

FILED FOR RECORD
IN MY OFFICE
AT 1:35 O'CLOCK P M

SEP 09 2019

2059 FM1186
DEBERRY, TX 75639

BOBBIE DAVIS
COUNTY CLERK, PANOLA COUNTY, TEXAS
BY P. Woodland DEPUTY 0000008489650

NOTICE OF [SUBSTITUTE] 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.

1. Date, Time, and Place of Sale.

Date: October 01, 2019

Time: The sale will begin at 12:00 PM or not later than three hours after that time.

Place: THE STEPS ON THE EAST SIDE OF THE PANOLA COUNTY COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONERS or as designated by the county commissioners.

2. Terms of Sale: Cash

3. Instrument to be Foreclosed. The Instrument to be foreclosed is the Deed of Trust or Contract Lien dated February 16, 2011 and recorded in Document VOLUME 1613, PAGE 308 real property records of PANOLA County, Texas, with BRANDON CHRISTOPHER SMITH, grantor(s) and WALTER MORTGAGE COMPANY, LLC, mortgagee.

4. Obligations Secured. Deed of Trust or Contract Lien executed by BRANDON CHRISTOPHER SMITH, securing the payment of the indebtednesses in the original principal amount of \$88,000.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. THE BANK OF NEW YORK MELLON, AS INDENTURE TRUSTEE, FOR MID-STATE CAPITAL CORPORATION 2010-1 TRUST is the current mortgagee of the note and Deed of Trust or Contract Lien.

5. Property to Be Sold. The property to be sold is described in the attached Exhibit A.

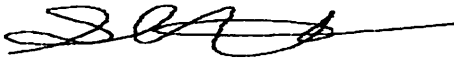
6. Mortgage Servicer Information. The Mortgage Servicer is authorized to represent the Mortgagee by virtue of a servicing agreement with the Mortgagee. Pursuant to the Servicing Agreement and Texas Property Code § 51.0025, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the lien securing the Property referenced above. DITECH FINANCIAL LLC, as Mortgage Servicer, is representing the current mortgagee, whose address is:

c/o DITECH FINANCIAL LLC
345 SAINT PETER STREET
ST. PAUL, MN 55102



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.

The undersigned as attorney for the mortgagee or mortgage servicer does hereby remove the original trustee and all successor substitute trustees and appoints in their stead CAROL HAMPTON, TERRI WORLEY, SUE SPASIC OR LISA DELONG whose address is c/o BARRETT DAFFIN FRAPPIER TURNER & ENGEL, LLP, 4004 Belt Line Road, Suite 100, Addison, Texas 75001-4320 as Substitute Trustee, who shall hereafter exercise all powers and duties set aside to the said original trustee under the said Deed of Trust; and, further does hereby request, authorize, and instruct said Substitute Trustee to conduct and direct the execution of remedies set aside to the beneficiary therein.



Shawnika Harris

Certificate of Posting

My name is T. Worley, and my address is c/o 4004 Belt Line Road, Suite 100, Addison, Texas 75001-4320. I declare, under penalty of perjury that on 9-9-19 I filed at the office of the PANOLA County Clerk and caused to be posted at the PANOLA County courthouse this notice of sale.

Declarants Name: T. Worley
Date: 9-9-19

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PANOLA

EXHIBIT "A"

ALL THAT CERTAIN TRACT LOT OR PARCEL OF LAND, A PART OF THE L.T. HAMMER SURVEY A-335, PANOLA COUNTY, TEXAS, AND ALSO BEING A PART OF THAT CERTAIN TRACT OF LAND THAT IS DESCRIBED IN A DEED DATED OCTOBER 27, 2004 FROM MONICA RENA TURNER TO CHARONDA V. COLLINS THAT IS RECORDED IN VOLUME 1240 PAGE 218 (SUBJECT PROPERTY WAS NOT SURVEYED OUT) OF DESCRIBED AS FOLLOWS TO WIT;

BEGINNING AT A POINT FOR CORNER, FROM WHICH A ½ INCH IRON PIPE FOUND, BEARS SOUTH 81 DEGREES 25 MINUTES 33 SECONDS EAST, 1.14 FEET IN THE W.B.L. OF F.M. #1186 AND AT THE EASTERLY S.E.C. OF A CALLED 11.945 ACRE TRACT (VOL. 1196 PG. 449) SAID POINT ALSO BEING THE S.E.C. OF A PROPOSED 30.00 FEET EASEMENT;

