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.

NOTICE OF SALE BY SUBSTITUTE TRUSTEE

STATE OF TEXAS §
§ KNOW ALL MEN BY THESE PRESENTS
COUNTY OF UPSHUR §

FILED
TERRI ROSS
COUNTY CLERK
2021 FEB -8 AM 11:52
UPSHUR COUNTY, TX.
BY _____ DEPUTY

Note: Sale Contract dated October 10, 2016 executed and delivered by Russell E. Hammerbacher to Ditech Financial LLC

Security Instrument: Purchase Money Deed of Trust, dated October 10, 2016, executed and delivered by Russell E. Hammerbacher to Ditech Financial LLC, to secure payment of that certain Sale Contract, recorded on October 24, 2016 as Document No. 201607438 in Volume 1276 at Page 184, in Upshur County, Texas.

Original Creditor: Ditech Financial LLC

Current Holder: The Bank of New York Mellon, as Indenture Trustee, for Mid-State Capital Corporation 2010-1 Trust

Current Owner: The Bank of New York Mellon, as Indenture Trustee, for Mid-State Capital Corporation 2010-1 Trust

Mortgage Servicer: New Rez LLC d/b/a Shellpoint Mortgage Servicing ("Servicer"), 75 Beattie Pl. #300, Greenville, SC 29601

Appointed Substitute Trustees:

Note: Each substitute trustee is authorized individually, to act alone without the joinder of the other trustees.

JIM MILLS, SUSAN MILLS, EMILY NORTHERN, JAMEY PARSONS, ROCKY THOMASSON, CHRISTY SMITH, RENEE MCCOART, ED HENDERSON, LAURIE BLACKWELL, KRISTEN ALDRIDGE, MARY MCCAULY
TRUSTEES OF TEXAS, 9065 JOLLYVILLE, SUITE 203A, AUSTIN, TX 78759

AND

HARRIETT FLETCHER, ROBERT LAMONT, SHERYL LAMONT, ALLAN JOHNSTON, SHARON ST. PIERRE, LISA DELONG, TERRI WORLEY,HARRIETT FLETCHER, ROBERT LAMONT, SHERYL LAMONT, ALLAN JOHNSTON, SHARON ST. PIERRE, LISA DELONG, TERRI WORLEY,

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

SERVICE LINK, 3220 EL CAMINO REAL, IRVINE, CA 92602

AND

HARRIETT FLETCHER, ROBERT LAMONT, RONNIE HUBBARD, SHERYL LAMONT, ALLAN JOHNSTON, RAMIRO CUEVAS, AURORA CAMPOS, JONATHAN HARRISON, SHAWN SCHILLER, PATRICK ZWIERS, DARLA BOETTCHER, DANA KAMIN, LISA BRUNO, RONDA TYLER, MERYL OLSEN
AUCTION.COM, 1 MAUCHLY, IRVINE, CA 92618

AND

CONNIE MEDLEY OR SARAH CHAMPINE OR LUIS GARCIA OR CONSTANCE LEWIS OR CLYDE COBB OR MONTGOMERY MEDLEY OR JULIE MARTIN OR BOB FRISCH OR ARNOLD MENDOZA OR JODI STEEN
XOME, 750 TX-121, SUITE 100, LEWISVILLE, TX 75067

AND

HARRIETT FLETCHER, ROBERT LAMONT, SHERYL LAMONT, ALLAN JOHNSTON, SHARON ST. PIERRE, TERRI WORLEY, LISA DELONG
COVIS REALTY BID, 3225 RAINBOW DRIVE, SUITE 248-B, RAINBOW CITY, AL 35906

AND

T. J. RINEY, H. HOOPER, S.G. HARVEY, B.K. PACKARD, M. SANTOYO
5420 LBJ FREEWAY, SUITE 220, DALLAS, TX 75225

Property to be sold: 14536 Henry St, Ore City, TX 75683, 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, March 2, 2021.**

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 Upshur County**, Texas, at the South (Highway 154) entry to the courthouse, unless the location of the sale has been otherwise designated to a specific location by the Commissioner's

Court of Upshur County, or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner's Court.

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 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 Russell E. Hammerbacher.

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 Russell E. Hammerbacher 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: January 29, 2021.

By: _____
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

EXHIBIT "A"

GENERAL DESCRIPTION

All that certain tract lot or parcel of land, a part of the R.M. Watkins Survey A-514 and also part of Lots 1 and 2, Camp Joy Addition, Block 3, Unit 2, Volume 2 Page 214, Plat Records of Upshur County, TX, and being further described in a Deed dated November 21, 2003 from Sandra K. Carter, et al, to Kerry Wright, et ux, Linda, that is recorded in Volume 707 Page 703 of the Official Property Records of Upshur County, Texas, and being more completely described as follows to wit;

METES AND BOUNDS DESCRIPTION

Beginning at a ¼ Inch Iron Rod found for corner at the South corner of said tract, same being in the S.W.B.L. of said Lot 1, from which a ½ Inch Iron Rod found for corner at an Angle Point in the S.B.L. of said Lot 1, bears South 53 degrees 11 minutes 26 seconds East, 38.30 feet;

Thence North 54 degrees 48 minutes 06 seconds West, along the S.W.B.L. of said Lot 1 for a distance of 59.74 feet to a ½ Inch Iron Rod found for corner at the West corner of said tract and in the S.E.B.L. of Henry Drive (Denziel per Plat);

Thence North 37 degrees 59 minutes 14 seconds East, along the N.W.B.L. of said Lot 1, same being the N.W.B.L. of said tract, same being the S.E.B.L. of said Henry Drive for a distance of 200.90 feet to a ½ Inch Iron Rod found for corner at the North corner of said Lot 1, same being the North corner of said tract, same being the Intersection of Henry Drive and Arthur Drive (Janice Drive per Plat);

Thence South 62 degrees 29 minutes 52 seconds East, along the N.E.B.L. of said tract, same being the S.W.B.L. of said Arthur Drive for a distance of 78.82 feet to a ¾ Inch Iron Rod found for corner at the East corner of said tract, same being the North corner of a called 0.654 acres (Vol. 389 Pg. 50);

Thence South 42 degrees 47 minutes 14 seconds West, along the S.E.B.L. of said tract, same being the N.W.B.L. of said called 0.654 acres for a distance of 213.09 feet to the place of beginning containing 0.3236 acres.