

HCR 2, BOX 7040 MINSON DRIVE
SANDIA, TX 78383

00000010183507

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: October 01, 2024

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

Place: THE FRONT PORCH OF THE LIVE OAK 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 August 27, 1998 and recorded in Document VOLUME 357, PAGE 394 real property records of LIVE OAK County, Texas, with PAT MAGILL AND MELISSA MAGILL, HUSBAND AND WIFE, grantor(s) and FIRST GUARANTY FINANCIAL CORP, mortgagee.

4. **Obligations Secured.** Deed of Trust or Contract Lien executed by PAT MAGILL AND MELISSA MAGILL, HUSBAND AND WIFE, securing the payment of the indebtednesses in the original principal amount of \$41,155.00, 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

FILED July 11 A.D. 2024
LIVE OAK COUNTY, TEXAS
DONNA M. VANWAY CLERK, COUNTY COURT
BY Blenda Nesbitt DEPUTY
AT 10:48 O'CLOCK Am



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 SANDRA MENDOZA, ARNOLD MENDOZA, SUSAN SANDOVAL, LESLYE EVANS, ALEXIS MENDOZA, RAMON PEREZ, JOHN SISK, OR AMY ORTIZ, ALEENA LITTON, DANIEL MCQUADE, AUCTION.COM, ADOLFO RODRIGUEZ, JO WOOLSEY, BOB FRISCH, JANICE STONER, JODI STEEN, OR MARY GOLDSTON 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 _____, and my address is c/o 4004 Belt Line Road, Suite 100, Addison, Texas 75001-4320. I declare under penalty of perjury that on _____ I filed at the office of the LIVE OAK County Clerk and caused to be posted at the LIVE OAK County courthouse this notice of sale.

Declarants Name: _____

Date: _____

EXHIBIT "A"

FIELD NOTES OF A 0.66 AC TRACT OF LAND, BEING THE SAME CALLED 0.86 ACRE CONVEYED FROM THELMA BYLER, GUARDIAN OF THE ESTATE OF EMMETT R. MCWHORTER, TO J.H. MARTIN, ET UX, BY DEED DATED MARCH 4, 1987, RECORDED IN VOLUME 409, PAGE 147 AT THE DEED RECORDS OF LIVE OAK COUNTY, TX, SAME BEING ALSO PART OF A CALLED 207.12 ACRE TRACT CONVEYED FROM THELMA BYLER, DEED DATED OCTOBER 16, 1989, RECORDED IN VOLUME 442, PAGE 133 OF SAID DEED RECORDS;

SAID 0.65 ACRE TRACT, WHICH IS COMPRISED AT A PORTION OF THE W. J. CANNON SURVEY, ABSTRACT 141, IS SITUATED IN LIVE OAK COUNTY, TEXAS, APPROXIMATELY 9 MILES NORTH-NORTHEAST OF THE TOWN OF SANDIE AND IS DESCRIBED BY METES AND BOUNDS FOLLOWS:

COMMENCING AT A 5/8" IRON ROD FOUND AT A FENCE CORNER AT AN INTERIOR CORNER OF SAID CALLED 207.12 ACRE TRACT AND THE WEST CORNER OF CALLED 150 ACRE TRACT (VOL. 122, PAGE 71, D.R...) WHENCE A 1 1/4" IRON PIPE FOUND ON THE BANK OF LAKE CORPUS CHRISTI BEARS N 45 DEG 55' 09" E, DISTANCE OF 1191.08 FT.

THENCE N 48 DEG 51' 37" W, S DISTANCE OF 1438.15 FT TO A 5/8" IRON ROD FOUND FOR THE BEGINNING POINT AND THE SOUTHWEST CORNER OF THIS TRACT;

THENCE N 02 DEG 16' 16" W ALONG THE WEST LINE OF THIS TRACT, A DISTANCE OF 183.29 FT TO A NAIL FOUND IN CONCRETE AT THE SOUTHWEST CORNER OF A CALLED 0.40 ACRE (TRACT NO. 18) CONVEYED FROM THELMA BYLER, ET VIR, TO CLIFTON ELUSBY, ET UX, BY DEED DATED SEPTEMBER 23, 1994, RECORDED IN VOLUME 500, PAGE 386 OF SAID DEED RECORDS, FOR THE NORTHWEST CORNER OF THIS TRACT;

THENCE 55 DEG 44' 24" E WITH A FENCE ALONG THE SOUTH LINE OF SAID CALLED 0.40 ACRE TRACT AND THE NORTH LINE OF THIS TRACT, A DISTANCE OF 140.26 FT TO A 1/2" IRON ROD FOUND AT A FENCE CORNER AT THE SOUTHEAST CORNER OF THIS TRACT

THENCE S 16 DEG 26' 16" E ALONG THE EAST LINE OF THIS TRACT, A DISTANCE OF 190.16 FT TO A PVC PIPE FOUND IN CONCRETE FOR THE SOUTHEAST CORNER OF THIS TRACT;

THENCE ALONG THE SOUTH LINE OF THIS TRACT AS FOLLOWS:

1) S 60 DEG 50' 22" W, A DISTANCE OF 106.71 FT TO A 1/2" IRON ROD FOUND IN CONCRETE FOR AN ANGLE CORNER OF THIS TRACT:

2) S 60 DEG 44' 39" W, A DISTANCE OF 75.30 FT TO THE BEGINNING POINT OF THIS TRACT, CONTAINING 0.115 ACRE, MORE OR LESS.

BEARINGS CITED HEREON ARE BASED ON THE CALLED BEARINGS OF SAID CALLED 207.12 ACRE TRACT.