

24021

MAY 09 2024

NOTICE OF FORECLOSURE SALE

AT 8:00 O'CLOCK 4 M  
CARLA KERN

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: BEING ALL OF THE NORTH HALF (N/2) OF LOT NO. FIVE (5) IN BLOCK NO. ONE HUNDRED SIXTY-EIGHT (168) OF JOSEPH E. BROWN'S EXTENSION OF THE TOWN OF COLORADO (NOW COLORADO CITY), MITCHELL COUNTY, TEXAS

2. *Instrument to be Foreclosed.* The instrument to be foreclosed is the Deed of Trust dated 06/30/2017 and recorded in Book 843 Page 749 Document 17-0891 real property records of Mitchell County, Texas.

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

Date: 07/02/2024

Time: 10:00 AM

Place: Mitchell County, Texas at the following location: THE LOBBY OF THE FIRST FLOOR OF THE MITCHELL COUNTY COURTHOUSE, AT THE EAST DOORS- AREA INCLUDES THE FRONT STEPS OF THE COURTHOUSE. THIS WAS AMENDED BECAUSE OF THE POSSIBILITY OF THE COURTHOUSE BEING CLOSED FOR A HOLIDAY 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 KIMBERLY HUBBARD AND CODY HUBBARD, provides that it secures the payment of the indebtedness in the original principal amount of \$102,116.00, 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

*Terry Brander*

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

Certificate of Posting

I am Terry Brander 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 05/09/24 I filed this Notice of Foreclosure Sale at the office of the Mitchell County Clerk and caused it to be posted at the location directed by the Mitchell County Commissioners Court.