

## NOTICE OF FORECLOSURE 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 OR 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. Property to Be Sold.** The property to be sold is described as follows: ALL THAT CERTAIN 4.788 ACRE TRACT OF LAND, A PART OF THE HINRY RUNNELS SURVEY, ABSTRACT NO. 567, PANOLA COUNTY, TEXAS AND BEING ALL OF LOT NO. 5 OF BLOCK NO. I OF THE INDIAN CREEK SUBDIVISION PER PLAT RECORDED IN VOLUME 4 PAGE 108 OF THE PAT RECORDS OF PANOLA COUNTY, TEXAS, AND BEING THE SAME TRACT OF LAND DESCRIBED BY REFERENCE IN A DEED FROM JOHN K. CALN TO JAMES WESLEY MCTEE AND WIFE LINDA MAE RAMIREZ MCTEE, DATED APRIL 5, 1977 RECORDED IN VOLUME 614, PAGE 741 OF THE DEED RECORDS OF PANOLA COUNTY, TEXAS, AND THE SAID 4.788 ACRE SUBJECT TRACT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS

BEGINNING AT A 3/8 INCH IRON ROD FOUND FOR THE SOUTHWEST CORNER OF THE SUBJECT LOT NO. 5, ALSO BEING THE SOUTHCASE CORNER OF LOT NO 7 OF THE SAID BLOCK NO 1, AS DESCRIBED IN A DEED FROM TIMOTHY O CULPEPPER ET UX, 10 JOHN C LEHMAN, ET UX, DATED MAY 19, 2000 RECORDED IN VOLUME 1092, PAGE 42 OF THE OFFICIAL PUBLIC RECORDS OF PANOLA COUNTY TEXAS,

THENCE NORTH 8 DEGREES 57 MINUTES 07 SECONDS WEST WITH THE EAST BOUNDARY LINE OF THE SAID LOT NO. 7 A DISTANCE OF 238 4 FEET TO A 1/2 INCH IRON ROD SET FOR THE NORTHWEST CORNER OF THE SUBJECT LOT NO. 5 ALSO BEING THE SOUTHWEST CORNER OF LOT NO 4 AS DESCRIBED IN A DEED FROM JOHN I ROBERTSON TO VASTAR RESOURCES, INC, DATED JANUARY 20, 1997 RECORDED IN VOLUME 994, PAGE 310 OF THE SAID OFFICIAL PUBLIC RECORDS, WHICH BEARS SOUTH 8 DEGREES 57 MINUTES 07 SECONDS LAST A DISTANCE OF 43.95 FEET FROM A 3/4 INCH IRON PIPE FOUND FOR THE NORTHEAST CORNER OF THE AFORESAID LOT NO. 7

THENCE NORTH 80 DEGREES 55 MINUTES 15 SECONDS EAST WITH THE SOUTH BOUNDARY LINE OF THE SAID LOT NO. 4 A DISTANCE OF 803.91 FEET TO A POINT FOR THE NORTHEAST CORNER OF THE SUBJECT LOT IN THE CENTER OF PANOLA COUNTY ROAD NO 108, FROM WHICH A 1/2 INCH IRON ROD FOUND FOR A REFERENCE CORNER BEARS SOUTH 80 DEGREES 55 MINUTES 15 SECONDS WEST AT A DISTANCE OF 29.81 FEET

THENCE SOUTH 21 DEGREES 13 MINUTES 37 SECONDS EAST GENERALLY WITH THE SAID COUNTY ROAD ALONG THE EAST BOUNDARY LINE OF THE SUBJECT LOT A DISTANCE OF 269 FEET TO A POINT FOR ITS SOUTHEAST CORNER, FROM WHICH 8 1/2 INCH IRON ROD SET FOR A REFERENCE CORNER BEARS SOUTH 82 DEGREES 35 MINUTES 05 SECONDS WEST A DISTANCE OF 30.00 FEET,

THENCE SOUTH 82 DEGREES 35 MINUTES 05 SECONDS WEST GENERALLY WITH A FENCE ALONG THE EASTERLY SOUTH BOUNDARY LINE OF BLOCK NO I OF THE SAID INDIAN CREEK SUBDIVISION A DISTANCE OF 861.51 FEET TO THE POINT OF BEGINNING CONTAINING A TOTAL AREA OF 4.788 ACRES

**2. Instrument to be Foreclosed.** The instrument to be foreclosed is the Deed of Trust dated 11/03/2008 and recorded in Book 1476 Page 223 Document 136262 real property records of Panola County, Texas.

