

109 CHUCK STREET
ATLANTA, TX 75551

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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: August 06, 2024

Time: The sale will begin at 10:00 AM or not later than three hours after that time.

Place: THE NORTHSIDE DOOR OF THE CASS 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 July 1, 2010 and recorded in Document INSTRUMENT NO. 2010003428 real property records of CASS County, Texas, with JOHN ANTHONY LUZIO AND WIFE JODI RENE LUZIO, grantor(s) and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS") AS NOMINEE, mortgagee.

4. **Obligations Secured.** Deed of Trust or Contract Lien executed by JOHN ANTHONY LUZIO AND WIFE JODI RENE LUZIO, securing the payment of the indebtednesses in the original principal amount of \$93,712.00, and obligations there 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 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, 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

AMY L. VARNELL
CASS COUNTY CLERK

2024 JUN -6 AM 11:37

FILED FOR RECORD



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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 successive substitute trustees and appoints in their stead ROBERT LAMONT, HARRIETT FLETCHER, RONNIE HUBBARD, SHERYL LAMONT, ALLAN JOHNSTON, RAMIRO CUEVAS, AURORA CAMPOS, JONATHAN HARRISON PATRICK ZWIERS, DARLA BOETTCHER, DANA KAMIN, LISA BRUNO, AUCTION.COM, SHANNAH WALKER, KEVIN MCCARTHY, AL DAVIS, MURPHY HOWLE OR BEATRICE CARRILLO 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 Kevin McCarthy, and my address is c/o 4004 Belt Line Road, Suite 100 Addison, Texas 75001-4320. I declare under penalty of perjury that on _____ I filed at the office of the CASS County Clerk and caused to be posted at the CASS County courthouse this notice of sale.

Declarant's Name: _____

Date: _____

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EXHIBIT "A"

ALL THAT CERTAIN 0.457 ACRE TRACT OF LAND IN THE CITY OF ATLANTA, JANE RICHEY SURVEY, A.877 IN CASS CO. TX. BEING ALL OF TRACT NO. 1, LOT NUMBERED FIVE (5) IN BLOCK NO. 1 OF THE EAST ACRES ADDITION A RECORDED IN CABINET A, SLIDE 226 OF THE PLAT RECORDS AND TRACT NO. 2; ALL AS CONVEYED TO PATRICIA J. BUZBEE ET AL BY WARRANTY DEED WITH VENDOR'S LIEN RECORDED IN FILE 42860 OF THE OFFICIAL PUBLIC RECORDS OF CASS CO., TX, SAID 0.457 ACRE TRACT OF LAND IS MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" REBAR SET AT THE BACK OF CURB, THE WEST LINE OF CHUCK ST. FOR THE NORTHEAST CORNER OF LOT NUMBERED FOUR (4), THE SOUTHEAST CORNER OF LOT 5, TRACT NO. 1 AND OF THIS DESCRIBED;

THENCE N 79DEG 14'05" W (BASIS OF BEARING SOLAR OBSERVATION), 121.78' ALONG A LINE AND CHAIN LINK FENCE TO A CHAIN LINK FENCE CORNER POST FOUND FOR THE NORTHWEST CORNER OF LOT 4, THE NORTHEAST CORNER OF THE RESIDUE OF A TRACT OF LAND CONVEYED TO BILL EASON ET UX BY WARRANTY DEED RECORDED VOL. 1068, PG 862, THE SOUTHEAST CORNER OF TRACT NO. 2, THE SOUTHWEST CORNER OF LOT 5, AND TRACT NO. 1;

THENCE S 88DEG 13' 17" W, 64.80' ALONG A CHAINLINK FENCE TO A CHAINLINK FENCE CORNER POST FOUND ON THE EAST LINE OF A 1.28 ACRE TRACT OF LAND CONVEYED TO JOHN C. TURNER ET UX BY WARRANTY DEED RECORDED IN VOL. 579, PG. 105, THE NORTHWEST CORNER OF SAID EASON RESIDUE, THE SOUTHWEST CORNER OF TRACT NO. 2, AND OF THIS DESCRIBED TRACT, FROM WHICH A 3/4 IRON PIPE FOUND FOR REFERENCE BEARS S 84DEG 44' 38" W 1.40';

THENCE N 00DEG 38' 00" E, 99.29' ALONG A CHAINLINK FENCE TO A CHAINLINK FENCE CORNER POST FOUND IN THE SOUTH LINE OF A 93.5 ACRE TRACT OF LAND CONVEYED TO ADA CAMERON ET VIR. BY WARRANTY DEED RECORDED IN VOL. W-4, PG. 305, FOR THE NORTHEAST CORNER OF SAID TURNER TRACT, THE NORTHWEST CORNER OF TRACT NO. 2, THE WEST NORTHWEST CORNER OF THIS DESCRIBED TRACT;

THENCE: S 88DEG 40' 22" E, 62.78' ALONG A CHAINLINK FENCE TO A CHAINLINK FENCE CORNER POST FOUND FOR THE SOUTH SOUTHEAST CORNER OF SAID CAMERON TRACT. THE NORTHEAST CORNER OF TRACT NO. 2, AN INTERIOR CORNER OF THIS DESCRIBED TRACT;

THENCE: N 00DEG 31'22" E, 17.75' ALONG A CHAINLINK FENCE TO A CHAINLINK FENCE CORNER POST FOUND FOR THE SOUTHWEST CORNER OF LOT NUMBERED SIX (6), THE NORTHWEST CORNER OF LOT 5 AND TRACT NO. 1, THE NORTH NORTHWEST CORNER OF THIS DESCRIBED TRACT;

THENCE: S 79DEG 42' 04" E, 122.00' ALONG A CHAINLINK FENCE TO A 1/2" REBAR SET AT THE BACK OF CURB, THE WEST LINE OF CHUCK ST, FOR THE SOUTHEAST CORNER OF LOT 6, THE NORTHEAST CORNER OF LOT 5, TRACT NO. 2, AND OF THIS DESCRIBED TRACT;

THENCE: S 00DEG 10' 41"E 114.51' ALONG SAID WEST LINE TO THE POINT OF BEGINNING, CONTAINING 0.457 ACRE OF LAND, MORE OR LESS