

**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)**

<b>Deed of Trust Date:</b> December 3, 2009	<b>Original Mortgagor/Grantor:</b> JESSICA SANCHEZ
<b>Original Beneficiary / Mortgagee:</b> MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS NOMINEE FOR PRIMARY CAPITAL ADVISORS LC	<b>Current Beneficiary / Mortgagee:</b> DITECH FINANCIAL LLC
<b>Recorded in:</b> <b>Volume:</b> <b>Page:</b> <b>Instrument No:</b> 200900345791	<b>Property County:</b> DALLAS
<b>Mortgage Servicer:</b> Ditech Financial LLC	<b>Mortgage Servicer's Address:</b> 345 Saint Peter Street, St. Paul, Minnesota, 55102-1211

2017 AUG 10 PM 2:25  
 JOHN F. WARR  
 COUNTY CLERK  
 DALLAS COUNTY

\* 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 \$117,727.00, executed by JESSICA SANCHEZ ("Borrower") and payable to the order of Lender.

**Property Address/Mailing Address:** 3207 SARA DRIVE, ROWLETT, TEXAS 75088

**Legal Description of Property to be Sold:** BEING LOT 18, IN BLOCK 2, OF REPLAT OF WESTWOOD ESTATES NO. 4, AN ADDITION TO THE CITY OF ROWLETT, DALLAS COUNTY, TEXAS, ACCORDING TO THE MAP THEREOF RECORDED IN VOLUME 84093, PAGE 3055, OF THE MAP RECORDS OF DALLAS COUNTY TEXAS.

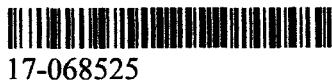
<b>Date of Sale:</b> September 05, 2017	<b>Earliest time Sale will begin:</b> 1:00 pm (1p-4p)
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**Place of sale of Property:** THE OUTSIDE AREA ON THE NORTHSIDE OF THE GEORGE ALLEN COURTS BUILDING FACING COMMERCE STREET BELOW THE OVERHANG, or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner's Court.

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*, the owner and holder of the Note, has requested Shelley Ortolani, Mary Mancuso, Robert Ortolani, Michele Hreha, Guy Wiggs, David Stockman, Brenda Wiggs, Denise Boerner, Donna Stockman, Tim Lewis, Michelle Schwartz, Trustee(s) 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* bid may be by credit against the indebtedness secured by the lien of the Deed of Trust.



17-068525



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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, Shelley Ortolani, Mary Mancuso, Robert Ortolani, Michele Hreha, Guy Wiggs, David Stockman, Brenda Wiggs, Denise Boerner, Donna Stockman, Tim Lewis, Michelle Schwartz, Trustee(s) 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 Shelley Ortolani, Mary Mancuso, Robert Ortolani, Michele Hreha, Guy Wiggs, David Stockman, Brenda Wiggs, Denise Boerner, Donna Stockman, Tim Lewis, Michelle Schwartz, Trustee(s).

**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/Anthony Waddell

Anthony Waddell

Attorney for DITECH FINANCIAL LLC

State Bar No.:24042105

twaddell@rascrane.com

RAS CRANE, LLC / Attorney for Mortgagee

1900 Enchanted Way, Suite 125

Grapevine, TX 76051

Telephone: 817-873-3080

Facsimile: (817)796-6079

**RAS Crane, LLC**  
10700 Abbott's Bridge Road, Suite 170  
Duluth, GA 30097  
Phone: 470-321-7112  
Fax: 404-393-1425

July 26, 2017

Sent via Certified and Regular Mail  
Borrower(s): SANCHEZ, JESSICA  
3207 SARA DR  
ROWLETT, TX 75088

RE:           Deed of Trust Dated:           December 11, 2009  
              Borrower(s):                 JESSICA SANCHEZ  
              Original Principal Amount:   \$117,727.00  
              Property Address:           3207 SARA DR  
  ROWLETT, TX 75088

Current Mortgage Servicer and Mortgagee:

Mortgage Servicer:           Ditech Financial LLC  
Mortgagee:                    DITECH FINANCIAL LLC

The Mortgage Servicer represents the Mortgagee under a servicing agreement with the Mortgagee, whose address is 345 Saint Peter Street, St. Paul, Minnesota, 55102-1211.

