

DEC 10 2018

C&S No. 44-18-2675 / Conventional / Yes / FILE NOS
Ditech Financial LLC

NOTICE OF TRUSTEE'S SALE

ELIZABETH A. KOUBA, CLERK
COUNTY COURT, LAVACA CO., TX.
By [Signature] 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 & Stawiarski, PC, 400 North Sam Houston Parkway East, Suite 900A, Houston, Texas 77060

Date of Security Instrument: April 30, 2001

Grantor(s): John C. Zak and wife, Anita G. Zak

Original Trustee: Stan Hubenak

Original Mortgagee: FirstCapital Bank, SSB

Recording Information: Vol. 230, Page 273, or Clerk's File No. 124280, in the Official Public Records of LAVACA County, Texas.

Current Mortgagee: Ditech Financial LLC

Mortgage Servicer: Ditech Financial LLC, whose address is C/O 3000 Bayport Drive, Suite 880, Tampa, FL 33607 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 LAVACA COUNTY, TEXAS, A PART OF THE W.H. LIVING SURVEY, A-285, SAME BEING THAT CERTAIN 2.00 ACRE TRACT OF LAND DESCRIBED IN A DEED OF GIFT FROM OLIVER FRED SCHOPPE AND WIFE, BONNIE LEE SCHOPPE TO THOMAS R. CAUSEY AND WIFE, VICKI CAUSEY, DATED JANUARY 7, 1982 AND RECORDED IN VOLUME 346, PAGE 682 OF THE DEED RECORDS OF LAVACA COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES.

Date of Sale: 01/02/2019 Earliest Time Sale Will Begin: 10:00 AM

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 Megan L. Randle as Substitute Trustee, Ebbie Murphy as Successor Substitute Trustee, Patricia Sanders as Successor Substitute Trustee, Aarti Patel as Successor Substitute Trustee, Dan Hart as Successor Substitute Trustee, Doug Woodard as Successor Substitute Trustee, Frederick Britton as Successor Substitute Trustee, Jonathan Schendel as Successor Substitute Trustee, Maryna Danielian as Successor Substitute Trustee, Pamela Thomas 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.

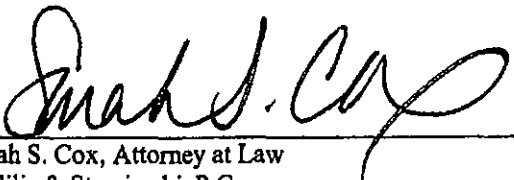


Place of Sale of Property: The foreclosure sale will be conducted in the area designated by the LA VACA County Commissioners Court pursuant to Section 51.002 of the Texas Property Code as the place where the foreclosure sales are to take place, or if no place is designated by the Commissioners Court,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

Executed on this the 6th day of December, 2018.

For Information:

"Auction.com
1 Mauchly
Irvine, CA 92618



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

Posted and filed by: 

Printed Name: Megan L. Rancello

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EXHIBIT A

All that certain tract or parcel of land situated in Lavaca County, Texas, a part of the W. H. Living Survey, A-285, same being that certain 2.00 acre tract of land described in a Deed of Gift from Oliver Fred Schoppe and wife, Bonnie Lee Schoppe to Thomas R. Causey and wife, Vicki Causey, dated January 7, 1982 and recorded in Volume 346, Page 682 of the Deed Records of Lavaca County, Texas, and being more particularly described by metes and bounds as follows, to-wit:

BEGINNING at an iron rod found for the Northeast corner, same being the Northeast corner of the said Thomas R. Causey, et ux. 2.00 acre tract, same being $S 69^{\circ}57'00'' W 543.4$ feet from the Northeast corner of a 14.50 acre tract of land described in a deed to Oliver Schoppe in Volume 307, Page 774, same lying in the Southeast margin of County Road 157, also known as Ridgeline Road;

THENCE, along the Northeast boundary of the said Thomas R. Causey, et ux. 2.00 acre tract, $S 19^{\circ}18'14'' E 295.16$ feet to an iron rod found for the Southeast corner of the said Thomas R. Causey, et ux. 2.00 acre tract;

THENCE, along the Southeast boundary of the said Thomas R. Causey, et ux. 2.00 acre tract, $S 69^{\circ}57'00'' W 295.16$ feet to an iron rod found for the Southwest corner of the said Thomas R. Causey, et ux. 2.00 acre tract;

THENCE, along the Southwest boundary of the said Thomas R. Causey, et ux. 2.00 acre tract, $N 19^{\circ}18'14'' W 295.16$ feet to an iron rod found for the Northwest corner of the said Thomas R. Causey, et ux. 2.00 acre tract, same lying in the Southeast margin of said Ridgeline Road;

THENCE, along the Northwest boundary of the said Thomas R. Causey, et ux. 2.00 acre tract and the Southeast margin of said Ridgeline Road, $N 69^{\circ}57'00'' E 295.16$ feet to the place of beginning, containing 2.00 acres of land.

TO THE LIENHOLDERS AND/OR THE OWNERS OF THE PREMISES SURVEYED AND TO THE TITLE COMPANY:

The undersigned does hereby certify that this survey was this day made on the ground of the property legally described hereon and is correct, and that there are no discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, easements, or rights of way, except as shown hereon, and that said property has access to and from a dedicated roadway.