

C&S No. 44-17-3099 / Conventional / No
LoanCare, LLC

NOTICE OF TRUSTEE'S SALE

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 & Stawiarski, PC, 400 North Sam Houston Parkway East, Suite 900A, Houston, Texas 77060

Date of Security Instrument: November 14, 2012

Grantor(s): Alma S. Simmons a single woman

Original Trustee: Jeffrey E Bode

Original Mortgagee: Mortgage Electronic Registration Systems, Inc. ("MERS"), solely as nominee for Mid America Mortgage Inc. f/k/a Schmidt Mortgage Company, its successors and assigns

Recording Information: Vol. 466, Page 680, or Clerk's File No. 20121645, in the Official Public Records of HAMILTON County, Texas.

Current Mortgagee: Mid America Mortgage, Inc, an Ohio Corporation

Mortgage Servicer: LoanCare, LLC, whose address is C/O 3637 Sentara Way, Virginia Beach, VA 23452 Pursuant to a Servicing Agreement between the Mortgage Servicer and Mortgagee, the Mortgage Servicer is authorized to represent the Mortgagee. Pursuant to the Servicing Agreement and Section 51.0025 of the Texas Property Code, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the referenced property.

Legal Description:

ALL THAT CERTAIN TRACT, OR PARCEL OF LAND SITUATED IN HAMILTON COUNTY, TEXAS, AND BEING ALL OF LOT 10 AND A PART OF LOT 4, OF THE PLEASANT ACRES ADDITION TO THE TOWN OF HAMILTON, PER BOOK 2, PAGE 10, HAMILTON COUNTY PLAT RECORDS, ALSO BEING THAT TRACT DESCRIBED IN DEED OF RANDAL J. THORNTON, A SINGLE PERSON, PER VOLUMEN 319, PAGE 892, HAMILTON COUNTY DEED RECORDS AND DESCRIBED BY METES AND BOUNDS AS A RESULT OF THIS SURVEY AS FOLLOWING:

*** SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES ***

Date of Sale: 12/05/2017 Earliest Time Sale Will Begin: 1:00 PM

APPOINTMENT OF SUBSTITUTE TRUSTEE

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, the undersigned hereby APPOINTS AND DESIGNATES Linda Reppert as Substitute Trustee, Juanita Cox as Successor Substitute Trustee, Jimmy Brewer as Successor Substitute Trustee, Stephen Rawlings as Successor Substitute Trustee, or Thomas Delaney as Successor Substitute Trustee or Lisa Cockrell as Successor Substitute Trustee

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. If the sale is

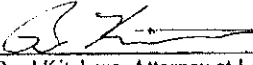
set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the funds paid. The Purchaser shall have no further recourse against the Mortgagor, the Mortgagee or the Mortgagee's attorney.

Place of Sale of Property: The foreclosure sale will be conducted in the area designated by the HAMILTON County Commissioners Court pursuant to Section 51.002 of the Texas Property Code as the place where the foreclosure sales are to take place, or if no place is designated by the Commissioners Court, the sale will be conducted at the place where the Notice of Trustee's Sale was posted.

Executed on this the 9th day of November, 2017.

For Information:

Servicelink Default Abstract Solutions
1320 Greenway Drive, Suite 300
Irving, TX 75038



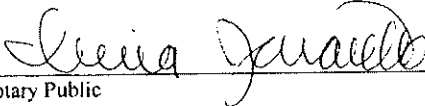
Brad Kitchens, Attorney at Law
Codilis & Stawiarski, P.C.
400 N. Sam Houston Pkwy E, Suite 900A
Houston, TX 77060
(281) 925-5200

STATE OF TEXAS

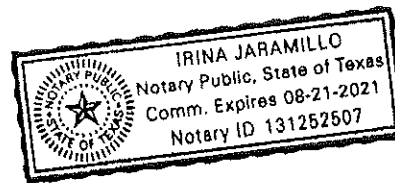
COUNTY OF HARRIS


Before me, the undersigned Notary Public, on this day personally appeared Brad Kitchens as Attorney for the Mortgagee and/or Mortgage Servicer known to me or proved to me through a valid State driver's license or other official identification described as *Personal Knowledge*, to be the person whose name is subscribed to the foregoing instrument and acknowledge to me that he/she executed the same for the purposes and consideration therein expressed.

Given under my hand seal of office on this the 9th day of November, 2017.



Notary Public
Signature



Posted and filed by: 

Printed Name: LINDA REPERT

C&S No. 44-17-3099 / Conventional / No
LoanCare, LLC

EXHIBIT "A"

LEGAL DESCRIPTION

GF Number: 2012219

Legal description of the land:

All that certain tract, or parcel of land situated in Hamilton County, Texas, and being all of Lot 10 and a part of Lot 4, of the Pleasant Acres Addition to the Town of Hamilton, per Book 2, Page 10, Hamilton County Plat Records, also being that tract described in Deed to Randal J. Thornton, a single person, per Volume 319, Page 892, Hamilton County Deed Records and described by metes and bounds as a result of this survey as follows:

BEGINNING at a steel pin set at the base of a concrete retaining wall being in the West line of Wieser Street, the NEC of Lot No. 10 and the NEC of this;

THENCE S19-38-00W along the West line of Wieser Street at 100.5 feet a steel pin set at the base of a concrete curb, the SEC of this;

THENCE N70-22-00W along said curb and fence, at 100.0 feet passing the SEC of Lot No. 4, at 124.0 feet a steel pipe for a corner post, the SWC of this;

THENCE N19-38-00E along a wooden privacy fence, at 100.50 feet a steel pipe for a corner post, the NWC of this;

THENCE S70-22-00E along fence on retaining wall, at 24.0 feet passing the NEC of Lot 4 at 124.0 feet the point of Beginning and containing 0.286 acres of land.

Being the same property as described in Warranty Deed with Vendor's Lien from Randal J. Thornton and Molley Thornton to Derek Ross Dittrich and Christina Kay Dittrich, dated November 19, 2003 and filed for record in the office of the County Clerk of Hamilton County, Texas on November 26, 2003 at 4:00 p.m. under document number 2344.

AS

FILED and RECORDED

Instrument Number: 20171722 B: RP V: 527 P: 835

Filing and Recording Date: 11/13/2017 02:03:01 PM Recording Fee: 2.00

I hereby certify that this instrument was FILED on the date and time stamped hereon and RECORDED in the REAL PROPERTY RECORDS of Hamilton County, Texas.



Kiesha Bagwell

Kiesha Bagwell, County Clerk
Hamilton County, Texas

ANY PROVISION CONTAINED IN ANY DOCUMENT WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE REAL PROPERTY DESCRIBED THEREIN BECAUSE OF RACE OR COLOR IS INVALID UNDER FEDERAL LAW AND IS UNENFORCEABLE.