**NOTE: PURSUANT TO THE FAIR DEBT COLLECTION PRACTICES ACT YOU ARE ADVISED THAT THIS LAW FIRM IS DEEMED TO BE A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.**



### **Notice of Acceleration**

Dear Borrowers:

Please be advised that the undersigned law firm represents the Mortgage Servicer with respect to the above-referenced debt.

This letter constitutes formal notice to you of your default under the terms of the Note evidencing the Loan and the deed of trust (the "Security Instrument") securing the loan.

According to and relying on the information provided to this firm by the Mortgage Servicer, you are advised:

1. Because of the non-payment of all past due loan installments and other amounts legally due, The Mortgage Servicer has ACCELERATED the maturity of the debt.
2. You have the right to reinstate the Loan after acceleration in the time and manner provided by the Loan Documents and you have the right to bring a court action to assert the non-existence of a default or any defense to acceleration, foreclosure, or other rights reserved by the Loan Documents and Applicable Law.
3. Should you wish to request a full payoff, please fax your written request to the fax number above. On your request, please include your name, loan number, property address, a phone number where you can be reached and either a fax number or a mailing address.

#### **FAIR DEBT COLLECTION PRACTICES ACT; CONSUMER NOTICE**

The following notice is provided pursuant to the Fair Debt Collections Practices Act (ACT), public law 95-109, 15 U.S.C. § 1601 et seq.

1. THE AMOUNT OF THE DEBT IS \$109,561.79
2. THE NAME OF THE CREDITOR TO WHOM THE DEBT IS OWED IS DITECH FINANCIAL LLC.
3. PLEASE BE ADVISED THAT UNLESS YOU DISPUTE THE VALIDITY OF THE ABOVE-DESCRIBED DEBT OR ANY PORTION OF THE DEBT WITHIN THIRTY (30) DAYS AFTER RECEIPT OF THIS NOTICE, THE ATTORNEY AND THE CREDITOR WILL ASSUME THAT THIS DEBT IS VALID AND THE CREDITOR MAY PROCEED IN ACCORDANCE WITH THE ACT (PUBLIC LAW 95-109) TO LEGALLY RECOVER MONIES OWED TO THE CREDITOR.
4. FURTHERMORE, YOU ARE ADVISED THAT YOU HAVE THE RIGHT TO CONTACT THE CREDITOR, ATTORNEY OR DEBT COLLECTOR TO DISPUTE THE DEBT.
5. IF YOU DISPUTE THE VALIDITY OF THE DEBT, YOU SHOULD NOTIFY THE ATTORNEY WHO SENT THIS LETTER TO YOU, OF YOUR DISPUTE IN WRITING WITHIN THIRTY (30) DAYS FROM THE RECEIPT OF THIS NOTICE. IF YOU DISPUTE THE DEBT, THE ATTORNEY WILL OBTAIN A VERIFICATION OF THE DEBT AND MAIL IT TO YOU.
6. UPON YOUR WRITTEN REQUEST WITHIN THE ABOVE-DESCRIBED THIRTY (30) DAY TIME PERIOD, THE ATTORNEY OR DEBT COLLECTOR WILL PROVIDE YOU WITH THE NAME AND ADDRESS OF THE ORIGINAL CREDITOR, IF THE

CREDITOR SEEKING TO COLLECT THE DEBT IS DIFFERENT FROM THE ORIGINAL CREDITOR.

7. ANY POSTDATED CHECKS SENT TO THE DEBT COLLECTOR WILL BE DEPOSITED OR PLACED FOR COLLECTION.

NOTE: If you request proof of the debt within the 30 day period that begins with your receipt of this letter, the law requires me to suspend my efforts (through litigation or otherwise) to collect the debt until I mail the requested information to you.

#### NON BANKRUPCTY STATUS

The creditor and this office have no knowledge that you have filed a Federal Bankruptcy Petition, or that if you have previously filed; that the bankruptcy stay is applicable. Likewise, the creditor and this office have no knowledge that all or part of the debt has been discharged by any bankruptcy proceeding.

If you have a filed bankruptcy, and the automatic stay is in effort or a prior bankruptcy discharged the debts, then this office will suspend collection efforts and comply with federal or state law once you notify this office of your bankruptcy filing. Please send this office the name of the debtor, the case number, the proceeding type, the court's name and location and the name, address and telephone number of your bankruptcy attorney.

