

Carrington Foreclosure Services, LLC  
P.O. Box 3309  
Anaheim, California 92803  
For Sale Information: (888) 313-1969  
For Reinstatement Requests: 1-866-874-5860  
Pay Off Requests: 1-800-561-4567  
TS#: 23-28396

23-0013      PUBNOTICE      Total Pages: 2  


## NOTICE OF SUBSTITUTE TRUSTEE'S SALE

**WHEREAS**, on 9/2/2004, Timothy D Johnson, a single man, as Grantor Borrower, executed and delivered that certain Deed of Trust, in favor of Eldon L. Youngblood, as Trustee, New Century Mortgage Corporation, as Beneficiary which deed of trust secures the payment of that certain promissory note of even date therewith in the original amount of \$54,625.00, payable to the order of New Century Mortgage Corporation, which Deed of Trust is Recorded on 9/3/2004 as Volume 2004013326, Book , Page , in Liberty County, Texas, Deed of Trust covers all of the real property, personal property, and fixtures described therein, including, but not limited to, all the following described property, rights and interests (the "Property"), to-wit:

**Being all of Lot No 9 of Lexie Subdivision as recorded in Volume 2, page 303 through 307, of the Map or Plat Records of Liberty County, Texas, and situated in the M A Hardin Survey, A-222, in Liberty County, Texas.**

Commonly known as: **173 CR-2003 N HARDIN, TX 77561**

**WHEREAS**, the Trustee named in the Deed of Trust having been removed, the legal holder of the indebtedness described in the Deed of Trust appointed **Tommy Jackson, Keata Smith, Margie Allen, Kyle Barclay, Stephanie Hernandez, Dustin George** or either of them, as Substitute Trustee (each being referred to as the "Substitute Trustee"), upon the contingency and in the manner authorized by the Deed of Trust; and

**WHEREAS**, defaults have occurred in the covenants of the Deed of Trust, monetary or otherwise, and the indebtedness secured by and described in the Deed of Trust is now wholly due, and Carrington Mortgage Services, LLC whose address is 1600 Douglass Road, Suite 200 A, Anaheim, CA 92806 is acting as the mortgage servicer for **Deutsche Bank National Trust Company, as Indenture Trustee for New Century Home Equity Loan Trust 2004-3**, which is the mortgagee of the Note and Deed of Trust or mortgage and the legal holder of such indebtedness and the liens securing same has requested either one of the Substitute Trustees to sell the Property in accordance with applicable law and the terms and provisions of the Deed of Trust. Carrington Mortgage Services, LLC is authorized to represent the mortgagee by virtue of a written servicing agreement with the mortgagee. Pursuant to that agreement and Texas Property Code Section 51.0025, Carrington Mortgage Services, LLC is authorized to administer the foreclosure referenced herein.

**NOW, THEREFORE, NOTICE IS HEREBY GIVEN**, that on **6/6/2023 at 10:00 AM**, or no later than three (3) hours after such time, in **Liberty County, Texas**, the Substitute Trustee will sell the Property at public venue to the highest bidder for cash. The sale will take place at the area designated by the Commissioner's Court for sales of real property under a power of sale conferred by a deed of trust or other contract lien as follows: **The front steps of the Courthouse, on the South side, with an address of 1923 Sam Houston**

**NOTICE IS FURTHER GIVEN** that, except to the extent that the Substitute Trustee may bind and obligate Mortgagors to warrant title the Property under the terms of the Deed of Trust, conveyance of the Property shall be made without any representations or warranties whatsoever, express or implied.

If the Trustee is unable to convey title for any reason, the successful bidder's sole and exclusive remedy shall be the return of monies paid to the Trustee, and the successful bidder shall have no further recourse.



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If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the deposit paid. The Purchaser shall have no further recourse against the Mortgagor, the Mortgagee, or the Mortgagee's Attorney.

**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.**

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.

WITNESS, my hand this 3/13/2023

WITNESS, my hand this 3-22-23

*Monica Sandoval*

By: Monica Sandoval, Trustee Sale Specialist,  
Team Lead  
Carrington Foreclosure Services, LLC as  
authorized agent for Mortgagee or Mortgage  
Servicer  
1600 South Douglass Road, Suite 140  
Anaheim, CA 92806

*Tommy Jackson*

By: Substitute Trustee(s)  
✓ Tommy Jackson, Keata Smith, Margie Allen, Kyle  
Barelay, Stephanie Hernandez  
C/O Carrington Foreclosure Services, LLC  
1600 South Douglass Road, Suite 140  
Anaheim, CA 92806

THE STATE OF TEXAS  
COUNTY OF LIBERTY

I hereby certify that this instrument was FILED on the  
date and the time stamped hereon by me and was duly  
RECORDED in the Records of Liberty County, Texas.

23-0013 PUBNOTICE  
03/22/2023 10:37:53 AM Total Fees: \$3.00



*Lee Haidusek Chambers*  
Lee Haidusek Chambers, County Clerk  
Liberty County, TX



1103 BEAUTY STREET  
DAYTON, TX 77535

00000009538273

### 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: June 06, 2023

Time: The sale will begin at 10:00 AM or not later than three hours after that time.

