

FILED FOR RECORD  
IN MY OFFICE  
AT 12 O'CLOCK P M

OCT 06 2022

1815 COUNTY ROAD 108  
CARTHAGE, TX 75633

BOBBIE DAVIS  
COUNTY CLERK, PANOLA COUNTY, TEXAS 000009612250  
BY J McDonald DEPUTY

**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: December 06, 2022

Time: The sale will begin at 10:00 AM 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; AS AFFECTED BY LOAN MODIFICATION AGREEMENTS VOLUME 1935, PAGE 489, VOLUME 2080, PAGE 393 & VOLUME 2158, PAGE 20 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



**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 SHERYL LAMONT, ROBERT LAMONT, RONNIE HUBBARD, SHARON ST. PIERRE, ALLAN JOHNSTON, RAMIRO CUEVAS, AURORA CAMPOS, JONATHAN HARRISON, SHAWN SCHILLER, PATRICK ZWIERS, DARLA BOETTCHER, DANA KAMIN, LISA BRUNO, MERYL OLSEN, AUCTION.COM, 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.



Israel Saucedo

**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 10/6/22 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: 10/6/22

**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 PLAT RECORDS OF PANOLA COUNTY, TEXAS, AND BEING THE SAME TRACT OF LAND DESCRIBED BY REFERENCE IN A DEED FROM JOHN K. CAIN 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.