THENCE SOUTH 72 DEGREES 07 MINUTES 03 SECONDS WEST, ALONG THE S.B.L. OF SAID AND THE EASTERLY S.B.L. OF SAID CALLED 11.945 ACRES AND THE S.B.L. OF SAID PROPOSED 30.00 FEET EASEMENT, FOR A DISTANCE OF 218.02 FEET TO A ½ INCH IRON ROD SET FOR CORNER, FROM WHICH A ¼ INCH PIPE FOUND FOR CORNER, AT AN ELL CORNER OF SAID CALLED 11.945 ACRES, BEARS SOUTH 72 DEGREES 07 MINUTES 26 SECONDS WEST, 200.60 FEET;

THENCE NORTH 18 DEGREES 37 MINUTES 23 SECONDS WEST, ALONG THE W.B.L. OF SAID TRACT AND ALONG THE RESIDUE OF A CALLED 2.00 ACRES (VOL. 1198 PG. 35) FOR A DISTANCE OF 174.70 FEET TO A POINT FOR CORNER FROM WHICH A ½ INCH IRON ROD SET FOR CORNER AT THE N.W.C. OF SAID TRACT, BEARS NORTH 18 DEGREES 37 MINUTES AND 23 SECONDS WEST, 25.32 FEET;

THENCE NORTH 69 DEGREES 00 MINUTES 13 SECONDS EAST, ACROSS SAID TRACT AND ALONG A FENCE, FOR A DISTANCE OF 218.19 FEET TO A POINT FOR CORNER IN THE E.P.L. OF SAID TRACT AND THE W.B.L. OF SAID FM #1186 FROM WHICH A ½ INCH IRON ROD SET FOR CORNER AT THE N.E.C. OF SAID TRACT, BEARS NORTH 18 DEGREES 37 MINUTES AND 23 SECONDS EAST, 13.47 FEET AND THE N.E.C. OF SAID CALLED 11.945 ACRES, BEARS NORTH 18 DEGREES 37 MINUTES 25 SECONDS WEST, 380.56 FEET;

THENCE SOUTH 18 DEGREES 37 MINUTES 23 SECONDS EAST, ALONG THE NORTHERLY E.B.L. OF SAID 11.945 ACRES, SAME BEING THE E.B.L. OF SAID TRACT AND THE W.B.L. OF SAID FM ROAD, FOR A DISTANCE OF 186.55 FEET TO THE PLACE OF BEGINNING CONTAINING 0.9039 ACRES.

BEING AN EASEMENT, 30.00 FEET IN WIDTH, UPON, OVER AND ACROSS ALL THAT CERTAIN TRACT LOT OR PARCEL OF LAND, A PART OF THE L.T. HAMMER SURVEY A-335, PANOLA COUNTY, TEXAS, AND ALSO BEING A PART OF THAT CERTAIN TRACT OF LAND THAT IS DESCRIBED IN A DEED DATED OCTOBER 27, 2004 FROM MONICA RENA TURNER OF CHARONDA V. COLLINS THAT IS RECORDED IN VOLUME 1240 PAGE 218 (SUBJECT PROPERTY WAS NOT SURVEYED OUT) OF THE REAL PROPERTY RECORDS OF PANOLA COUNTY, TEXAS, AND BEING MORE COMPLETELY DESCRIBED AS FOLLOWS TO WIT:

BEGINNING AT A POINT FOR CORNER AT THE S.E.C. OF SAID TRACT, SAME BEING AN ELL CORNER OF A CALLED 11.945 ACRES (VOL 1196 PG 449) AND BEING IN THE W.B. L. OF FM #1186, A ½ INCH IRON PIPE, BEARS SOUTH 81 DEGREES 25 MINUTES AND 33 SECONDS EAST, 1.14 FEET;

THENCE SOUTH 72 DEGREES 07 MINUTES AND 03 SECONDS WEST, ALONG THE S.B.L. OF SAID TRACT AND THE EASTERLY S.B.L. OF SAID CALLED 11.945 ACRES FOR A DISTANCE OF 218.02 FEET TO A ½ INCH IRON ROD SET FOR CORNER AT THE S.W.C. OF SAID TRACT AND S.E.C. OF THE RESIDENCE OF A CALLED 2.00 ACRES (VOL 1198 PG 35) AND AT THE END OF SAID EASEMENT.