

401 AND 403 VZ COUNTY ROAD 2301
CANTON, TX 75103

FILED FOR RECORD
FEB 08 2024
SUSAN STRICKLAND
COUNTY CLERK, VAN ZANDT CO., TX
BY _____ DEP

00000010034254

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: March 05, 2024

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 October 14, 2021 and recorded in Document INSTRUMENT NO. 20021-011999 real property records of VAN ZANDT County, Texas, with LESLIE STEMMONS HARBISON, UNMARRIED WOMAN, grantor(s) and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS") AS NOMINEE, mortgagee.

4. Obligations Secured. Deed of Trust or Contract Lien executed by LESLIE STEMMONS HARBISON, UNMARRIED WOMAN, securing the payment of the indebtednesses in the original principal amount of \$548,250.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. FLAGSTAR BANK, N.A. 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. FLAGSTAR BANK, NA, as Mortgage Servicer, is representing the current mortgagee, whose address is:

c/o FLAGSTAR BANK, NA
5151 CORPORATE DRIVE
TROY, MI 48098



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, PATRICK ZWIERS, DARLA BOETTCHER, DANA KAMIN, LISA BRUNO, ANGIE USELTON, TONYA WASHINGTON, MERYL OLSEN, MISTY MCMILLAN, TIFFINEY BRUTON, TIONNA HADNOT, AUCTION.COM, DAVID RAY, RANDY DANIEL, CINDY DANIEL, JIM O'BRYANT, 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 2-8-24 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: 2-8-24

EXHIBIT "A"

TRACT 1:

ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN THE JAMES DENMAN SURVEY, ABSTRACT NO. 197, VAN ZANDT COUNTY, TEXAS, SAME BEING PART OF A CALLED 32.48 ACRE TRACT AS FOUND IN WARRANTY DEED DATED FEBRUARY 8, 2016, FROM KATI REED AND ROBERT REED TO JACK MEWBOURN AND KATHIE MEWBOURN AS FOUND RECORDED IN DOCUMENT NO. 2016-001345 OF THE REAL RECORDS OF VAN ZANDT COUNTY, TEXAS, AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE RECOGNIZED SOUTHWEST SURVEY LINE OF SAID DENMAN SURVEY, AND NEAR THE CENTER OF COUNTY ROAD 2302 FOR THE MOST SOUTHERLY SOUTH CORNER OF SAID MEWBOURN'S 32.48 ACRE TRACT, FROM WHICH A 1/2" IRON ROD WAS FOUND AND USED FOR A REFERENCE BEARS NORTH 45 DEG. 50 MIN. 36 SEC. EAST 17.52 FEET;

THENCE: NORTH 44 DEG. 12 MIN. 07 SEC. WEST 1568.31 FEET WITH THE RECOGNIZED SOUTHWEST SURVEY LINE OF SAID DENMAN SURVEY, WITH A LINE WHICH RUNS NEAR THE CENTER OF COUNTY ROAD 2302, AND WITH THE SOUTHWEST LINE OF SAID MEWBOURN'S 32.48 ACRE TRACT TO A POINT WITHIN COUNTY ROAD 2301 FOR THE MOST WESTERLY WEST CORNER OF SAID MEWBOURN'S 32.48 ACRE TRACT, SAME BEING THE MOST EASTERLY SOUTH CORNER OF A CALLED 26.02 ACRE TRACT NOW OR FORMERLY OWNED BY JACK AND KATHIE MEWBOURN (VOLUME 1534, PAGE 301, REAL RECORDS), FROM WHICH A STEEL FENCE CORNER POST WAS FOUND AND USED FOR A REFERENCE BEARS SOUTH 64 DEG. 18 MIN. 36 SEC. EAST 53.68 FEET;

THENCE: NORTH 51 DEG. 21 MIN. 17 SEC. EAST 273.60 FEET WITH COUNTY ROAD 2301, A SOUTHEAST LINE OF SAID MEWBOURN'S 26.02 ACRE TRACT, AND WITH A NORTHWEST LINE OF SAID MEWBOURN'S 32.48 ACRE TRACT TO A POINT FOR THE MOST WESTERLY NORTH CORNER OF SAID MEWBOURN'S 32.48 ACRE TRACT, SAME BEING THE WEST CORNER OF A CALLED 21.50 ACRE TRACT NOW OR FORMERLY OWNED BY JOHNNY AND AMY BREWER (VOLUME 1515, PAGE 430, REAL RECORDS), FROM WHICH A STEEL FENCE CORNER POST WAS FOUND AND USED FOR A REFERENCE BEARS SOUTH 43 DEG. 31 MIN. 20 SEC. EAST 42.77 FEET;

