

FILED FOR RECORD

2023 NOV 30 AM 9: 27

7681 PEACOCK LANE
SILSBEE, TX 77656

00000009960493
CONNIE BURLESON
COUNTY CLERK
HARDIN COUNTY, TEXAS
BY *Christy King*

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: February 06, 2024

Time: The sale will begin at 11:00 AM or not later than three hours after that time.

Place: THE COMMISSIONER'S COURTROOM AT THE FIRST FLOOR IN THE HARDIN 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 21, 2017 and recorded in Document CLERK'S FILE NO. 2017-80603 real property records of HARDIN County, Texas, with DAVID K BURLESON, A MARRIED PERSON JOINED HEREIN BY THEIR SPOUSE WENDY A BURLESON, grantor(s) and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS") AS NOMINEE, mortgagee.

4. **Obligations Secured.** Deed of Trust or Contract Lien executed by DAVID K BURLESON, A MARRIED PERSON JOINED HEREIN BY THEIR SPOUSE WENDY A BURLESON, securing the payment of the indebtednesses in the original principal amount of \$106,837.00, 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.

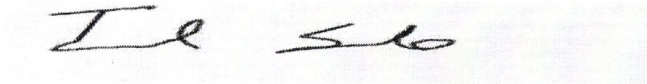
6. **Mortgage Servicer Information.** The Mortgage Servicer is authorized to represent the Mortgagee by virtue of a servicing agreement with the Mortgagee. Pursuant to the Servicing Agreement and Texas Property Code § 51.0025, the Mortgage Servicer is authorized to collect the debt and to administer 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 REID RUPLE, KATHLEEN ADKINS, EVAN PRESS, CARY CORENBLUM, KRISTOPHER HOLUB, JOSHUA SANDERS, AMY OIAN, MATTHEW HANSEN, JAMI GRADY, CHRISTIAN BROOKS, MICHAEL KOLAK, CRYSTAL KOZA, ALEENA LITTON, AARTI PATEL, AUCTION.COM, DANA DENNEN, CINDY DENNEN, AARON CRAWFORD, TOMMY JACKSON, RON HARMON, KEATA SMITH, STEPHANIE HERNANDEZ, KEVIN MCCARTHY, BEATRICE CARRILLO, MARGIE ALLEN, KYLE BARCLAY, OR ANGIE BROOKS 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 Keata Smith, and my address is c/o 4004 Belt Line Road, Suite 100, Addison, Texas 75001-4320. I declare under penalty of perjury that on 11-30-23 I filed at the office of the HARDIN County Clerk and caused to be posted at the HARDIN County courthouse this notice of sale.

Keata Smith

Declarants Name: Keata Smith

Date: 11-30-23

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HARDIN

EXHIBIT "A"

BEING A 1.6598 ACRE TRACT OR PARCEL OF LAND SITUATED IN THE HENRY MCGILL LEAGUE, ABSTRACT NO. 38, HARDIN COUNTY, TEXAS AND BEING ALL OF THAT CERTAIN TRACT OF LAND AS DESCRIBED IN A DEED FROM JOHN W. JONES AND WIFE, LEAVY E. JONES TO FRANKLIN R. FIELDER AND WIFE, RUTH FIELDER AS RECORDED IN VOLUME 453, PAGE 99, DEED RECORDS, HARDIN COUNTY, TEXAS AND ALL OF THAT CERTAIN CALLED 1.00 ACRE TRACT OF LAND AS DESCRIBED IN A DEED FROM BEATRICE BISCAMP TO FRANKLIN FIELDER AND WIFE, RUTH FIELDER AS RECORDED IN VOLUME 573, PAGE 497, DEED RECORDS, HARDIN COUNTY, TEXAS AND OUT OF AND PART OF THAT CERTAIN TRACT OF LAND AS DESCRIBED IN A DEED FROM MADLEAN BOHLER TO FRANK FIELDER AND WIFE, RUTH FIELDER AS RECORDED IN VOLUME 651, PAGE 796, DEED RECORDS, HARDIN COUNTY, TEXAS AND ALL OF THAT CERTAIN CALLED 0.25 ACRE TRACT OF LAND AS DESCRIBED IN A "WARRANTY DEED" FROM BEATRICE BISCAMP TO FRANKLIN FIELDER AND WIFE, RUTH FIELDER AS RECORDED IN VOLUME 746, PAGE 27, DEED RECORDS, HARDIN COUNTY, TEXAS AND FURTHERMORE BEING ALL OF THAT CERTAIN CALLED 1.66 ACRE TRACT OF LAND AS DESCRIBED IN A "WARRANTY DEED WITH VENDOR'S LIEN" FROM RUTH FIELDER TO ALAN E. BOUDREAUX AND CHARITY L. BOUDREAUX, HUSBAND AND WIFE, AS RECORDED IN BOOK 1618, PAGE 317, OFFICIAL PUBLIC RECORDS, HARDIN COUNTY, TEXAS, SAID 1.6598 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