**3. Date, Time, and Place of Sale.** The sale is scheduled to be held at the following date, time, and place:

Date: 02/04/2025

Time: 10:00 AM

Place: Panola County, Texas at the following location: THE STEPS OF THE PANOLA COUNTY COURTHOUSE, SUCH TEEPS BEING LOCATED ON THE EAST SIDE OF THE PANOLA COUNTY COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE or as designated by the County Commissioners Court.

**4. Terms of Sale.** The sale will be conducted as a public auction to the highest bidder for cash. Pursuant to the deed of trust, the mortgagee has the right to direct the Trustee to sell the property in one or more parcels and/or to sell all or only part of the property. Pursuant to section 51.009 of the Texas Property Code, the property will be sold in AS IS, WHERE IS condition, without any express or implied warranties, except as to the warranties of title, if any, provided for under the deed of trust.

**5. Obligations Secured.** The Deed of Trust executed by CODY M HERREN AND GAYLA HERREN, provides that it secures the payment of the indebtedness in the original principal amount of \$157,422.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. MIDFIRST BANK is the current mortgagee of the note and deed of trust and MIDFIRST BANK is mortgage servicer. A servicing agreement between the mortgagee, whose address is MIDFIRST BANK c/o MIDFIRST BANK, 999 N.W. Grand Blvd, Oklahoma City, OK 73118 and the mortgage servicer and Texas Property Code § 51.0025 authorizes the mortgage servicer to collect the debt.

**6. Substitute Trustee(s) Appointed to Conduct Sale.** In accordance with Texas Property Code Sec. 51.0076, the undersigned attorney for the mortgage servicer has named and appointed, and by these presents does name and appoint AVT Title Services, LLC, located at 5177 Richmond Avenue Suite 1230, Houston, TX 77056, Substitute Trustee to act under and by virtue of said Deed of Trust.

**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.**

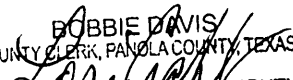


Mackie Wolf Zientz & Mann, P.C.  
Brandon Wolf, Attorney at Law  
L. Keller Mackie, Attorney at Law  
Michael Zientz, Attorney at Law  
Lori Liane Long, Attorney at Law  
Chelsea Schneider, Attorney at Law  
Ester Gonzales, Attorney at Law  
Karla Balli, Attorney at Law  
Parkway Office Center, Suite 900  
14160 Dallas Parkway  
Dallas, TX 75254

For additional sale information visit: [www.xome.com](http://www.xome.com) or (844) 400-9663

FILED FOR RECORD  
IN MY OFFICE  
AT 10:15 CLOCK A M

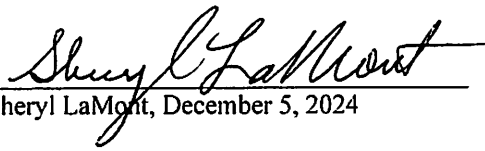
DEC 05 2024

BOBBIE DAVIS  
COUNTY CLERK, PANOLA COUNTY, TEXAS  
BY  DEPUTY



Certificate of Posting

I am Sheryl LaMont whose address is c/o AVT Title Services, LLC, 5177 Richmond Avenue, Suite 1230, Houston, TX 77056. I declare under penalty of perjury that on December 5, 2024 I filed this Notice of Foreclosure Sale at the office of the Panola County Clerk and caused it to be posted at the location directed by the Panola County Commissioners Court.

  
Sheryl LaMont, December 5, 2024