

#201700005

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**

Accepted for Filing in  
Refugio County, TX  
FEB 13, 2017 11:21 AM  
by Lorraine Garcia

STATE OF TEXAS

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KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF REFUGIO

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**Note:** Note dated December 29, 2012 executed and delivered by Ramiro Rene Mascorro to Quicken Loans Inc.

**Security Instrument:** Deed of Trust, dated December 29, 2012, executed and delivered by Ramiro Rene Mascorro and Rosetta Christina Mascorro to Quicken Loans Inc., to secure payment of that certain Note, recorded on January 7, 2013 as Instrument Number 2013-00033514, in Refugio County, Texas.

**Original Creditor:** Quicken Loans Inc.

**Current Holder:** Ditech Financial LLC

**Current Owner:** Federal National Mortgage Association

**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, JUSTIN SOUTHERN, TINA JACOB, CHRIS LAFOND, HARRY BRELSFORD, CARLA PATTERSON  
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.

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| <b>PROPERTY ADDRESS:</b><br>704 O Brien Rd<br>Refugio, TX 78377 | <b>RP FILE NO.</b> DIFA02-26 | <b>BORROWER:</b> Mascorro, Ramiro Rene, Mascorro, Rosetta Christina |
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**Property to be sold:** 704 O Brien Rd, Refugio, TX 78377, 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 7, 2017.

**Time of Sale:** The sale will begin no earlier than 1:00 PM and no later than three (3) hours thereafter.

**Location of Sale:** At the County Courthouse in Refugio County, Texas, on the front porch of the courthouse, on the Easterly side of the courthouse facing Commerce Street, unless the location of the sale has been otherwise designated to a specific location by the Commissioner's Court of Refugio 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 Refugio 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.

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

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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.

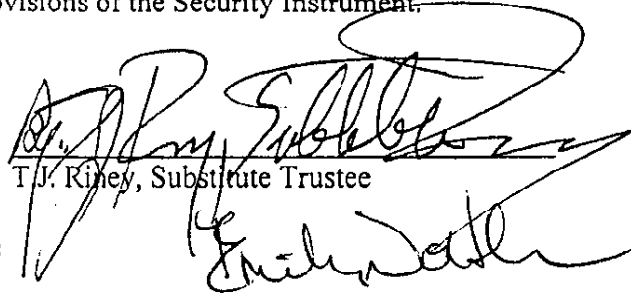
**Type of Sale:**

The sale is a non-judicial sale being conducted pursuant to the power of sale granted by the Security Instrument executed by Ramiro Rene Mascorro and Rosetta Christina Mascorro.

**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 Ramiro Rene Mascorro and Rosetta Christina Mascorro 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: February 1, 2017.



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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BORROWER: Mascorro, Ramiro Rene; Mascorro, Rosetta Christina

**EXHIBIT "A"**

Land Situated in the City of Refugio in the County of Refugio in the State of TX

Being 2.00 acres situated in and a part of Farm Lot 15 of the Refugio Town Tract Survey, Abstract No. 56. Refugio County, Texas, and a portion of that certain 14.03 acre tract recorded in Volume 201, Page 438 of the Deed Records of Refugio County, Texas, and is the same as that certain 2.00 acre tract described in a deed dated December 14, 2003 executed by James Roger Fancher and Linda W. Fancher recorded in Volume 168, page 321 of the Official Records of Refugio County, Texas. This 2.00 acres is more fully described by metes and bounds as follows:

Beginning at a iron rod found in the East line of O'Brien Road for the Southwest corner of this 2.00 acres, also being the Southwest corner of said 2.00 acre tract and the northwest corner of a 14.03 acre tract recorded in Volume 201, Page 438 of the Deed Records of Refugio County, Texas:

Thence, N 09 degrees, 45' 00" E (bearing reference line) with the East line of O'Brien Road a distance of 188.16 feet to a iron rod found for the Northwest corner of this 2.00 acres;

Thence, S 80 degrees, 15' 00" E crossing said 14.03 acre tract a distance of 463.00 feet to a iron rod found for the Northeast corner of this 2.00 acres;

Thence, S 09 degrees, 45' 00" W with the common line of this tract and the Reilly Third Addition (Envelope No. 88, Plat Records) a distance of 188.16 feet to a iron rod found for the Southeast corner of this 2.00 acres;

Thence, N 80 degrees, 15' 00" W with the common line of this tract and said 10.31 acre tract a distance of 463.00 feet to the Place of Beginning, containing within these metes and bounds 2.00 acres.

NOTE: The Company is prohibited from Insuring the area or quantity of the land. The Company does not represent that any acreage or footage calculations are correct. References to quantity are for identification purposes only.

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