

F20230002

1254 US HIGHWAY 385
BROWNFIELD, TX 79316-7110

0000009815853

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 01, 2023

Time: The sale will begin at 1:00 PM or not later than three hours after that time.

Place: INSIDE NORTH ENTRANCE OF TERRY COUNTY COURTHOUSE, 500 WEST MAIN, BROWNFIELD, TEXAS 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 August 17, 2018 and recorded in Document INSTRUMENT NO. 275859; AS AFFECTED BY LOAN MODIFICATION AGREEMENT INSTRUMENT NO. 284872 real property records of TERRY County, Texas, with JERRY HODGES AND SARAH E HODGES, HUSBAND AND WIFE, grantor(s) and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS") AS NOMINEE, mortgagee.

4. Obligations Secured. Deed of Trust or Contract Lien executed by JERRY HODGES AND SARAH E HODGES, HUSBAND AND WIFE, securing the payment of the indebtednesses in the original principal amount of \$132,554.00, 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

FILED FOR RECORD	
BY: <i>Jeffrey Carr</i>	
134	
CLOCK	JUN 01 2023 P.M.
COUNTY CLERK-TERRY COUNTY, TEXAS	



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 RONALD BYRD, KEVIN KEY, JAY JACOBS, RAMIRO CUEVAS, CARY CORENBLUM, LISA BRUNO, CHARLES GREEN, PATRICK ZWIERS, AUCTION.COM, JOHN MCCARTHY, OR DAVID 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

Israel Saucedo - *DAVID Carrillo*

Certificate of Posting

My name is *DAVID Carrillo*, and my address is c/o 4004 Belt Line Road, Suite 100, Addison, Texas 75001-4320. I declare under penalty of perjury that on *6-1-2023* I filed at the office of the TERRY County Clerk and caused to be posted at the TERRY County courthouse this notice of sale.

Declarants Name: *DAVID Carrillo*

Date: *6-1-2023*

EXHIBIT "A"

A 1.68 ACRE TRACT OF LAND OUT OF THE SOUTH PART OF THAT CERTAIN 5.00 ACRE TRACT DESCRIBED IN DEED FROM JENNIFER LAYNE FARRAR MATLOCK AND STACEY RYAN FARRAR TO LESLIE ELAYNE FARRAR, DATED JULY 29, 2014 AND RECORDED IN VOLUME 872, PAGE 658, OFFICIAL PUBLIC RECORDS, TERRY COUNTY, TEXAS, BEING LOCATED IN THE CENTRAL PART OF SECTION 110, BLOCK T, D. & W. RY. CO. SURVEY, TERRY COUNTY, TEXAS, SAID 1.68 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT 1/2" IRON ROD FOUND IN THE NORTHEASTERLY RIGHT-OF-WAY LINE OF U.S HIGHWAY 385 (R/W V. 60, P. 119, D.R.) FOR THE SOUTHWEST CORNER OF SAID 5.00 ACRE TRACT, AND FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE S. 88°20'40"E. 250.00 FEET TO A 1/2" IRON ROD WITH CAP MARKED "NEWTON SURVEYING" FOUND FOR THE SOUTHEAST CORNER OF SAID 5.00 ACRE TRACT, AND FOR THE SOUTHEAST CORNER OF THIS TRACT (ALL BEARINGS ARE COMPARED TO THE TEXAS COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE, ALL DISTANCES ARE TRUE AT AN AVERAGED SURFACE ELEVATION);

THENCE N.1°39'20"E., ALONG THE EAST LINE OF SAID 5.00 ACRE TRACT, A DISTANCE OF 265.00 FEET TO A 1/2" IRON ROD WITH CAP MARKED "NEWTON SURVEYING" SET FOR THE NORTHEAST CORNER OF THIS TRACT;

THENCE N.88°20'40"W. 165.00 FEET TO A 1/2" IRON ROD WITH CAP MARKED "NEWTON SURVEYING" SET FOR A CORNER OF THIS TRACT;

THENCE S.65°15'55"W.182.15 FEET TO A 1/2" IRON ROD WITH CAP MARKED "NEWTON SURVEYING" SET IN SAID NORTHEASTERLY HIGHWAY RIGHT-OF-WAY LINE, FOR THE NORTHWEST CORNER OF THIS TRACT, FROM WHICH A RAILROAD SPIKE FOUND FOR THE NORTHWEST CORNER OF SAID SECTON 110 BEARS N. 21°21'37"W. 2770.64 FEET AND N.88°01'52"W. 103.25 FEET;

THENCE S.21°21'37"E., ALONG SAID NORTHEASTERLY HIGHWAY RIGHT-OF-WAY LINE, 200.00 FEET TO THE PLACE OF BEGINNING.