

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: December 02, 2014

Time: The sale will begin at 1:00PM or not later than three hours after that time.

Place THE FRONT STEPS OF THE NAVARRO 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 September 19, 2006 and recorded in Document CLERK'S FILE NO. 00010548 real property records of NAVARRO County, Texas, with NICOLETTE AYALA, grantor(s) and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS") AS NOMINEE, mortgagee.


4. **Obligations Secured.** Deed of Trust or Contract Lien executed by NICOLETTE AYALA, securing the payment of the indebtednesses in the original principal amount of \$101,704.00, 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 as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN FOR ALL PURPOSES.

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


J. HOWELL, OR B. HOWELL
Substitute Trustee

c/o BARRETT DAFFIN FRAPPIER TURNER & ENGEL, LLP
15000 Surveyor Boulevard, Suite 100
Addison, Texas 75001

2014 134
FILED FOR RECORD
AT 8:20 O'CLOCK P.M.

SEP 29 2014

SHERRY DOWD
COUNTY CLERK NAVARRO COUNTY TEXAS
BY  DEPUTY

EXHIBIT "A"

BEING A PART OF SUBDIVISION C, DIVISION VII OF THE REVISED MAP OF RICE, NAVARRO COUNTY, TEXAS, ACCORDING TO PLAT OF SAME RECORDED IN VOLUME 3, PAGE 2, PLAT RECORDS, NAVARRO COUNTY, TEXAS AND A PART OF LOTS 6, 7 AND 8, BLOCK 76, RICE, NAVARRO COUNTY, TEXAS, ACCORDING TO PLAT OF SAME RECORDED IN VOLUME 3, PAGE 37, PLAT RECORDS, NAVARRO COUNTY, TEXAS;

BEGINNING AT A 1/2 INCH STEEL ROD WITH PLASTIC CAP MARKED RPLS 4480 SET ON THE SOUTHWEST LINE OF INTERSTATE HIGHWAY 45 (AKA MCKINNEY STREET) AT THE NORTHEAST CORNER OF THE TRACT DESCRIBED IN DEED FROM GEORGE F. SOUSARES TO RICE WATER SUPPLY AND SEWER SERVICE CORPORATION RECORDED IN VOLUME 863, PAGE 109, DEED RECORDS, ELLIS COUNTY, TEXAS AND ON THE NORTHEAST LINE OF SAID LOT 6;

THENCE S 67 DEGREES 31 MINUTES 00 SECONDS W, WITH THE NORTHWEST LINE OF SAID WATER SUPPLY TRACT, 127.50 FEET TO A 1/2 INCH STEEL ROD WITH PLASTIC CAP MARKED RPLS 4480 SET AT THE NORTHWEST CORNER OF SAID WATER SUPPLY TRACT;

THENCE S 22 DEGREES 29 MINUTES 00 SECONDS E, WITH THE SOUTHWEST LINE OF SAID WATER SUPPLY TRACT, 18.49 FEET TO A 1/2 INCH STEEL ROD WITH PLASTIC CAP MARKED RPLS 4480 SET ON THE NORTHWEST LINE OF A 20 FOOT ALLEY AND THE SOUTHEAST LINE OF SAID LOT 8;

THENCE S 67 DEGREES 51 MINUTES 09 SECONDS W, WITH THE COMMON LINE OF SAID LOT 8 AND ALLEY, 23.17 FEET TO A 1/2 INCH STEEL ROD WITH PLASTIC CAP MARKED RPLS 4480 SET AT THE COMMON SOUTH CORNER OF SAID LOT 8 AND LOT 9 OF SAID BLOCK;

THENCE N 22 DEGREES 08 MINUTES 51 SECONDS W, WITH THE COMMON LINE OF SAID LOTS 8 AND 9, A DISTANCE OF 115.00 FEET TO A 1/2 INCH STEEL ROD WITH PLASTIC CAP MARKED RPLS 4480 SET AT THEIR COMMON NORTH CORNER AND ON THE SOUTHEAST LINE OF HOMER STREET;

THENCE N 67 DEGREES 51 MINUTES 09 SECONDS E, WITH THE COMMON LINE OF SAID STREET AND LOTS 8, 7, AND 6, A DISTANCE OF 150.00 FEET TO A 1/2 INCH STEEL ROD WITH PLASTIC CAP MARKED RPLS 4480 SET AT THE NORTHEAST CORNER OF SAID LOT 6 AND THE SOUTHWEST LINE OF SAID INTERSTATE HIGHWAY 45;

THENCE S 22 DEGREES 29 MINUTES 00 SECONDS E (BEARING BASE LINE) WITH THE COMMON LINE OF SAID LOT 6 AND HIGHWAY, 95.76 FEET TO THE POINT OF BEGINNING AND CONTAINING APPROXIMATELY 14883 SQUARE FEET OR 0.3417 ACRE OF LAND, MORE OR LESS.