Place: THE SOUTH SIDE DOOR OF THE LIBERTY 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 07, 2017 and recorded in Document INSTRUMENT NO. 2017015032 real property records of LIBERTY County, Texas, with DELWYN J MITCHELL, grantor(s) and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS") AS NOMINEE, mortgagee.

4. **Obligations Secured.** Deed of Trust or Contract Lien executed by DELWYN J MITCHELL, securing the payment of the indebtednesses in the original principal amount of \$67,750.00, 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 REID RUPLE, KATHLEEN ADKINS, EVAN PRESS, CARY CORENBLUM, KRISTOPHER HOLUB, JOSHUA SANDERS, AMY OIAN, MATTHEW HANSEN, JAMI GRADY, CHRISTIAN BROOKS, MICHAEL KOLAK, CRYSTAL KOZA, ALEENA LITTON, AARTI PATEL, AUCTION.COM, DANA DENNEN, CINDY DENNEN, AARON CRAWFORD, TOMMY JACKSON, RON HARMON, KEATA SMITH, CAROLYN CICCIO, STEPHANIE HERNANDEZ, KEVIN MCCARTHY OR BEATRICE CARRILLO 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 Tommy Jackson, and my address is c/o 4004 Belt Line Road, Suite 100, Addison, Texas 75001-4320. I declare under penalty of perjury that on 3-21-23 I filed at the office of the LIBERTY County Clerk and caused to be posted at the LIBERTY County courthouse this notice of sale.



Declarants Name: Tommy Jackson

Date: 3-21-23

**EXHIBIT "A"**

FIELD NOTES OF A TRACT OF LAND CONTAINING 0.15 ACRES SITUATED IN THE LIBERTY TOWN WEST LEAGUE, ABSTRACT 357, LIBERTY COUNTY, TEXAS AND BEING OUT OF AND A PART OF LOT 11, WILSON ADDITION, A SUBDIVISION IN LIBERTY COUNTY, TEXAS ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME "F", PAGE 138 OF THE DISTRICT COURT MINUTES OF LIBERTY COUNTY, TEXAS, ALSO BEING THE SAME TRACT OF LAND CONVEYED TO VIOLET CHAPMAN RECORDED BY DEED IN VOLUME 164, PAGE 825 OF THE OFFICIAL PUBLIC RECORDS OF LIBERTY COUNTY, TEXAS. SAID 0.15 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

NOTE THE MONUMENTS FOUND AND CALLED BEARING IN THE OCCUPIED SOUTHWEST RIGHT-OF-WAY LINE OF BEAUTY STREET WERE USED FOR THE BEARING BASIS DIRECTIONAL CONTROL LINE.

BEGINNING AT A 1/4" IRON PIPE, FOUND, IN THE OCCUPIED SOUTHWEST RIGHT-OF-WAY LINE OF SAID BEAUTY STREET. THE SOUTHEAST CORNER OF A 0.155 ACRE TRACT OF LAND CONVEYED TO HOWARD BOSTON AND OCTAVIA BOSTON RECORDED BY DEED IN VOLUME 875, PAGE 447 OF THE DEED RECORDS OF SAID COUNTY AND FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE S 30°45'37" E. ALONG THE OCCUPIED SOUTHWEST RIGHT-OF-WAY LINE OF SAID BEAUTY STREET, A DISTANCE OF 67.50 FEET TO A 5/8" IRON ROD, FOUND, BEING THE SOUTHERLY NORTHEAST CORNER OF THE RESIDUE OF A TRACT OF LAND CONVEYED TO KENNETH BERRY RECORDED BY DEED IN LIBERTY COUNTY CLERK'S FILE NO. (S) 2006000090 OF THE OFFICIAL PUBLIC RECORDS OF SAID COUNTY AND FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE S 59°26'37" W, ALONG THE SOUTHERLY NORTH LINE OF SAID BERRY TRACT, A DISTANCE OF 100.00 FEET TO A 3/8" CAPPED IRON ROD MARKED H&H LAND, SET, BEING AN INTERIOR CORNER OF SAID BERRY TRACT AND FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE N 30°44'29" W, ALONG THE WESTERLY EAST LINE OF SAID BERRY TRACT, A DISTANCE OF 67.50 FEET TO A 5/8" IRON ROD, FOUND, BEING THE SOUTHWEST CORNER OF SAID 0.155 ACRES AND FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE N 59°26'35" E, ALONG THE SOUTH LINE OF SAID 0.155 ACRES, A DISTANCE OF 99.98 FEET (CALLED 100.00) TO THE POINT OF BEGINNING AND CONTAINING 0.15 ACRES OF LAND, MORE OR LESS.

**THE STATE OF TEXAS  
COUNTY OF LIBERTY**

I hereby certify that this instrument was FILED on the date and the time stamped hereon by me and was duly RECORDED in the Records of Liberty County, Texas.

23-0011 PUBNOTICE  
03/17/2023 04:27:12 PM Total Fees: \$3.00



Lee Haidusek Chambers, County Clerk  
Liberty County, TX