**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.**

Sincerely,

RAS CRANE, LLC

**NOTICE OF SUBSTITUTE TRUSTEE'S SALE**

FILED

THE STATE OF TEXAS §  
§  
COUNTY OF DALLAS §

KNOW ALL MEN BY THESE PRESENTS: AUG 15 AM 10:21

**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.**

WHEREAS, by that certain Deed of Trust dated January 31, 2007, executed by **LASKEY CHATHAM, JR. AND WIFE GLENDA CHATHAM** (the "Grantor"), to **DENNIS P. SCHWARTZ** (the "Trustee"), recorded in Instrument #20070056521, of the Real Property Records of Dallas County reference to which is hereby made for all purposes, Grantors conveyed to the Trustee that certain real property hereinafter described, ("the Property"), which Deed of Trust secures the payment of that certain \$62,135.00 promissory note, which Note was modified by a Modification Agreement dated December 24, 2008; and a Modification Agreement dated April 25, 2010 ("the Note") therein described; and

WHEREAS, **RHODES CAPITAL, LLC** is the Mortgagee, whose address is 6833 S. Dayton Street, PMB #238, Englewood, CO 80112-3624; and

WHEREAS, the undersigned has been appointed Substitute Trustee in the place of the Trustee in the manner authorized by said Deed of Trust; and

WHEREAS, default has occurred under the terms of the Note and Deed of Trust, and the entire unpaid principal balance and all accrued but unpaid interest owing under the Note has been accelerated and is now wholly due, and the owner and holder of the Note has requested the undersigned to sell the Property in accordance with Section 51.002 of the Texas Property Code and the terms of the Deed of Trust, in order to satisfy the indebtedness evidenced by the Note and secured by the Deed of Trust.

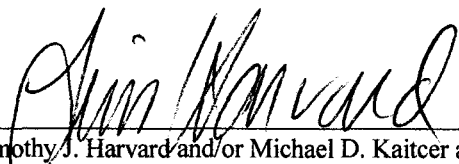
**NOW, THEREFORE, NOTICE IS HEREBY GIVEN** that on Tuesday, September 5, 2017, that being the first Tuesday of said month, between 12:00 o'clock Noon and three (3) hours thereafter, the undersigned will sell the Property at **THE OUTSIDE AREA ON THE NORTHSIDE OF THE GEORGE ALLEN COURTS BUILDING FACING COMMERCE STREET BELOW THE OVERHANG, OR IF THE PRECEDING AREA IS NO LONGER THE DESIGNATED AREA, AT THE AREA MOST RECENTLY DESIGNATED BY THE COUNTY COMMISSIONER'S COURT**, as the area where such sales are to take place. The Property will be sold to the highest bidder for cash.

The Real Property is described as follows:

**BEING LOT 36 IN BLOCK M OF WATERVIEW PHASE 9, AN ADDITION TO THE CITY OF ROWLETT, DALLAS COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 2004019, PAGE 89, MAP RECORDS, DALLAS COUNTY, TEXAS;**

more commonly known as 10106 Huffines Drive, Rowlett, Texas 75089

EXECUTED as of August 15<sup>th</sup>, 2017.

  
\_\_\_\_\_  
Timothy J. Harvard and/or Michael D. Kaitcer and/or Schyler Parker and/or Brian Smith, as Substitute Trustee

**UPON RECORDING, PLEASE RETURN TO:**  
WHITAKER, CHALK, SWINDLE & SCHWARTZ PLLC  
301 Commerce Street, Suite 3500  
Fort Worth, Texas 76102  
Attn: Timothy Harvard

**NOTICE OF ACCELERATION AND NOTICE OF TRUSTEE'S SALE**

**DEED OF TRUST INFORMATION:**

**Date:** 08/15/2012  
**Grantor(s):** CHERON R. CRIBBS AND LLOYD CRIBBS, WIFE AND HUSBAND  
**Original Mortgagee:** MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., SOLELY AS NOMINEE FOR DHI MORTGAGE COMPANY LTD, ITS SUCCESSORS AND ASSIGNS  
**Original Principal:** \$140,000.00  
**Recording Information:** Instrument 201200251088  
**Property County:** Dallas  
**Property:** BEING LOT 9, BLOCK A, OF THE PENINSULA NO. 7, AN ADDITION TO THE CITY OF ROWLETT, DALLAS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 97131, PAGE 4063, OF THE MAP RECORDS OF DALLAS COUNTY, TEXAS.  
**Reported Address:** 7601 BAYHILL DRIVE, ROWLETT, TX 75088

**MORTGAGE SERVICING INFORMATION:**

The Mortgage Servicer, if not the Current Mortgagee, is representing the Current Mortgagee pursuant to a Mortgage Servicing Agreement.