THENCE: SOUTH 43 DEG. 23 MIN. 46 SEC. EAST 987.92 FEET WITH A NORTHEAST LINE OF SAID MEWBOURN'S 32.48 ACRE TRACT, AND WITH A SOUTHWEST LINE OF SAID BREWER'S 21.50 ACRE TRACT TO A STEEL FENCE CORNER POST FOUND AND USED FOR THE SOUTH CORNER OF SAID BREWER'S 21.50 ACRE TRACT, SAME BEING AN INNER-ELL CORNER OF SAID MEWBOURN'S 32.48 ACRE TRACT;

THENCE: NORTH 45 DEG. 05 MIN. 31 SEC. EAST 956.51 FEET WITH A NORTHWEST LINE OF SAID MEWBOURN'S 32.48 ACRE TRACT, AND WITH THE SOUTHEAST LINE OF SAID BREWER'S 21.50 ACRE TRACT TO A STEEL FENCE CORNER POST FOUND AND USED FOR THE EAST CORNER OF SAID BREWER'S 21.50 ACRE TRACT, SAME BEING THE SOUTH CORNER OF A CALLED 20.52 ACRE TRACT, KNOWN AS TRACT ONE, NOW OR FORMERLY OWNED BY JACK AND KATHIE MEWBOURN (DOCUMENT NO. 2016-001346, REAL RECORDS);

THENCE: NORTH 45 DEG. 07 MIN. 23 SEC. EAST 737.33 FEET WITH A NORTHWEST LINE OF SAID MEWBOURN'S 32.48 ACRE TRACT, AND WITH A SOUTHEAST LINE OF SAID MEWBOURN'S 20.52 ACRE TRACT TO A 4/2" IRON ROD SET FOR THE MOST NORTHERLY NORTH CORNER OF THIS;

THENCE: SOUTH 43 DEG. 43 MIN. 18 SEC. EAST 576.03 FEET TO A POINT IN THE SOUTHEAST LINE OF SAID MEWBOURN'S 32.48 ACRE TRACT, AND IN THE NORTHWEST LINE OF A CALLED 19.69 ACRE TRACT NOW OR FORMERLY OWNED BY AMBER MICHELLE CERVANTES (DOCUMENT NO. 2018-000501, REAL RECORDS) FOR THE MOST EASTERLY EAST CORNER OF THIS, FROM WHICH A 1/2" IRON ROD WAS SET FOR A REFERENCE BEARS SOUTH 43 DEG. 43 MIN. 18 SEC. EAST 0.23 FEET;

THENCE: SOUTH 45 DEG. 50 MIN. 36 SEC. WEST 1947.31 FEET WITH THE SOUTHEAST LINE OF SAID MEWBOURN'S 32.48 ACRE TRACT, AND WITH THE NORTHWEST LINE OF SAID CERVANTES 19.69 ACRE TRACT TO THE PLACE OF BEGINNING, CONTAINING 31.33 ACRES OF LAND.

TRACT 2:

ALL THAT CERTAIN LOT, TRACT, OR PARCEL OF LAND SITUATED IN THE JAMES DENMAN SURVEY A-197, VAN ZANDT COUNTY, TEXAS, SAME BEING PART OF A CALLED 21.50 ACRE TRACT AS FOUND IN WARRANTY DEED DATED MAY 27, 1999 FROM H. B. ETHERIDGE TO JOHNNY BREWER AND AMY BREWER AS FOUND RECORDED IN VOL. 1515, PAGE 430 OF THE REAL RECORDS OF VAN ZANDT COUNTY, TEXAS, AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WITHIN THE RIGHT-OF-WAY OF COUNTY ROAD 2301 FOR THE WEST CORNER OF SAID 21.50 ACRE TRACT, SAME BEING THE WEST CORNER OF THIS, FROM WHICH A 1/2" IRON ROD WAS FOUND FOR A REFERENCE BEARS SOUTH 43 DEG. 28 MIN. 04 SEC. EAST 41.66 FEET;

