

19-352960

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Notice of Substitute Trustee's Sale

Notice Concerning Military Duty: 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. Tex. Prop. Code § 51.002(i)

Deed of Trust Date: September 21, 2006	Original Mortgagor/Grantor: DARRELL L. ALLEN AND RHONDA A. ALLEN
Original Beneficiary / Mortgagee: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS NOMINEE FOR COUNTRYWIDE HOME LOANS, INC., ITS SUCCESSORS AND ASSIGNS	Current Beneficiary / Mortgagee: DITECH FINANCIAL LLC F/K/A GREEN TREE SERVICING LLC
Recorded in: Volume: n/a Page: n/a Instrument No: 2006-00219612	Property County: ANGELINA
Mortgage Servicer: Ditech Financial LLC	Mortgage Servicer's Address: 2100 E Elliot Rd Building 94, Mail Stop T-325 Tempe, AZ 85284

* 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 property securing the above referenced loan.

Secures: Note in the original principal amount of \$100,000.00, executed by DARRELL ALLEN AND RHONDA ALLEN and payable to the order of Lender.

Property Address/Mailing Address: 915 I R HANNAH RD, DIBOLL, TX 75941

Legal Description of Property to be Sold: BEING 3.041 ACRES OF LAND SITUATED IN THE STATE OF TEXAS, COUNTY OF ANGELINA, A PART OF THE J.R. CHAVANO SURVEY, A-10, AND BEING OUT OF THE 3.500 ACRES DESCRIBED IN DEED TO RANDAL I. NOE AND KELLY G. NOE, HUSBAND AND WIFE, RECORDED IN VOLUME 1299, PAGE 35 OF THE ANGELINA COUNTY OFFICIAL RECORDS, AND THIS 3.041 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY MEETS AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD FOUND FOR THE SOUTHWEST CORNER OF SAID NOE 3.500 ACRE TRACT AND THE NORTHWEST CORNER OF THE RESIDUE OF THE CALLED 19.25 ACRE TRACT DESCRIBED IN DEED TO CARROL HANNAH RECORDED IN VOLUME 367, PAGE 753 OF THE ANGELINA COUNTY DEED RECORDS, LOCATED ON THE EAST LINE OF THE LAND DESCRIBED IN DEED TO TEMPLE-INLAND FOREST PRODUCTS CO. RECORDED IN VOLUME 421, PAGE 495 OF THE ANGELINA COUNTY DEED RECORDS AND LYING WITHIN THE MARGINS OF I.R. HANNA ROAD (A COUNTY MAINTAINED ROADWAY);

THENCE N 00° 45' 00" W, ALONG THE COMMON LINE BETWEEN SAID NOE 3.500 ACRE TRACT AND SAID TEMPLE-INLAND FOREST PRODUCTS CO. LANDS AND WITHIN THE MARGINS OF SAID I.R. HANNA ROAD, AT 94.22 FT. PASS THE SOUTH TERMINAL POINT OF THE WEST RIGHT OF WAY LINE OF A PROPOSED 30 FT. WIDE ROADWAY EASEMENT, AND CONTINUING N 00° 45' 00" W, ALONG SAID COMMON LINE, SAME BEING THE WEST RIGHT OF WAY LINE OF SAID PROPOSED 30 FT. WIDE ROADWAY EASEMENT AND WITHIN THE RIGHTS OF WAY OF SAID I.R. HANNA ROAD, AT 212.64 FT. PASS THE EAST RIGHT OF WAY LINE AND EXITING SAID I.R. HANNA ROAD, AND CONTINUING ALONG SAID COMMON LINE BETWEEN SAID NOE AND TEMPLE-INLAND LANDS, IN ALL A TOTAL DISTANCE OF 365.99 FT. TO A 1/2" IRON ROD SET FOR THE WEST COMMON CORNER BETWEEN THE HEREIN DESCRIBED 3.041 ACRE TRACT AND THE 0.459 ACRE TRACT SURVEYED THIS DATE OUT OF



Teias Trustee

SAID NOE 3.500 ACRES, SAID POINT BEING THE NORTH TERMINAL POINT OF THE WEST RIGHT OF WAY LINE, OF SAID PROPOSED ROADWAY EASEMENT.