**Current Mortgagee:** Wells Fargo Bank, N.A.  
**Mortgage Servicer:** Wells Fargo Bank, N.A.  
**Current Beneficiary:** Wells Fargo Bank, N.A.  
**Mortgage Servicer Address:** 3476 Stateview Boulevard, Fort Mill, SC 29715

**SALE INFORMATION:**

**Date of Sale:** Tuesday, the 5th day of September, 2017  
**Time of Sale:** 10:00 AM or within three hours thereafter.  
**Place of Sale:** AT THE AREA OUTSIDE ON THE NORTH SIDE OF THE GEORGE ALLEN COURTS BUILDING FACING COMMERCE STREET BELOW THE OVERHANG in Dallas County, Texas, or, if the preceding area is no longer the designated area, at the area most recently designated by the Dallas County Commissioner's Court.  
**Substitute Trustee(s):** Shelley Ortolani, Michele Hreha, Robert Ortolani, Mary Mancuso, Braden Barnes, Michael Burns, Thuy Frazier, Alexander Wolfe, Suzanne Suarez or Adam Womack, any to act  
**Substitute Trustee Address:** 14841 Dallas Parkway, Suite 425, Dallas, TX 75254

WHEREAS, the above-named Grantor previously conveyed the above described property in trust to secure payment of the Note set forth in the above-described Deed of Trust; and

WHEREAS, a default under the Note and Deed of Trust was declared; such default was reported to not have been cured; and all sums secured by such Deed of Trust were declared to be immediately due and payable; and

WHEREAS, the original Trustee and any previously appointed Substitute Trustee has been removed and Shelley Ortolani, Michele Hreha, Robert Ortolani, Mary Mancuso, Braden Barnes, Michael Burns, Thuy Frazier, Alexander Wolfe, Suzanne Suarez or Adam Womack, any to act, have been appointed as Substitute Trustees and requested to sell the Property to satisfy the indebtedness; and

WHEREAS, the undersigned law firm has been requested to provide these notices on behalf of the Current Mortgagee, Mortgage Servicer and Substitute Trustees;

NOW, THEREFORE, NOTICE IS HEREBY GIVEN of the foregoing matters and that:

1. The maturity of the Note has been accelerated and all sums secured by the Deed of Trust have been declared to be immediately due and payable.
2. Shelley Ortolani, Michele Hreha, Robert Ortolani, Mary Mancuso, Braden Barnes, Michael Burns, Thuy Frazier, Alexander Wolfe, Suzanne Suarez or Adam Womack, any to act, as Substitute Trustee will sell the Property to the highest bidder for cash on the date, at the place, and no earlier than the time set forth above in the Sale Information section of this notice. The sale will begin within three hours after that time.
3. This sale shall be subject to any legal impediments to the sale of the Property and to any exceptions referenced in the Deed of Trust or appearing of record to the extent the same are still in effect and shall not cover any property that has been released from the lien of the Deed of Trust.
4. No warranties, express or implied, including but not limited to the implied warranties of merchantability and fitness for a particular purpose shall be conveyed at the sale, save and except the Grantor's warranties specifically authorized by the Grantor in the Deed of Trust. The property shall be offered "AS-IS", purchasers will buy the property "at the purchaser's own risk" and "at his peril", and no representation is made concerning the quality or nature of title to be acquired. Purchasers will receive whatever interest Grantor and Grantor's assigns have in the property, subject to any liens or interests of any kind that may survive the sale. Interested persons are encouraged to consult counsel of their choice prior to participating in the sale of the property.

Very truly yours,

Buckley Madole, P.C.

JOHN E. WARREN  
COUNTY CLERK  
DALLAS COUNTY

AUG 14 PM 2:56

FILED