

FILED

2016 OCT 11 PM 1:05

STATE CLERK
COLLIN COUNTY, TEXAS
BY: [Signature] DEPUTY

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

WHEREAS, on September 24, 1999, Carol A. Sells ("Borrower") executed a Land and Manufactured Home Deed of Trust in favor of The CIT Group/Sales Financing, Inc. ("Deed of Trust"). The Deed of Trust was recorded in Instrument Number 99-0122055 in Collin County, Texas on September 30, 1999; and

WHEREAS, U.S. Bank, N.A., as trustee for Lehman ABS Manufactured Housing Contract Senior/Subordinate Asset-Backed Certificate Trust, Series 2001-B, by Ditech Financial LLC FKA Green Tree Servicing LLC ("Ditech") is now the owner and holder of the Deed of Trust; and

WHEREAS, Jamie E. Silver, B. Bruce Johnson, Natalie Paul, Briea DiMarco, Alexandra Sallade, Lori McCarty, Russell Stockman, David Stockman, Denise Boerner, Donna Stockman, Brenda Wiggs, Guy Wiggs, Tim Lewis, Robert Ortolani, Mary Mancuso, Michele Hreha, or Shelley Ortolani have been appointed Substitute Trustee in place of the original Trustee, with all rights, powers, and immunities of the original Trustee; and

WHEREAS, default has occurred under the Deed of Trust and Ditech has instructed the Substitute Trustee to sell the property under the following terms and conditions.

Property To Be Sold. SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN AND ALL GOODS THAT ARE OR WILL BE FIXTURES AND THAT ARE OR WILL BE LOCATED ON THE PREMISES, INCLUDING, WITHOUT LIMITATION, THE 2000 66 X 28 REDMAN MANUFACTURED HOME RIVIERA MODEL, BEARING SERIAL NO. 12330942A/B, AND REPLACEMENTS OF AND ADDITIONS TO THESE FIXTURES, ALL OF WHICH GRANTOR AGREES ARE OR WILL BE PART OF AND AFFIXED TO THE REAL ESTATE DESCRIBED IN THIS PARAGRAPH

Date, Time and Place of Sale:

Date: November 1, 2016

Time: Beginning no earlier than 10:00 a.m. and no later than three hours thereafter.

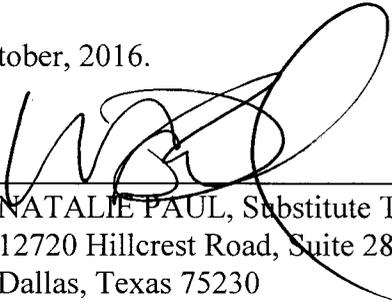
Place: Collin County Texas in the area designated by the Commissioner's Court of Collin County pursuant to section 51.002 of the Texas Property Code or, if no area is designated by the Commissioner's Court, then the Southwest entrance of the Jack Hatchell Collin County Administration Building located at 2300 Bloomdale Road, Mckinney, Texas 75071.

Terms of Sale. The sale will be conducted as a public auction to the highest bidder for cash and shall not cover any part of the property that has been released of public record. The beneficiary has the right to direct the Substitute Trustee to sell the property in one or more parcels and/or to sell all or only part of the property. Except to the extent that the Substitute Trustee may bind and obligate the Borrower to warrant title to the property under the terms of the Deed of Trust, the property will be sold in "AS IS, WHERE IS" without any representations and warranties, whatsoever, express or implied, and subject to all matters of record affecting the property. The Substitute 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 Substitute Trustee. The beneficiary may postpone, withdraw or reschedule the sale and the Substitute Trustee need not announce the postponement, withdrawal or rescheduling. The beneficiary may appoint another Substitute Trustee to conduct the sale. Questions concerning the sale may be directed to the undersigned or to the beneficiary, Ditech at (800) 544-8056.

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.

Dated this 11th day of October, 2016.



NATALIE PAUL, Substitute Trustee
12720 Hillcrest Road, Suite 280
Dallas, Texas 75230
(972) 788-4610 telephone
(972) 386-7694 telecopier

No. 199-02897-2015

U.S. BANK, N.A., AS TRUSTEE FOR: LEHMAN ABS MANUFACTURED HOUSING CONTRACT SENIOR/SUBORDINATE ASSET-BACKED CERTIFICATE TRUST, SERIES 2001-B, BY GREEN TREE SERVICING LLC,)	IN THE DISTRICT COURT OF
)	
Plaintiff,)	COLLIN COUNTY, TEXAS
)	
VS.)	
)	
DAVID A. STRIVE,)	
)	
Defendant.)	199 th JUDICIAL DISTRICT

AGREED FINAL JUDGMENT

On this day came the parties and announced an agreed settlement. The citation, with the officer's return thereon, has been on file with the Clerk of this Court for at least ten days, exclusive of the day of filing and of this day, and no jury having been demanded, this cause proceeded to the Court on agreement of matters of fact as well as of law; and it appearing to the Court that Plaintiff's cause of action is liquidated and proven; and that Plaintiff is entitled to recover judgment against the Defendant, David A. Strive, as the heir at law of Carol A. Sells ("Heir"), it is, accordingly;

IT IS ORDERED, ADJUDGED and DECREED that the Heir is David A. Strive. There are no other heirs at law of Carol A. Sells.

