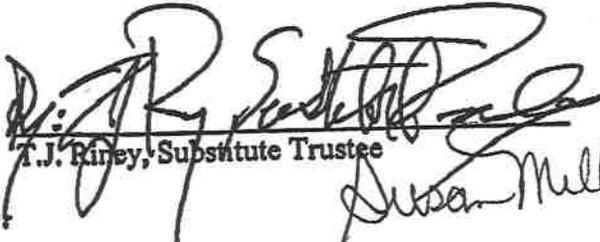
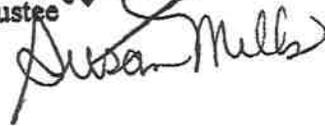
**Type of Sale:**

The sale is a non-judicial sale being conducted pursuant to the power of sale granted by the Security Instrument executed by Jeff T. Capps and Shelby Capps.

**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 Jeff T. Capps and Shelby Capps 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: November 5, 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, TX 75240

<b>PROPERTY ADDRESS:</b> 179 Lancewood Circle Lufkin, TX 75904	<b>RP FILE NO. DIFA02-34</b>	<b>BORROWER: Capps, Jeff T.; Capps, Shelby</b>
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**BORROWER: Capps, Jeff T.; Capps, Shelby**

**EXHIBIT "A"**

**ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND LYING AND SITUATED IN ANGELINA COUNTY, TEXAS AND BEING LOT 67, LANCEWOOD SUBDIVISION TO ANGELINA COUNTY, AS THE SAME APPEARS UPON THE OFFICIAL MAP OR PLAT, WHICH IS OF RECORD IN CABINET A, SLIDE 105-A, MAP AND PLAT RECORDS, OF ANGELINA COUNTY, TEXAS, TO WHICH REFERENCE IS HEREBY MADE FOR ANY AND ALL PURPOSES.**

<b>PROPERTY ADDRESS:</b> 179 Lancewood Circle Lufkin, TX 75904	<b>RP FILE NO. DIFA02-34</b>	<b>BORROWER: Capps, Jeff T.; Capps, Shelby</b>
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APPOINTMENT OF SUBSTITUTE TRUSTEE

FILED  
AT 2:00 CLOCK P.M.

Date:

Nov 20, 2015

DEC 15 2015

Purchase Money Deed of Trust

Date: December 7, 2012

Grantor: Shaquille O. Teel

Trustee: Joseph H. Kelly

Original Beneficiary: Green Tree Servicing LLC

County where Property is located: Angelina, Texas

Recording Information: Document #2013-00300408 recorded in the Official Records of Angelina County, Texas

AMY FINCHER  
County Clerk, County Court at Law  
Angelina County, Texas  
By TW

Current Beneficiary: U. S. Bank, N.A., as trustee for Mid-State Trust IV by Ditech Financial LLC, as servicer with delegated authority  
7360 S. Kyrene Road, Mailstop T325  
Tempe, AZ 85283

Substitute Trustee: **See Exhibit "A" attached**

Substitute Trustee's address (including county): **See Exhibit "A" attached.**

A contingency stated in the Purchase Money Deed of Trust as a condition precedent for the appointment of a Substitute Trustee has occurred. Current Beneficiary hereby appoints the persons named in **See Exhibit "A" attached** as Substitute Trustee, to act under and by virtue of the Purchase Money Deed of Trust. Current Beneficiary hereby requests Substitute Trustee to sell the real property described in the Purchase Money Deed of Trust.

DITECH FINANCIAL LLC, as servicer with delegated authority

By:

Name:

Title:

Angela Case 11/20/15  
Angela Case  
Foreclosure Specialist

THE STATE OF SOUTH DAKOTA §  
COUNTY OF PENNINGTON §

This instrument was acknowledged before me on the 20 day of NOV, 2015 by Angela Case, in the capacity stated therein as Foreclosure Specialist of Ditech Financial LLC.

Richard Franklin  
Notary Public, State of South Dakota

After Recording Return to:  
Kenneth M. Culbreth, Jr.  
500 N. Shoreline, Suite 900  
Corpus Christi, TX 78401-0341



GTS Acct. No. 66100875

**Exhibit "A"**  
**To Appointment of Substitute Trustee**

Kenneth M. Culbreth, Jr.  
500 North Shoreline, Suite 900  
Corpus Christi, Nueces County, Texas 78471

Paige Bentley  
9065 Jollyville, Suite 203A  
Austin, Travis County, Texas 78759

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