

19-002140

FILED FOR RECORD  
SHELBY COUNTY TEXAS  
2019 NOV -8 PM 12: 27

JENNIFER L. FOUNTAIN  
COUNTY CLERK  
BY *J. Brown*  
DEPUTY

310 ELLIOTT ST  
CENTER, TX 75935

00000008669087

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: January 07, 2020  
Time: The sale will begin at 1:00 PM or not later than three hours after that time.  
Place: LOCATON DESIGNATED BY THE COMMISSIONERS COURT DATED AUGUST 14, 2000, BOOK 893, PAGE 644 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 September 15, 2017 and recorded in Document CLERKS FILE NO. 2018000821 real property records of SHELBY County, Texas, with WESLEY A LEWIS AND LINDSEY K DRY, grantor(s) and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS") AS NOMINEE, mortgagee.

4. **Obligations Secured.** Deed of Trust or Contract Lien executed by WESLEY A LEWIS AND LINDSEY K DRY, securing the payment of the indebtednesses in the original principal amount of \$127,645.00, 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



310 ELLIOTT ST  
CENTER, TX 75935

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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 successor substitute trustees and appoints in their stead SHERYL LAMONT, ROBERT LAMONT, RONNIE HUBBARD, SHARON ST. PIERRE, ALLAN JOHNSTON, KATHLEEN ADKINS, EVAN PRESS, MARIEL MARRROQUIN, BEATRICE CARRILLO, JOHN MCCARTHY, KEVIN MCCARTHY, OR ZACH MCCARTHY 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 11/08/2019 I filed at the office of the SHELBY County Clerk and caused to be posted at the SHELBY County courthouse this notice of sale.



Declarants Name: Kevin McCarthy

Date: 11/08/2019

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SHELBY

**EXHIBIT "A"**

ALL THAT CERTAIN LOT OR PARCEL OF LAND SITUATED IN SHELBY COUNTY, TEXAS, IN THE JESSE AMASON SURVEY, A-10, BEING 0.474 ACRE AND BEING ALL OF THE CALLED 0.275 LISTED AS TRACT NO. 1 AND ALL OF THE TRACT NO. 2 CONVEYED FROM DAWN JOHNSON BARNES AND HUSBAND RUSSELL TREY BARNES TO ROBERT J. ATCHISON AND WIFE, GLENDA J. ATCHISON AND RECORDED IN VOLUME 1020 PAGE 425 OF THE OFFICIAL PUBLIC RECORDS OF SHELBY COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEARINGS REFER TO GRID NORTH OF THE TEXAS COORDINATE SYSTEM OF 1983 (CENTRAL ZONE 4203).

BEGINNING AT A 1/2" IRON ROD FOUND IN THE EAST MARGIN OF BALDWIN STREET AND THE SOUTH MARGIN OF WILSON STREET, SAID 1/2" IRON ROD ALSO BEING THE NORTHWEST CORNER OF THE CALLED TRACT NO. 2 CONVEYED TO ROBERT J. ATCHISON AND WIFE, GLENDA J. ATCHISON AND RECORDED IN VOLUME 1020, PAGE 425 OF THE OFFICIAL PUBLIC RECORDS OF SHELBY COUNTY, TEXAS;

THENCE S 66 DEG 12'53" E WITH THE SOUTH MARGIN OF WILSON STREET A DISTANCE OF 75.93 FEET TO A 1/2" IRON ROD FOUND AT THE NORTHWEST CORNER OF THE CALLED 0.275 LISTED AS TRACT NO. 1 CONVEYED TO ROBERT J. ATCHISON AND WIFE, GLENDA J. ATCHISON AND RECORDED IN VOLUME 1020, PAGE 425 OF THE OFFICIAL PUBLIC RECORDS OF SHELBY COUNTY, TEXAS.

THENCE S 66 DEG 23'27" E WITH THE SOUTH MARGIN OF WILSON STREET A DISTANCE OF 123.62 FEET TO A 1/2" IRON ROD FOUND AT THE NORTHEAST CORNER OF THE CALLED 0.275 LISTED AS TRACT NO. 1 CONVEYED TO ROBERT J. ATCHISON AND WIFE, GLENDA J. ATCHISON AND RECORDED IN VOLUME 1020, PAGE 425 OF THE OFFICIAL PUBLIC RECORDS OF SHELBY COUNTY, TEXAS;

THENCE S 24 DEG 09'00" W WITH THE WEST MARGIN OF ELLIOTT STREET A DISTANCE OF 79.07 FEET TO A 1/2" IRON ROD FOUND AT THE SOUTHEAST CORNER OF THE CALLED 0.275 LISTED AS TRACT NO. 1 CONVEYED TO ROBERT J. ATCHISON AND WIFE, GLENDA J. ATCHISON AND RECORDED IN VOLUME 1020, PAGE 425 OF THE OFFICIAL PUBLIC RECORDS OF SHELBY COUNTY, TEXAS;

THENCE N 85 DEG 27'06" W WITH THE NORTH LINE OF A CALLED 0.013 ACRE TRACT LISTED AS SECOND TRACT CONVEYED TO PENSCO TRUST COMPANY AND RECORDED IN CLERK'S FILE NO. 2013004129 OF THE OFFICIAL PUBLIC RECORDS OF SHELBY COUNTY, TEXAS, A DISTANCE OF 73.76 FEET TO A 5/8" IRON ROD SET FOR CORNER WITH CAP STAMPED "ETSM, LLC";

THENCE N 72 DEG 22'41" W WITH THE NORTH LINE OF A CALLED 0.15 ACRE TRACT LISTED AS FIRST TRACT CONVEYED TO PENSCO TRUST COMPANY RECORDED IN CLERK'S FILE NO. 2013004129 OF THE OFFICIAL PUBLIC RECORDS OF SHELBY COUNTY, TEXAS, AND WITH THE NORTH LINE OF TRACT 4 CONVEYED TO JOAN HUFF AND RECORDED IN VOLUME 836 PAGE 600 OF THE OFFICIAL PUBLIC RECORDS OF SHELBY COUNTY, TEXAS, AT 54.69 FEET PASS A 1/2" IRON ROD FOUND AT THE SOUTHWEST CORNER OF THE CALLED 0.275 LISTED AS TRACT NO. 1 CONVEYED TO ROBERT J. ATCHISON AND WIFE, GLENDA J. ATCHISON AND RECORDED IN VOLUME 1020, PAGE 425, OF THE OFFICIAL PUBLIC RECORDS OF SHELBY COUNTY, TEXAS, AND AT A TOTAL DISTANCE OF 130.98 FEET TO A 1/2" IRON ROD FOUND FOR CORNER;

THENCE N 24 DEG 11'28" E WITH THE EAST MARGIN OF BALDWIN STREET A DISTANCE OF 117.05 FEET TO THE POINT OF BEGINNING BEING 0.474 ACRE OF LAND MORE OR LESS.