NOTE: ALL BEARINGS ARE REFERENCED TO THE NORTH LINE OF THE SAID 1.66 ACRE BOUDREAUX TRACT AS NORTH 90°00'00" EAST AS RECORDED IN THE ABOVE REFERENCED BOOK 1618, PAGE 317, OFFICIAL PUBLIC RECORDS, HARDIN COUNTY, TEXAS.

BEGINNING AT A BENT AXLE FOUND FOR THE MOST NORTHERLY SOUTHEAST CORNER OF THE TRACT HEREIN DESCRIBED, SAID CORNER ALSO BEING THE NORTHEAST CORNER OF THAT CERTAIN TRACT OF LAND IDENTIFIED AS TRACT II AS DESCRIBED IN A "WARRANTY DEED" FROM LORETTA BURDETTE MOTT TO DEBORA G. BURDETTE AS RECORDED IN BOOK 1580, PAGE 500, OFFICIAL PUBLIC RECORDS, HARDIN COUNTY, TEXAS AND ALSO BEING IN THE WEST LINE OF THAT CERTAIN CALLED 19.69 ACRE TRACT, SAVE AND EXCEPT A 1 ACRE TRACT AND A 3.69 ACRE TRACT, AS DESCRIBED IN A "WARRANTY DEED" FROM ELM SUE SIRMONS TO JAMES LEONARD SIRMONS AS RECORDED IN INST NO. 2012-30042, OFFICIAL PUBLIC RECORDS, HARDIN COUNTY, TEXAS;

THENCE NORTH 89°47'06" WEST, ALONG AND WITH THE BOUNDARY BETWEEN THE TRACT HEREIN DESCRIBED AND THE SAID BURDETTE TRACT II AND THAT CERTAIN TRACT OF LAND IDENTIFIED AS TRACT I AS DESCRIBED IN A "WARRANTY DEED" FROM LORETTA BURDETTE MOTT TO DEBORA G. BURDETTE AS RECORDED IN BOOK 1580, PAGE 500, OFFICIAL PUBLIC RECORDS, HARDIN COUNTY, TEXAS FOR A DISTANCE OF 100.04 FEET TO A 1/2" IRON ROD WITH A CAP STAMPED "B-LINE" FOUND FOR CORNER, SAID CORNER BEING THE NORTHWEST CORNER OF THE SAID BURDETTE TRACT I;

