

SEP 26 2019

**NOTICE OF TRUSTEE'S SALE AND APPOINTMENT OF SUBSTITUTE TRUSTEE**

GWINDA JONES, COUNTY CLERK  
ERATH COUNTY, TEXAS

Deputy

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. Sender is: Codilis & Moody, P.C., 400 North Sam Houston Parkway East, Suite 900A, Houston, Texas 77060

**INSTRUMENT BEING FORECLOSED AND MORTGAGE SERVICER INFORMATION**

Deed of Trust dated March 03, 2003 and recorded under Vol. 1114, Page 171, or Clerk's File No. 31815, in the real property records of ERATH County, Texas, with Ramiro Borjon and spouse, Elia Borjon as Grantor(s) and Mortgage Electronic Registration Systems, Inc. as Nominee for Judith O. Smith Mortgage Group Inc., its successors and assigns as Original Mortgagee.

Deed of Trust executed by Ramiro Borjon and Spouse, Elia Borjon securing payment of the indebtedness in the original principal amount of \$29,900.00 and obligation therein described including but not limited to the promissory note and all modifications, renewal and extensions of the promissory note (the "Note") executed by Ramiro Borjon. Ditech Financial LLC is the current mortgagee (the "Mortgagee") of the Note and Deed of Trust or Contract Lien.

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. Ditech Financial LLC is acting as the Mortgage Servicer for the Mortgagee. Ditech Financial LLC is representing the Mortgagee, whose address is: PO Box 12740, Tempe, AZ 85284-0046.

**Legal Description:**

**ALL THAT CERTAIN TRACT OR PARCEL OF LAND BEING LOT NO. 3 IN BLOCK NO. 39 IN THE CITY OF DUBLIN, ERATH COUNTY, TEXAS, OUT OF THE WILLIAM THOMAS SURVEY IN ERATH COUNTY, TEXAS ACCORDING TO THE DOUGLAS MAP OF SAID CITY AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES.**

**SALE INFORMATION**

**Date of Sale:** 11/05/2019

**Earliest Time Sale Will Begin:** 10:00 AM

**Location of Sale:** The place of the sale shall be: ERATH County Courthouse, Texas at the following location: The outside south steps of the Erath County Courthouse, 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**

A default has occurred in the payment of said herein referenced indebtedness, and the same is now wholly due, and the Mortgagee and/or Mortgage Servicer has requested the hereinafter appointed Substitute Trustee to sell said property to the highest bidder for cash and to distribute or apply the proceeds of said sale in accordance with the terms of said Deed of Trust.

The Sale will be conducted as a public auction to the highest bidder for cash, except that Mortgagee's bid may be by credit against the indebtedness secured by the lien of the Deed of Trust. Pursuant to the Deed of Trust, the mortgagee 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.



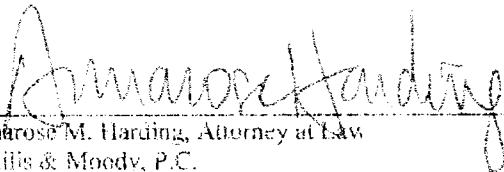
The sale will begin at the earliest time stated above, or within three (3) hours after that time. If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the funds paid. The Purchaser shall have no further recourse against the Mortgagor, the Mortgagee 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.**

**WHEREAS**, in my capacity as attorney for the Mortgagee and/or its Mortgage Servicer, and pursuant to Section 51.0076 of the Texas Property Code, **I HEREBY APPOINT AND DESIGNATE Denise Bournier, Guy Wiggs, Brenda Wiggs, Tim Lewis, Donna Stockman, David Stockman, Juanita Cox, Jimmy Brewer, Michelle Schwartz, Stephen Rawlings, Kathy Arrington, Thomas Delaney, Danya Gladuey or Aaron Demuth as Substitute Trustee.**

The address for the Substitute Trustee for purposes of Section 51.0075(e) of the Texas Property Code is:  
Codilis & Moody, P.C.  
400 N. Sam Houston Pkwy E, Suite 900A  
Houston, TX 77060  
(281) 928-5200

Executed on this the 24th day of September, 2019.

  
\_\_\_\_\_  
Amaro M. Harding, Attorney at Law  
Codilis & Moody, P.C.  
400 N. Sam Houston Pkwy E, Suite 900A  
Houston, TX 77060  
(281) 928-5200

Posted and filed by: \_\_\_\_\_

Printed Name: \_\_\_\_\_

C&M No. 44-19-2226

EXHIBIT A

ALL THE CERTAIN TRACTS OR PARCELS OF LAND BEING LOT NO. 3 IN BLOCK NO. 39 IN THE CITY OF DUBLIN, WASH COUNTY, TEXAS, CO2 OF THE WILLIAM THOMAS SURVEY IN WASKIN COUNTY, TEXAS ACCORDING TO THE DOUGLAS MAP OF SAID CITY AND DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/8 INCH IRON ROD SET FOR CORNER ON THE S.W.C. OF W. LIVE OAK STREET 139 FEET NORTH 74 DEGREES WEST FROM THE NORTH EAST CORNER OF THE J.E. LEVYAN RESIDENCE LOT, DESCRIBED IN THE DEED RECORDED IN BLOCK 48, PAGE 434 AT THE NORTH WEST CORNER OF LOT NO. 1 AND NORTH EAST CORNER OF LOT NO. 2;

THENCE NORTH 74 DEGREES WEST 65 FEET WITH S.W.C. OF W. LIVE OAK STREET TO NORTH WEST CORNER OF LOT NO. 2, A 1/8 INCH IRON ROD SET FOR CORNER;

THENCE SOUTH 16 DEGREES WEST 135 FEET TO NORTH LINE OF ALLEY A 1/8 INCH IRON ROD SET FOR CORNER;

THENCE SOUTH 74 DEGREES EAST 55 FEET WITH NORTH LINE OF ALLEY TO NORTH EAST CORNER OF LOT NO. 2 A 1/8 INCH IRON ROD SET FOR CORNER;

THENCE NORTH 16 DEGREES EAST 135 FEET TO NORTH EAST CORNER OF LOT NO. 2 IN SOUTH EAST LINE OF W. LIVE OAK STREET TO THE PLACE OF BEGINNING.