

NOTICE OF MORTGAGE

FORECLOSURE SALE

THE RIGHT TO VERIFICATION OF THE DEBT AND IDENTITY OF THE ORIGINAL CREDITOR WITHIN THE TIME PROVIDED BY LAW IS NOT AFFECTED BY THIS ACTION.

NOTICE IS HEREBY GIVEN, that default has occurred in conditions of the following described mortgage:

DATE OF MORTGAGE:

May 3, 2005

MORTGAGOR:

Billie Jo Berry, a single woman.

MORTGAGEE: Mortgage Electronic Registration Systems, Inc.

DATE AND PLACE OF RECORDING: Recorded June 23, 2005 Dakota County Recorder, Document No. 2333601.

ASSIGNMENTS OF MORTGAGE: Assigned to: The Bank of New York Mellon, f/k/a The Bank of New York, as Successor-in-Interest to JPMorgan Chase Bank, N.A., as Trustee for Structured Asset Mortgage Investments II Trust 2005-AR3, Mortgage Pass-Through Certificates, Series 2005-AR3.

Dated August 1, 2012 Recorded August 23, 2012, as Document No. 2889373.

TRANSACTION AGENT: Mortgage Electronic Registration Systems, Inc.

TRANSACTION AGENT'S MORTGAGE IDENTIFICATION NUMBER ON MORTGAGE:

1001908-2111108330-6

LENDER OR BROKER AND MORTGAGE ORIGINATOR STATED ON MORTGAGE:

Southstar Funding

RESIDENTIAL MORTGAGE SERVICER:

Select Portfolio Servicing, Inc.

MORTGAGED PROPERTY ADDRESS: 3569 Baltic Avenue, Eagan, MN 55122

TAX PARCEL I.D. #:

10-31900-03-060

LEGAL DESCRIPTION OF PROPERTY:

Lot 6, Block 3, Hampton Heights, Dakota County, Minnesota.

COUNTY IN WHICH PROPERTY IS LOCATED: Dakota

ORIGINAL PRINCIPAL AMOUNT OF MORTGAGE: \$215,200.00

AMOUNT DUE AND CLAIMED TO BE DUE AS OF DATE OF NOTICE, INCLUDING TAXES, IF ANY, PAID BY MORTGAGEE:

\$227,283.54

That prior to the commencement of this mortgage foreclosure proceeding Mortgagee/Assignee of Mortgagee complied with all notice requirements as required by statute; That no action or proceeding has been instituted at law or otherwise to recover the debt secured by said mortgage, or any part thereof;

PURSUANT to the power of sale contained in said mortgage, the above described property will be sold by the Sheriff of said county as follows:

DATE AND TIME OF SALE:

December 6, 2018 at 10:00 AM

PLACE OF SALE: Sheriff's Office, Law Enforcement Center, 1580 Hwy 55, Lobby #S-100, Hastings, MN

to pay the debt then secured by said Mortgage, and taxes, if any, on said premises, and the costs and disbursements, including attorneys' fees allowed by law subject to redemption within six (6) months from the date of said sale by the mortgagor(s), their personal representatives or assigns unless reduced to Five (5) weeks under MN Stat. §580.07.

TIME AND DATE TO VACATE PROPERTY: If the real estate is an owner-occupied, single-family dwelling, unless otherwise provided by law, the date on or before which the mortgagor(s) must vacate the property if the mortgage is not reinstated under section 580.30 or the property is not redeemed under section 580.23 is 11:59 p.m. on June 6, 2019, unless that date falls on a weekend or legal holiday, in which case it is the next weekday, and unless the redemption period is reduced to 5 weeks under MN Stat. Secs. 580.07 or 582.032.

MORTGAGOR(S) RELEASED FROM FINANCIAL OBLIGATION ON MORTGAGE: None

"THE TIME ALLOWED BY LAW FOR REDEMPTION BY THE MORTGAGOR, THE MORTGAGOR'S PERSONAL REPRESENTATIVES OR ASSIGNS, MAY BE REDUCED TO FIVE WEEKS IF A JUDICIAL ORDER IS ENTERED UNDER MINNESOTA STATUTES, SECTION 582.032, DETERMINING, AMONG OTHER THINGS, THAT THE MORTGAGED PREMISES ARE IMPROVED WITH A RESIDENTIAL DWELLING OF LESS THAN FIVE UNITS, ARE NOT PROPERTY USED IN AGRICULTURAL PRODUCTION, AND ARE ABANDONED."

Dated: October 4, 2018

The Bank of New York Mellon f/k/a The Bank of New York, as Trustee Mortgagee/Assignee of Mortgagee

USSET, WEINGARDEN AND LIEBO, P.L.L.P.

Attorneys for Mortgagee/Assignee of Mortgagee

4500 Park Glen Road #300

Minneapolis, MN 55416

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THIS IS A COMMUNICATION FROM A DEBT COLLECTOR.

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NOTICE OF POSTPONEMENT OF MORTGAGE FORECLOSURE SALE

Pursuant to the provisions of Minnesota Statutes 580.07, the foregoing foreclosure sale is postponed until February 7, 2019 at 10:00 AM at the Sheriff's Office, Law Enforcement Center, 1580 Hwy 55, Lobby #S-100, Hastings, MN, in said county and state.

Dated: December 5, 2018.

The Bank of New York Mellon fka The Bank of New York, as Trustee Mortgagee/Assignee of Mortgagee

USSET, WEINGARDEN AND LIEBO, P.L.L.P.

Attorneys for Mortgagee/Assignee of Mortgagee

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