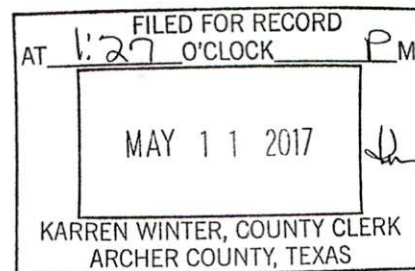


Notice of Foreclosure Sale

April 24, 2017



DEED OF TRUST:

Dated: November 10, 2004
Grantor: TERRY L. CARIS
Trustee: Lynne Holiday, Jerry Tiemann
Lender: AMERIGROUP MORTGAGE CORPORATION,
A DIVISION OF MORTGAGE INVESTORS
CORPORATION
Recorded in: Book 649, Page 495 of the real property records of
ARCHER County, Texas .

Legal Description: A TRACT OF LAND IN ARCHER COUNTY, TEXAS,
BEING PART OF LOT "D", BLOCK 89, A REPLAT
OF LOTS 1 THRU 5, BLOCK 89, ORIGINAL
TOWNSITE OR ARCHER CITY, AS RECORDED IN
VOLUME 4, PAGE 4, ARCHER COUNTY PLAT
RECORDS, AND BEING MORE SPECIFICALLY
DESCRIBED BY METES AND BOUNDS AS
FOLLOWS:

BEGINNING AT AN "X" IN CONCRETE LYING IN
THE SOUTH LINE OF WEST CHESTNUT STREET
FOR THE NORTHEAST CORNER OF THE
DESCRIPTION AND BEING THE NORTHWEST
CORNER OF THAT 0.220 ACRE TRACT
CONVEYED TO DONNA KAY TIMMINS BY THAT
DEED OF RECORD IN VOLUME 546, PAGE 293,
OFFICIAL PUBLIC RECORDS OF ARCHER
COUNTY, TEXAS;

THENCE LEAVING SAID SOUTH LINE AND
ALONG THE WEST LINE OF THE TIMMINS
TRACT, SOUTH 00 DEGREES 15 MINUTES 32
SECONDS EAST 132.00 FEET TO A 1/2 INCH IRON
ROD IN THE SOUTH LINE OF LOT "D", FOR THE
SOUTHWEST CORNER OF THIS DESCRIPTION
AND BEING THE SOUTHWEST CORNER OF SAID



TIMMINS TRACT;

THENCE ALONG THE SOUTH LINE OF LOT "D",
SOUTH 89 DEGREES 53 MINUTES 23 SECONDS
WEST 57.30 FEET TO A ½ INCH IRON ROD FOR
THE SOUTHWEST CORNER OF LOT "D" AND OF
THIS DESCRIPTION;

THENCE ALONG THE WEST LINE OF LOT "D",
NORTH 00 DEGREES 07 MINUTES 00 SECONDS
WEST 132.00 FEET TO A ½ INCH IRON ROD IN
THE SOUTH LINE OF WEST CHESTNUT STREET
FOR THE NORTHWEST CORNER OF LOT "D",
AND OF THIS DESCRIPTION;

THENCE ALONG THE SOUTH LINE OF WEST
CHESTNUT, NORTH 89 DEGREES 53 MINUTES 00
SECONDS EAST 56.97 FEET TO THE PLACE OF
BEGINNING AND CONTAINING 0.173 ACRES,
MORE OR LESS.

Secures:

Note in the original principal amount of
\$41,000.00, executed by TERRY L. CARIS
("Borrower") and payable to the order of Lender

Trustees Appointed:

Lynne Holiday, Jerry Tiemann

Foreclosure Sale:

Date: June 6, 2017

Time: The sale of the Property will be held between the hours of 10:00 A.M. and 1:00 P.M. local time; **the earliest time at which the Foreclosure Sale will begin is 10:00 a.m. and not later than three hours thereafter.**

Place: **The West entrance on the ground floor of the [Archer 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: 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's bid may be by credit against the indebtedness secured by the lien of the Deed of Trust.

Default has occurred in the payment of the Note and in the performance of the obligations of the Deed of Trust. Because of that default, DITECH FINANCIAL LLC, the owner and holder of the Note, has requested Lynne Holiday, Jerry Tiemann Trustee to sell the Property.

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of DITECH FINANCIAL LLC's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with DITECH FINANCIAL LLC's rights and remedies under the Deed of Trust and section 9.604(a) of the Texas Business and Commerce Code.

Mortgage Servicer is representing DITECH FINANCIAL LLC in connection with the loan evidenced by the Note and secured by the Deed of Trust under a servicing agreement with DITECH FINANCIAL LLC. The address of Mortgage Servicer is set forth above.