THENCE: NORTH 46 DEG. 00 MIN. 00 SEC. EAST 475.98 FEET WITH SAID ROAD, AND WITH THE NORTHWEST LINE OF SAID 21.50 ACRE TRACT TO A POINT FOR THE NORTH CORNER OF THIS, FROM WHICH A 1/2" IRON ROD WAS FOUND FOR A REFERENCE BEARS SOUTH 43 DEG. 28 MIN. 04 SEC. EAST 39.00 FEET;

THENCE: SOUTH 43 DEG. 28 MIN. 04 SEC. EAST 979.69 FEET TO A 1/2" IRON ROD FOUND IN THE SOUTHEAST LINE OF SAID 21.50 ACRE TRACT FOR THE EAST CORNER OF THIS;

THENCE: SOUTH 45 DEG. 00 MIN. 00 SEC. WEST 476.13 FEET TO A 1/2" IRON ROD FOUND AT THE SOUTH CORNER OF SAID 21.50 ACRE TRACT FOR THE SOUTH CORNER OF THIS;

THENCE: NORTH 43 DEG. 28 MIN. 04 SEC. WEST 988.00 FEET WITH THE SOUTHWEST LINE OF SAID 21.50 ACRE TRACT TO THE PLACE OF BEGINNING CONTAINING 10.75 ACRES OF LAND.

TRACT 3:

ALL THAT CERTAIN LOT, TRACT, OR PARCEL OF LAND SITUATED IN THE JAMES DENMAN SURVEY A-197, VAN ZANDT COUNTY, TEXAS, SAME BEING PART OF A CALLED 21.50 ACRE TRACT AS FOUND IN WARRANTY DEED DATED MAY 27, 1999 FROM H. B. ETHERIDGE TO JOHNNY BREWER AND AMY BREWER AS FOUND RECORDED IN VOL. 1515, PAGE 430 OF THE REAL RECORDS OF VAN ZANDT COUNTY, TEXAS, AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WITHIN THE RIGHT-OF-WAY OF COUNTY ROAD 2301, AND IN THE NORTHWEST LINE OF SAID 21.50 ACRE TRACT FOR THE WEST CORNER OF THIS, FROM WHICH A 1/2" IRON ROD WAS SET FOR A REFERENCE BEARS SOUTH 43 DEG. 28 MIN. 04 SEC. EAST 39.00 FEET, SAID BEGINNING POINT BEING NORTH 46 DEG. 00 MIN. 00 SEC. EAST 475.98 FEET FROM THE WEST CORNER OF SAID 21.50 ACRE TRACT;

THENCE: NORTH 46 DEG. 00 MIN. 00 SEC. EAST 480.05 FEET WITH SAID ROAD, AND WITH THE NORTHWEST LINE OF SAID 21.50 ACRE TRACT TO A POINT FOR THE NORTH CORNER OF SAID 21.50 ACRE TRACT, SAME BEING THE NORTH CORNER OF THIS, FROM WHICH A 1/2" IRON ROD WAS FOUND FOR A REFERENCE BEARS SOUTH 43 DEG. 28 MIN. 04 SEC. EAST 36.21 FEET;

THENCE: SOUTH 43 DEG. 28 MIN. 04 SEC. EAST 971.31 FEET WITH THE NORTHEAST LINE OF SAID 21.50 ACRE TRACT TO A 1/2" IRON ROD FOUND AT THE EAST CORNER OF SAID 21.50 ACRE TRACT FOR THE EAST CORNER OF THIS;

THENCE: SOUTH 45 DEG. 00 MIN. 00 SEC. WEST 480.20 FEET WITH THE SOUTHEAST LINE OF SAID 21.50 ACRE TRACT TO A 1/2" IRON ROD SET FOR THE SOUTH CORNER OF THIS;

THENCE: NORTH 43 DEG. 28 MIN. 04 SEC. WEST 979.69 FEET TO THE PLACE OF BEGINNING CONTAINING 10.75 ACRES OF LAND.