

1815 COUNTY ROAD 108
CARTHAGE, TX 75633

NOTICE OF [SUBSTITUTE] TRUSTEE'S SALE

00000006772263
FILED FOR RECORD
IN MY OFFICE

12:00 P M

MAY 15 2017

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.

BOBBIE DAVIS
COUNTY CLERK, PANOLA COUNTY, TEXAS
BY *[Signature]* DEPUTY

1. **Date, Time, and Place of Sale.**

Date: June 06, 2017

Time: The sale will begin at 10:00AM 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 November 03, 2008 and recorded in Document VOLUME 1476, PAGE 223 real property records of PANOLA County, Texas, with CODY M. HERREN AND GAYLA HERREN, grantor(s) and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS") AS NOMINEE, mortgagee.

4. **Obligations Secured.** Deed of Trust or Contract Lien executed by CODY M. HERREN AND GAYLA HERREN, securing the payment of the indebtednesses in the original principal amount of \$157,422.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. MIDFIRST BANK 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. MIDLAND MORTGAGE, A DIVISION OF MIDFIRST BANK, as Mortgage Servicer, is representing the current mortgagee, whose address is:

c/o MIDLAND MORTGAGE, A DIVISION OF MIDFIRST BANK
999 N.W. GRAND BLVD STE 110
OKLAHOMA CITY, OK 73118-6077

[Signature: Carol Hampton]

SHERYL LAMONT, ROBERT LAMONT, DAVID SIMS, SHARON ST. PIERRE, HARRIETT FLETCHER, CAROL HAMPTON, AURORA CAMPOS, RAMIRO CUEVAS, PATRICK ZWIERS, KRISTOPHER HOLUB, FREDERICK BRITTON, DARLA BOETTCHER, SHAWN SCHILLER, OR ALLAN JOHNSTON
Substitute Trustee

c/o BARRETT DAFFIN FRAPPIER TURNER & ENGEL, LLP
4004 Belt Line Road, Suite 100
Addison, Texas 75001

Certificate of Posting

My name is _____, and my address is c/o 4004 Belt Line Road, Suite 100, Addison, Texas 75001. I declare under penalty of perjury that on _____ 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: _____

Date: _____



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EXHIBIT "A"

ALL THAT CERTAIN 4.788 ACRE TRACT OF LAND, A PART OF THE HENRY RUNNELS SURVEY, ABSTRACT NO. 567, PANOLA COUNTY, TEXAS, AND BEING ALL OF LOT NO. 5 OF BLOCK NO. 1 OF THE INDIAN CREEK SUBDIVISION PER PLAT RECORDED IN VOLUME 4, PAGE 108 OF THE PAT RECORDS OF PANOLA COUNTY, TEXAS, AND BEING THE SAME TRACT OF LAND DESCRIBED BY REFERENCE IN A DEED FROM JOHN K. CALN TO JAMES WESLEY MCTEE AND WIFE, LINDA MAE RAMIREZ MCTEE, DATED APRIL 5, 1977, RECORDED IN VOLUME 614, PAGE 741 OF THE DEED RECORDS OF PANOLA COUNTY, TEXAS, AND THE SAID 4.788 ACRE SUBJECT TRACT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 3/8 INCH IRON ROD FOUND FOR THE SOUTHWEST CORNER OF THE SUBJECT LOT NO. 5, ALSO BEING THE SOUTHEAST CORNER OF LOT NO. 7 OF THE SAID BLOCK NO. 1, AS DESCRIBED IN A DEED FROM TIMOTHY O. CULPEPPER, ET UX, TO JOHN C. LEHMAN, ET UX, DATED MAY 19, 2000, RECORDED IN VOL. 1092, PAGE 42 OF THE OFFICIAL PUBLIC RECORDS OF PANOLA COUNTY, TEXAS;

THENCE NORTH 8 DEG. 57' 07" WEST WITH THE EAST BOUNDARY LINE OF THE SAID LOT NO. 7 A DISTANCE OF 238.44 FEET TO A 1/2 INCH IRON ROD SET FOR THE NORTHWEST CORNER OF THE SUBJECT LOT NO. 5, ALSO BEING THE SOUTHWEST CORNER OF LOT NO. 4 AS DESCRIBED IN A DEED FROM JOHN L. ROBERTSON TO VASTAR RESOURCES, INC., DATED JANUARY 20, 1997, RECORDED IN VOLUME 994, PAGE 310 OF THE SAID OFFICIAL PUBLIC RECORDS, WHICH BEARS SOUTH 8 DEG. 57' 07" EAST A DISTANCE OF 43.95 FEET FROM A 3/4 INCH IRON PIPE FOUND FOR THE NORTHEAST CORNER OF THE AFORESAID LOT NO. 7;

THENCE NORTH 80 DEG. 55' 15" EAST WITH THE SOUTH BOUNDARY LINE OF THE SAID LOT NO. 4 A DISTANCE OF 803.91 FEET TO A POINT FOR THE NORTHEAST CORNER OF THE SUBJECT LOT IN THE CENTER OF PANOLA COUNTY ROAD NO. 108, FROM WHICH A 1/2 INCH IRON ROD FOUND FOR A REFERENCE CORNER BEARS SOUTH 80 DEG. 55' 15" WEST AT A DISTANCE OF 29.81 FEET;

THENCE SOUTH 21 DEG. 13' 37" EAST GENERALLY WITH THE SAID COUNTY ROAD ALONG THE EAST BOUNDARY LINE OF THE SUBJECT LOT A DISTANCE OF 269.49 FEET TO A POINT FOR ITS SOUTHEAST CORNER, FROM WHICH A 1/2 INCH IRON ROD SET FOR A REFERENCE CORNER BEARS SOUTH 82 DEG. 35' 05" WEST A DISTANCE OF 30.00 FEET;

THENCE SOUTH 82 DEG. 35' 05" WEST GENERALLY WITH A FENCE ALONG THE EASTERLY SOUTH BOUNDARY LINE OF BLOCK NO. 1 OF THE SAID INDIAN CREEK SUBDIVISION A DISTANCE OF 861.51 FEET TO THE POINT OF BEGINNING, CONTAINING A TOTAL AREA OF 4.788 ACRES, MORE OR LESS.



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