THENCE N 89° 09' 22" E, ALONG THE COMMON LINE BETWEEN THE HEREIN DESCRIBED 3.041 ACRE TRACT AND SAID 0.459 ACRE TRACT, AT 30.00 FT. PASS THE NORTH TERMINAL POINT OF THE EAST RIGHT OF WAY LINE OF SAID PROPOSED ROADWAY EASEMENT AND IN ALL A TOTAL DISTANCE OF 200.00 FT. TO A 1/2" IRON ROD SET OF FOR THE SOUTHEAST CORNER OF SAID 0.459 ACRE TRACT AND AN INTERIOR CORNER THE HEREIN DESCRIBED TRACT;

THENCE N 00° 45' 00" W 100.00 FT. ALONG THE COMMON LINE BETWEEN THE HEREIN DESCRIBED 3.041 ACRES AND SAID 0.459 ACRE TRACT, TO A 1/2" IRON ROD SET FOR THE NORTH COMMON CORNER OF THE HEREIN DESCRIBED 3.041 ACRE TRACT AND SAID 0.459 ACRE TRACT, LOCATED ON THE COMMON LINE BETWEEN SAID NOE 3.500 ACRE TRACT AND THE RESIDUE OF THE CALLED 10.03 ACRE TRACT DESCRIBED IN DEED TO EARLINE SHIRLEY RECORDED IN VOLUME 682, PAGE 350 OF SAID OFFICIAL RECORDS;

THENCE N 89° 09' 22" E 127.18 FT. TO A 1/2" IRON ROD FOUND FOR THE NORTH COMMON CORNER BETWEEN SAID NOE 3.500 ACRE TRACT AND THE RESIDUE OF SAID HANNAH CALLED 19.25 ACRE TRACT;

THENCE S 00° 45' 00" E 465.99 FT. ALONG THE COMMON LINE BETWEEN SAID NOE 3.500 ACRE TRACT AND THE RESIDUE OF SAID HANNAH CALLED 19.25 ACRE TRACT TO 1/2" IRON ROD FOUND FOR CORNER;

THENCE S 89° 09' 22" W 327.18 FT. ALONG THE COMMON LINE BETWEEN SAID NOE 3.500 ACRE TRACT AND THE RESIDUE OF SAID HANNAH CALLED 19.25 ACRE TRACT TO THE PLACE OF BEGINNING AND CONTAINING WITHIN THESE BOUNDS 3.041 ACRE OF LAND.

THERE IS RESERVED OVER THE ABOVE DESCRIBED 3.041 ACRE TRACT A ROADWAY EASEMENT BEING 30 FT. IN WIDTH AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD SET FOR THE WEST COMMON CORNER BETWEEN THE ABOVE DESCRIBED 3.041 ACRE TRACT AND 0.459 ACRE TRACT SURVEYED THIS DATE OUT OF SAID NOE 3.500 ACRES LOCATED ON THE EAST LINE OF THE LANDS DESCRIBED IN DEED TO TEMPLE-INLAND FOREST PRODUCTS CO. RECORDED IN VOLUME 421, PAGE 495 OF THE ANGELINA COUNTY DEED RECORDS, SAID POINT BEING THE NORTHWEST CORNER OF THE HEREIN DESCRIBED 0.187 ACRE ROADWAY EASEMENT.

THENCE N 89° 09' 22" E 30.00 FT. ALONG THE COMMON LINE BETWEEN THE ABOVE DESCRIBED

3.041 ACRE TRACT

AND SAID 0.459 ACRE TRACT TO THE NORTHEAST CORNER OF THE HEREIN DESCRIBED 0.187 ACRE ROADWAY EASEMENT;

THENCE S 00° 45' 00" E 271.82 FT. ALONG THE EAST RIGHT OF WAY LINE OF THE HEREIN DESCRIBED ROADWAY EASEMENT TO ITS SOUTHEAST CORNER;

THENCE S 89° 15' 00" W AT 8.70 FT. PASS THE EAST RIGHT OF WAY LINE AND ENTERING I.R. HANNA ROAD (A COUNTY MAINTAINED ROADWAY), AND CONTINUING IN ALL A TOTAL DISTANCE OF 30.00 FT. TO THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED 0.187 ACRE ROADWAY EASEMENT LOCATED ON THE LINE OF THE ABOVE DESCRIBED 3.041 ACRE TRACT, SAME BEING THE COMMON LINE BETWEEN SAID NOE 3.500 ACRE TRACT AND SAID TEMPLE-ISLAND FOREST PRODUCTS CO. LANDS;

