

FILED FOR RECORD

NOV 10 2022

SUSAN STRICKLAND  
COUNTY CLERK, VAN ZANDT CO., TX  
BY \_\_\_\_\_ DEP 00000009639295

ROUTE 2, BOX 172-L  
EDGEWOOD, TX 75117

**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 03, 2023

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

Place: THE STEPS OF THE NORTH ENTRANCE TO THE VAN ZANDT 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 January 30, 1996 and recorded in Document VOLUME 1367 PAGE 701 real property records of VAN ZANDT County, Texas, with HARRELL G. EUBANKS, AND MAXANN C. EUBANKS, HUSBAND AND WIFE, grantor(s) and WATERFIELD FINANCIAL CORPORATION, mortgagee.

**4. Obligations Secured.** Deed of Trust or Contract Lien executed by HARRELL G. EUBANKS, AND MAXANN C. EUBANKS, HUSBAND AND WIFE, securing the payment of the indebtednesses in the original principal amount of \$79,959.00, 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 RAMIRO CUEVAS, AURORA CAMPOS, JONATHAN HARRISON, SHAWN SCHILLER, PATRICK ZWIERS, DARLA BOETTCHER, DANA KAMIN, LISA BRUNO, ANGIE USELTON, TONYA WASHINGTON, MONICA HENDERSON, MERYL OLSEN, MISTY MCMILLAN, TIFFINEY BRUTON, AUCTION.COM, DAVID RAY, JUDITH A. FRAPPIER, ROBERT FORSTER, OR JEFFREY FLEMING 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 Michelle Pangle, and my address is c/o 4004 Belt Line Road, Suite 100, Addison, Texas 75001-4320. I declare under penalty of perjury that on 11-10-22 I filed at the office of the VAN ZANDT County Clerk and caused to be posted at the VAN ZANDT County courthouse this notice of sale.

Declarants Name: Michelle Pangle

Date: 11-10-22

**EXHIBIT "A"**

BEING ALL THAT CERTAIN 3.939 ACRE TRACT OF LAND LOCATED IN THE DAVID T. BUNDY SURVEY, ABSTRACT NO. 68, VAN ZANDT COUNTY, TEXAS AND BEING THE SAME LAND DESCRIBED IN A DEED FROM MORRIS C. MORTENSON AND WIFE, PAULA A. MORTENSON TO ROBERT L. CUNNINGHAM AND WIFE, LINDA J. CUNNINGHAM, RECORDED IN VOLUME 1278, PAGE 572, REAL RECORDS, VAN ZANDT COUNTY, TEXAS AND BOUNDED AS FOLLOWS: BEGINNING AT A STEEL SPIKE SET IN THE CENTER OF COUNTY ROAD NO. 3118 AND BEING THE SOUTH CORNER OF A 1.69 ACRE TRACT RECORDED IN VOLUME 1231, PAGE 981, REAL RECORDS, VAN ZANDT COUNTY AND SET FOR THE EAST CORNER OF THIS TRACT. THEREBEING A 1/2" IRON ROD SET NORTH 45 DEGREES 04 MINUTES 39 SECONDS WEST -19.05 FEET FOR A REFERENCE CORNER. THENCE SOUTH 43 DEGREES 34 MINUTES 42 SECONDS WEST, WITH THE CENTER OF SAID COUNTY ROAD, 124.68 FEET TO A FOUND P.K. NAIL USED FOR AN ANGLE CORNER. THENCE NORTH 47 DEGREES 27 MINUTES 27 SECONDS WEST, 10.04 FEET TO A FOUND P.K. NAIL USED FOR AN ANGLE CORNER. THENCE SOUTH 44 DEGREES 59 MINUTES 58 SECONDS WEST, WITH THE NORTHWEST EDGE OF OIL SURFACE, 404.79 FEET TO A FOUND 1/2" IRON ROD USED FOR THE SOUTH CORNER OF THIS TRACT. THENCE NORTH 45 DEGREES 07 MINUTES 54 SECONDS WEST, WITH THE NORTHEAST LINE OF MARANATHA CIRCLE, 324.99 FEET TO A 1/2" IRON ROD SET FOR THE WEST CORNER OF THIS TRACT. THENCE NORTH 44 DEGREES 59 MINUTES 53 SECONDS EAST, WITH THE NORTHERLY SOUTHEAST LINE TO THE PERRY GILLIAM ADDITION AS SHOWN IN SLIDE # 204-B, PLAT RECORDS, 355.08 FEET TO A FOUND 3/8" IRON ROD USED FOR AN ANGLE CORNER. THENCE SOUTH 44 DEGREES 58 MINUTES 20 SECONDS EAST, 10.02 FEET TO A FOUND 1/2" IRON ROD USED FOR AN ANGLE CORNER. THENCE NORTH 44 DEGREES 53 MINUTES 35 SECONDS EAST, 175.08 FEET TO A FOUND 1/4" IRON ROD LOCATED AT THE EAST CORNER OF SAID PERRY GILLIAM ADDITION AND IN THE SOUTHWEST LINE OF SAID 1.69 ACRE TRACT AND USED FOR THE NORTH CORNER OF THIS TRACT. THENCE SOUTH 45 DEGREES 04 MINUTES 39 SECONDS EAST, WITH THE SOUTHWEST LINE OF SAID 1.69 ACRE TRACT, 322.22 FEET TO THE PLACE OF BEGINNING, CONTAINING 3.939 ACRES OF LAND, MORE OR LESS. THEREBEING 0.150 ACRES OF LAND WITHIN THE RIGHT OF WAY OF COUNTY ROAD NO. 3118.