

537 CEDAR STREET
WINNIE, TX 77665

0000008496192

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 10:00 AM or not later than three hours after that time.

Place: THE EASTERN STEPS, SECOND LEVEL (MIDDLE FLOOR) OF THE CHAMBERS 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 August 22, 2002 and recorded in Document VOLUME 02 574, PAGE 823 real property records of CHAMBERS County, Texas, with DELBERT D SMITH JR AND JULIE SMITH, grantor(s) and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., ("MERS"), AS NOMINEE, mortgagee.

4. Obligations Secured. Deed of Trust or Contract Lien executed by DELBERT D SMITH JR AND JULIE SMITH, securing the payment of the indebtednesses in the original principal amount of \$59,073.00, 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

UJ-165-2019-2884

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 AMY BOWMAN, REID RUPLE, EVAN PRESS, CARY CORENBLUM, AARTI PATEL, JOSHUA SANDERS, JIM DOLENZ, MARIEL MARROQUIN, PAULETTE MCCRARY, KRISTOPHER HOLUB, JULIAN PERRINE, TOMMY JACKSON, RON HARMON, TIFFANY BEGGS, GILBERT ARSIAGA, MARGIE ALLEN, KYLE BARCLAY, CRYSTAL ARSIAGA, OR CAROLYN CICCIO 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 Crystal M. Arsiaga, and my address is c/o 4004 Belt Line Road, Suite 100, Addison, Texas 75001-4320. I declare under penalty of perjury that on 7-25-19 I filed at the office of the CHAMBERS County Clerk and caused to be posted at the CHAMBERS County courthouse this notice of sale.

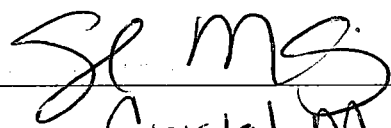

Declarants Name: Crystal M. Arsiaga
Date: 7-25-19

EXHIBIT "A"

BEING THAT CERTAIN 0.331 ACRE TRACT SITUATED IN A PART OF LOTS 12, 13, 14, 15, 16 AND 17 IN OF BLOCK-36, OUT OF WINNIE SUBURBS SUBDIVISION, A SUBDIVISION OF THE JAS HOGGATT LEAGUE, A-14, AS RECORDED IN VOLUME 1, PAGE 61 OF MAP RECORDS OF CHAMBERS COUNTY, TEXAS AND BEING THAT SAME ALICE BREAUX TRACT AS RECORDED IN VOLUME 54, AT PAGE 165, OF OFFICIAL PUBLIC RECORDS OF CHAMBERS COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS

COMMENCING AT THE SOUTHWEST CORNER OF SAID BLOCK-36, MARKED BY R.R. SPIKE FOUND AT THE CENTERLINE INTERSECTION OF 9TH STREET WITH LE BLANC ROAD (BOTH BASED ON 60 FEET WIDTH), THENCE, NORTH, WITH THE WEST LINE OF SAID BLOCK-36, THE EAST LINE OF THAT CERTAIN BLOCK-16 AND THE CENTERLINE OF SAID 9 TH STREET, A DISTANCE OF 332 00 FEET FOR CORNER MARKED BY CONCRETE NAIL,

THENCE, EAST, PARALLEL TO THE SOUTH LINE OF SAID BLOCK-36, AT 20 FEET PASS THE ORIGINAL WEST LINE OF SAID LOT-12, AT 30 FEET FOUND 3/4" PIPE AT THE INTERSECTION OF THE EAST RIGHT-OF-WAY LINE OF SAID 9TH STREET AND THE SOUTH RIGHT-OF-WAY LINE OF THAT CERTAIN CEDAR STREET (BASED ON 80 FEET WIDTH) AND CONTINUING WITH THE SOUTH RIGHT-OF-WAY LINE OF SAID CEDAR STREET IN ALL A TOTAL DISTANCE OF 410 00 FEET TO 2" PIPE FOUND AT NORTHWEST CORNER OF TRACT HERE-IN DESCRIBED AND POINT OF BEGINNING AND SOMETIMES CALLED NORTHWEST CORNER OF LOT-5, BLOCK-C OF UNRECORDED LE BLANC SUBDIVISION,

THENCE, CONTINUING EAST, WITH THE SOUTH RIGHT-OF-WAY LINE OF SAID CEDAR STREET, AT 90 FEET PASS THE EAST LINE OF SAID LOT-12 AND THE WEST LINE OF SAID LOT-17 AND CONTINUING IN ALL A TOTAL DISTANCE OF 95 00 FEET TO 1/2" ROD FOUND FOR NORTHEAST CORNER OF TRACT HERE-IN DESCRIBED AND NORTHWEST CORNER OF THAT CERTAIN JOHNNY LEE BREAUX ET UX TRACT,

THENCE, SOUTH, WITH THE WEST LINE OF SAID JOHNNY LEE BREAUX ET UX TRACT AND EAST LINE OF TRACT HERE-IN DESCRIBED, AT 32 FEET PASS THE SOUTH LINE OF SAID LOT-17 AND THE NORTH LINE OF SAID LOT-16, AT 132 FEET PASS THE SOUTH LINE OF SAID LOT-16 AND THE NORTH LINE OF SAID LOT-15, AT 142 FEET PASS THE NORTH LINE OF THAT CERTAIN 20 FEET WIDE UTILITY EASEMENT AND CONTINUING IN ALL A TOTAL DISTANCE OF 152.00 FEET TO 1" PIPE FOUND FOR SOUTHEAST CORNER OF TRACT HERE-IN DESCRIBED AND THE NORTHEAST CORNER OF THAT CERTAIN MIKE LEGER TRACT,

THENCE, WEST, WITH THE CENTERLINE OF SAID 20 FEET WIDE UTILITY EASEMENT, AND NORTH LINE OF SAID MIKE LEGER TRACT, AT 5 FEET PASS THE WEST LINE OF SAID LOT-15 AND THE EAST LINE OF SAID LOT-14 AND CONTINUING IN ALL A TOTAL DISTANCE OF 95.00 FEET TO 2" PIPE FOUND FOR SOUTHWEST CORNER OF TRACT HERE-IN DESCRIBED AND SOUTHEAST CORNER OF THAT CERTAIN EVETTE KAHLA TRACT,

THENCE, NORTH, WITH THE EAST LINE OF SAID EVETTE KAHLA TRACT, AT 10 FEET PASS THE NORTHWEST CORNER OF SAID 20 FEET WIDE UTILITY EASEMENT, AT 20 FEET PASS THE NORTH LINE OF SAID LOT-14 AND THE SOUTH LINE OF SAID LOT-13, AT 120 FEET PASS THE NORTH LINE OF SAID LOT-13 AND THE SOUTH LINE OF SAID LOT-12 AND CONTINUING IN ALL A TOTAL DISTANCE OF 152.00 FEET TO POINT OF BEGINNING ENCLOSING A TRACT OF LAND CONTAINING 0.331 ACRES MORE OR LESS.

FILED FOR RECORD IN:
Chambers County
On: 7/25/2019 2:50:40 PM
Doc Number: 2019-2884
Number of Pages: 3
Amount: 10.00
Order#: 20190725000050
By: JG



Heather H. Hawthorne, County Clerk

Recorded: *Blue Gore*