THENCE SOUTH 00°23'57" WEST, ALONG AND WITH THE BOUNDARY BETWEEN THE TRACT HEREIN DESCRIBED AND THE SAID BURDETTE TRACT I, FOR A DISTANCE OF 129.78 FEET TO A 1/2" IRON ROD INSIDE A 5/8" IRON PIPE FOUND FOR CORNER, SAID CORNER BEING THE SOUTHWEST CORNER OF THE SAID BURDETTE TRACT I AND IN THE NORTH RIGHT-OF-WAY LINE OF PEACOCK LANE; THENCE SOUTH 89°49'38" WEST, ALONG AND WITH THE NORTH RIGHT-OF-WAY LINE OF PEACOCK LANE, FOR A DISTANCE OF 135.57 FEET TO A POWER POLE FOUND FOR CORNER, SAID CORNER BEING THE SOUTHEAST CORNER OF THAT CERTAIN TRACT OF LAND AS DESCRIBED IN A "SPECIAL WARRANTY DEED" FROM GEORGE ROMNEY, SECRETARY OF HOUSING AND URBAN DEVELOPMENT OF WASHINGTON, D.C. TO DAVID VAUGHN HERRINGTON AND WIFE, PATRICIA ANN HERRINGTON AS RECORDED IN VOLUME 585, PAGE 423, DEED RECORDS, HARDIN COUNTY, TEXAS;

THENCE NORTH 00°14'19" WEST, ALONG AND WITH THE BOUNDARY BETWEEN THE TRACT HEREIN DESCRIBED AND THE SAID HERRINGTON TRACT, FOR A DISTANCE OF 130.47 FEET TO A 1/2" IRON ROD WITH A CAP STAMPED "B-LINE" FOUND FOR CORNER, SAID CORNER BEING THE NORTHEAST CORNER OF THE SAID HERRINGTON TRACT;

THENCE NORTH 89°56'41" WEST, ALONG AND WITH THE BOUNDARY BETWEEN THE TRACT HEREIN DESCRIBE AND THE SAID HERRINGTON TRACT AND THE NORTH RIGHT-OF-WAY LINE OF SWAN ROAD, FOR A DISTANCE OF 140.16 FEET TO A 1/2" IRON PIPE FOUND FOR CORNER, SAID CORNER BEING THE MOST SOUTHERLY SOUTHEAST CORNER OF THAT CERTAIN CALLED 1.60 ACRE TRACT OF LAND AS DESCRIBED IN A "WARRANTY DEED" FROM BEATRICE

BISKAMP AND RAY BISKAMP TO FRANK L. GORE AND WIFE, SHIRLEY A. GORE AS RECORDED IN VOLUME 924, PAGE 492, OFFICIAL PUBLIC RECORDS, HARDIN COUNTY, TEXAS AND ALSO BEING THE NORTHEAST CORNER OF THAT CERTAIN TRACT OF LAND AS DESCRIBED IN A DEED FROM CHARLIE B. ROSE AND WIFE, IMA LEE ROSE TO FRANK L. GORE AND WIFE, SHIRLEY ANN GORE AS RECORDED IN VOLUME 452, PAGE 547, DEED RECORDS, HARDIN COUNTY, TEXAS;

THENCE NORTH 00°04'43" WEST, ALONG AND WITH THE BOUNDARY BETWEEN THE TRACT HEREIN DESCRIBED AND THE SAID 1.60 ACRE GORE TRACT, FOR A DISTANCE OF 144.80 FEET TO AN OLD CUT OFF FENCE POST IN CONCRETE FOUND FOR CORNER, SAID CORNER BEING AN INTERIOR ELL CORNER OF THE SAID 1.60 ACRE GORE TRACT;

THENCE NORTH 90°00'00" EAST, ALONG AND WITH THE BOUNDARY BETWEEN THE TRACT HEREIN DESCRIBED AND THE SAID 1.60 ACRE GORE TRACT, FOR A DISTANCE OF 374.99 FEET TO A 1/2" FLAT BAR FOUND FOR CORNER, SAID CORNER BEING THE MOST NORTHERLY SOUTHEAST CORNER OF THE SAID 1.60 ACRE GORE TRACT AND IN THE WEST LINE OF THE SAID SIRMONS TRACT;

THENCE SOUTH 00°57'11" EAST, ALONG AND WITH THE BOUNDARY BETWEEN THE TRACT HEREIN DESCRIBED AND THE SAID SIRMONS TRACT, FOR A DISTANCE OF 145.61 FEET TO THE POINT OF BEGINNING AND CONTAINING 1.6598 ACRES, MORE OR LESS.