THENCE N 00° 45' 00" W, ALONG THE COMMON LINE BETWEEN SAID NOE 3.500 ACRE TRACT AND SAID TEMPLE-INLAND FOREST PRODUCTS CO. LANDS AT 118.42 FT. PASS THE EAST MARGIN AND EXITING SAID I.R. HANNA ROAD AND CONTINUING N 00° 45' 00" W, ALONG THE COMMON LINE BETWEEN SAID NOE AND TEMPLE-INLAND LANDS, IN ALL A TOTAL DISTANCE OF 271.77 FT TO THE PLACE OF BEGINNING AND CONTAINING WITHIN THESE RIGHTS OF WAY 0.187 ACRE

BEARINGS FOR THIS DESCRIPTION ARE BASED ON DEED CALLS FOR THE 3.500 ACRE TRACT DESCRIBED IN DEED TO RANDALL I. NOE AND KELLY G. NOE, RECORDED IN VOLUME 1299, PAGE 35 OF THE ANGELINA COUNTY OFFICIAL RECORDS.

Date of Sale: October 1, 2019	Earliest time Sale will begin: 1:00 PM
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Place of sale of Property: Angelina County Courthouse Annex, 606 East Lufkin Avenue, Lufkin, TX 75901 OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE OR IN THE AREA DESIGNATED BY THE COMMISSIONER'S COURT, PURSUANT TO SECTION 51.002 OF THE TEXAS PROPERTY CODE

The Substitute Trustee will sell the property by public auction to the highest bidder for cash at the place and date specified. The sale will begin at the earliest time stated above or within three (3) hours after that time.

Appointment of Substitute Trustee: Default has occurred in the payment of the Note and in the performance of the obligations of the Deed of Trust, the same is now wholly due. Because of that default, *DITECH FINANCIAL LLC* F/K/A GREEN TREE SERVICING LLC, the owner and holder of the Note, has requested Sheryl LaMont, Robert LaMont, Ronnie Hubbard, Sharon St. Pierre, Allan Johnston,, Kathleen Adkins, Evan Press, Reid Ruple whose address is 1 Mauchly Irvine, CA 92618 OR Robert LaMont, Sheryl LaMont, David Sims, Allan Johnston or Ronnie Hubbard whose address is 14800 Landmark Blvd., Suite 850, Dallas, TX 75254, to sell the property. The Trustee(s)

has/have been appointed Substitute Trustee in the place of the original trustee, in the manner authorized by the deed of trust.

Terms of Sale: The Foreclosure Sale will be conducted as a public auction and the Property will be sold to the highest bidder for cash, except that *DITECH FINANCIAL LLC F/K/A GREEN TREE SERVICING LLC* bid may be by credit against the indebtedness secured by the lien of the Deed of Trust.

Pursuant to section 51.009 of the Texas Property Code, the Property will be sold "AS IS," without any expressed or implied warranties, except as to the warranties (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(a) of the Texas Property Code, Sheryl LaMont, Robert LaMont, Ronnie Hubbard, Sharon St. Pierre, Allan Johnston, Kathleen Adkins, Evan Press, Reid Ruple whose address is 1 Mauchly Irvine, CA 92618 OR Robert LaMont, Sheryl LaMont, David Sims, Allan Johnston or Ronnie Hubbard whose address is 14800 Landmark Blvd., Suite 850, Dallas, TX 75254, Trustee reserves the right to set further reasonable conditions for conducting the Foreclosure Sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by Sheryl LaMont, Robert LaMont, Ronnie Hubbard, Sharon St. Pierre, Allan Johnston, Kathleen Adkins, Evan Press, Reid Ruple whose address is 1 Mauchly Irvine, CA 92618 OR Robert LaMont, Sheryl LaMont, David Sims, Allan Johnston or Ronnie Hubbard whose address is 14800 Landmark Blvd., Suite 850, Dallas, TX 75254, Trustee.

Limitation of Damages: If the sale is set aside for any reason, the purchaser at the sale shall be entitled only to a return of the funds paid. The purchaser shall have no further recourse against Mortgagor, the Mortgagee, or the Mortgagee's attorney.

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.

/s/William Attmore

William Attmore
Attorney for DITECH FINANCIAL LLC
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RAS CRANE, LLC / Attorney for Mortgagee
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Telephone: 817-873-3080
Facsimile: (817)796-6079

Sheryl LaMont 8-22-19
Sheryl LaMont