Therefore, notice is given that on and at the Date, Time, and Place for the Foreclosure Sale described above, Lynne Holiday, Jerry Tiemann Trustee will sell the Property in accordance with the Terms of Sale described above, the Deed of Trust, and applicable Texas law.

If DITECH FINANCIAL LLC passes the Foreclosure Sale, notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Deed of Trust and the Texas Property Code.

The Foreclosure Sale will be made expressly subject to any title matters set forth in the Deed of Trust, but prospective bidders are reminded that by law the Foreclosure 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 Deed of Trust. For the avoidance of doubt, the

Foreclosure Sale will not cover any part of the Property that has been released of public record from the lien and/or security interest of the Deed of Trust by DITECH FINANCIAL LLC. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

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, Lynne Holiday, Jerry Tiemann 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 Lynne Holiday, Jerry Tiemann Trustee.

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.

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 150

Grapevine, TX 76051

Telephone: 817-873-3080

Facsimile: (817)796-6079



Foreclosure Notice Letter/Note Matured by Its Terms

April 24, 2017

VIA CERTIFIED MAIL

Re: **NOTICE OF FORECLOSURE SALE** regarding the following instruments, among others (collectively, the "Loan Documents"):

TERRY L. CARIS
420 W CHESTNUT ST
ARCHER CITY, TX 76351

("Deed of Trust"):

Dated:	November 10, 2004
Grantor:	TERRY L. CARIS
Trustee:	David L. Ricker
Lender:	AMERIGROUP MORTGAGE CORPORATION, A DIVISION OF MORTGAGE INVESTORS CORPORATION
Recorded in:	Book 649, Page 495 of the real property records of ARCHER County, Texas on September 3, 2004.
Secures:	Note in the original principal amount of \$41,000.00, executed by ("Borrower(s)") and payable to the order of Lender .

This letter is written at the request and on behalf of our client, DITECH FINANCIAL LLC. Written notice dated January 3, 2017, was served on Borrower(s) by DITECH FINANCIAL LLC on behalf of by certified mail, return receipt requested, informing Borrower(s) TERRY L. CARIS that the Note had matured and that Borrower(s) had failed to pay all amounts due thereunder. The Note, among other things, constitutes part of the indebtedness secured by the Deed of Trust ("Indebtedness"). In that notice, demand was made on Borrower(s) to pay the unpaid past due amounts then owing under the Note.

DITECH FINANCIAL LLC has instructed Lynne Holiday, Jerry Tiemann Trustee(s) to sell the Property (as defined in the notice below) at a non-judicial foreclosure sale ("Foreclosure Sale"). A copy of the Notice of Foreclosure Sale ("Notice") specifying the date, time, place, and terms of the Foreclosure Sale is enclosed with this letter. If all amounts due and owing have not been paid.



If the proceeds of the Foreclosure Sale are insufficient to repay the Indebtedness, then, except to the extent that the Indebtedness is expressly nonrecourse or any party's liability is expressly limited by written contract or applicable law, each person and entity obligated to repay the Indebtedness will be jointly and severally liable for the deficiency.

If any party who receives this letter is a debtor in a bankruptcy proceeding subject to the provisions of the United States Bankruptcy Code (title 11 of the United States Code), this letter is merely intended to be written notice of the defaults under the Note in compliance with the Loan Documents and applicable law. This letter is not an act to collect, assess, or recover a claim against that party, nor is this letter intended to violate any provisions of the Code. Any and all claims that DITECH FINANCIAL LLC asserts against that party will be properly asserted in compliance with the Code in the bankruptcy proceeding. In addition, all of DITECH FINANCIAL LLC's claims, demands, and accruals regarding the Loan Documents, whenever made, and whether for principal, interest, or otherwise, are intended to comply in all respects, both independently and collectively, with all applicable usury laws, and are accordingly limited so that all applicable usury laws are not violated.

Nothing contained in this letter is intended to waive any default or event of default; waive any rights, remedies, or recourses available to DITECH FINANCIAL LLC; or be an election of remedies resulting from any default that may exist with respect to the Loan Documents.

You may contact **Ditech Payment Processing** at **PO Box 660934 Dallas, TX 75266-0934** at **1-800-643-0202**, regarding any questions that you may have, including the outstanding balance of the past due amounts on the Note as of any particular date. If you have any questions that you believe I can answer, you or your attorney may contact me at the telephone number or address listed below.

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 yours,
/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 150
Grapevine, TX 76051
Telephone: 817-873-3080
Facsimile: (817)796-6079

Sent via Certified Mail
Return Receipt Requested