IT IS FURTHER ORDERED that U.S. Bank, N.A., as trustee for Lehman ABS Manufactured Housing Contract Senior/Subordinate Asset-Backed Certificate Trust, Series 2001-B, by Green Tree Servicing LLC ("Green Tree") is granted a judgment against the Heir for Enforcement of Statutory Probate Lien pursuant to the Texas Uniform Declaratory Judgment Act, Tex. Civ. Prac. & Rem. Code § 37.001, et seq., as Green Tree has an *in rem* lien against the property described in Exhibit "A" attached hereto ("Property") under the terms of the Note and Deed of Trust and statutory authority.

IT IS FURTHER ORDERED that subject to Tex. Estates Code § 101.001, Decedent's interest in the Property was immediately vested in Decedent's Heir upon Decedent's death pursuant to Tex. Estates Code § 101.001. By reason of Green Tree's statutory probate lien, Green Tree has an enforceable and superior lien against the Heir's interest in the Property.

IT IS FURTHER ORDERED that in accordance with Tex. Const. art. XVI, § 50a(6)(D), Green Tree may proceed with foreclosure of the Property pursuant to Tex. R. Civ. P. 735(3) and 736.

AGREED FINAL JUDGMENT

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IT IS FURTHER ORDERED that Ditech is entitled to non-judicial foreclosure of the Property pursuant to the terms of the Note and Deed of Trust and Tex. Prop. Code § 51.002 with respect to all Defendants who are obligors of the Note and Deed of Trust due to a material breach of the Note and Deed of Trust. Green Tree is further entitled to enforce its statutory lien by non-judicial foreclosure against the Heir under the terms of the Note and Deed of Trust and Tex. Prop. Code § 51.002.

IT IS FURTHER ORDERED pursuant to the Texas Uniform Declaratory Judgment Act, Tex. Civ. Prac. & Rem. Code § 37.001, et seq., that after enforcing its security interest, Green Tree has all right to and interest in the Property and that all of Defendant's and Heir's Interest in the Property shall be vested in Green Tree.

IT IS FURTHER ORDERED pursuant to the Texas Uniform Declaratory Judgment Act that the Defendant and Heir is divested of all of his right, title and interest in the Property and that all of Defendant's right, title, and interests in the Property are vested in Green Tree.

IT IS FURTHER ORDERED If a Defendant or any other person ("Occupant") occupies or claims possession of the Property after transfer of all right, title and interest in the Property by trustee or sheriff's deed, the Court shall grant a writ of possession against Occupant in accordance with Tex. R. Civ. P. 310.

IT IS FURTHER ORDERED that the value of the property is \$100,840.00 and there is no equity in the Property in favor of the Heir;

IT IS FURTHER ORDERED that the Heir waives notice of the foreclosure sale.

SIGNED this 24th day of May, 2016.


JUDGE PRESIDING

Order Approved for Entry by:



JAMIE B. SILVER
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(972) 386-7894 telecopier
Email: legalservice@lawbbi.com
ATTORNEY FOR PLAINTIFF

David Strive

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ATTORNEY AD LITEM

4512 2902

EXHIBIT "A"

SITUATED in Collin County, Texas, in the R.A. Johnson Survey, Abstract No. 479, and in the Ezra Shelby Survey, Abstract No. 819, being a part of the 257.022 acre tract described in a deed from Samurai Properties and Leasing, Inc. to Henry H. Dickerson, Jr., Trustee, dated July 6, 1973, recorded in Volume 874, Page 782 of the Collin County Deed Records, being described by metes and bounds as follows:

COMMENCING at an existing Iron pin set at the Northeast corner of said 257.022 acre tract in the center of an East-West rock road at the projection of an established fence and hedge row from the South; THENCE South 89 deg. 52 min. West, 826.01 feet with the North line of said 257.022 acre tract and the center of said road to an iron pin set therein for a corner; THENCE South 47 deg. 38 min. 27 sec. West, 2771.79 feet to a point in the center of a North-South road for a PLACE OF BEGINNING;

THENCE North 76 deg. 51 min. 26 sec. West, passing an iron pin set at 30 feet and a second iron pin set at 300 feet, and continuing in all 478.27 feet to a point in the center of Throckmorton Creek for a corner;

THENCE Northerly up the center of said creek as follows:

- North 59 deg. 41 min. West, 63.0 feet;
- North 10 deg. 18 min. West, 55.5 feet;
- North 40 deg. 00 min. East, 104.5 feet;
- North 17 deg. 02 min. East, 124.0 feet to a point in the center of said creek for a corner;

THENCE South 66 deg. 13 min. 48 sec. East, passing an iron pin set at 249.06 feet and a second iron pin set at 519.06 feet and continuing in all 547.06 feet to a point in the center of said road for a corner;

THENCE South 23 deg. 46 min. 10 sec. West, 108.45 feet with the center of said road to the PLACE OF BEGINNING and containing 2.982 acres of land.

NOTE: The Company does not represent that the above acreage or square footage calculations are correct.

ANY PROVISIONS HEREIN WHICH VIOLATE THE STATE POLICY OF THE
DECLARANT REAL PROPERTY RIGHTS OF WOMEN IN TEXAS AND
UNLAWFUL DISCRIMINATION ACT (COUNTY OF COLLIN
FOR STATE OF TEXAS)
I hereby certify that the foregoing was read to me in my presence by the clerk
of the court and that the same was recorded in the public
records of said County in Book _____ Page _____

SEP 30 1999

Helen Starbes



Filed for Record in:
COLLIN COUNTY, TX
HONORABLE HELEN STARBES

On 1999/09/30

At 3:35P

Number: 99-0122055
Type: DT 25.00