

FILED

NOTICE OF FORECLOSURE SALE

2016 NOV 14 AM 11:53

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.

STACEY KENN  
COUNTY CLERK  
COLLIN COUNTY, TEXAS  
BY: [Signature] DEPUTY

1. *Property to Be Sold.* The property to be sold is described as follows: LOT 6, IN BLOCK J, OF HERITAGE EAST "A", PHASE 1 ADDITION, AN ADDITION TO THE CITY OF LAVON, COLLIN COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 2006, PAGE 323 PLAT RECORDS, COLLIN COUNTY, TEXAS.

2. *Instrument to be Foreclosed.* The instrument to be foreclosed is the Deed of Trust dated 12/29/2006 and recorded in Document 20070108000038010 real property records of Collin County, Texas.

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

Date: 01/03/2017

Time: 10:00 AM

Place: Collin County Courthouse, Texas at the following location: SOUTHWEST ENTRANCE OF THE JACK HATCHELL COLLIN COUNTY ADMINISTRATION BUILDING 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 GREGORY A. NIX AND KRISTIE L. NIX, provides that it secures the payment of the indebtedness in the original principal amount of \$132,421.00, 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 MIDLAND MORTGAGE, A DIVISION OF MIDFIRST BANK is mortgage servicer. A servicing agreement between the mortgagee, whose address is MIDFIRST BANK c/o MIDLAND MORTGAGE, A DIVISION OF 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 MITCH JORDAN, BOB DICKERSON, PHILLIP PIERCEALL, CRAIG MUIRHEAD, CLAY GOLDEN, DOUG RODGERS, WENDY LAMBERT, ROSS BANDY, TRAVIS KADDATZ, TROY ROBINETT, TERRY WATERS, ROBERT AGUILAR, FREDERICK BRITTON, BRADLEY ROSS, EVAN PRESS, MATT HANSEN, WES WEBB, MICHAEL W. ZIENTZ, L. KELLER MACKIE, CARL NIENDORFF, TRACEY MIDKIFF, KRISTEN WALL, Donna Stockman or David Stockman, 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.

[Signature]  
Mackie Wolf Zientz & Mann, P.C.  
Brandon Wolf, Attorney at Law  
L. Keller Mackie, Attorney at Law  
Lori Liane Long, Attorney at Law  
Tracey Midkiff, Attorney at Law  
Joseph Modric, Attorney at Law  
Parkway Office Center, Suite 900  
14160 North Dallas Parkway  
Dallas, TX 75254

[Signature]  
~~MITCH JORDAN, BOB DICKERSON, PHILLIP PIERCEALL, CRAIG MUIRHEAD, CLAY GOLDEN, DOUG RODGERS, WENDY LAMBERT, ROSS BANDY, TRAVIS KADDATZ, TROY ROBINETT, TERRY WATERS, ROBERT AGUILAR, FREDERICK BRITTON, BRADLEY ROSS, EVAN PRESS, MATT HANSEN, WES WEBB, MICHAEL W. ZIENTZ, L. KELLER MACKIE, CARL NIENDORFF, TRACEY MIDKIFF, KRISTEN WALL, Donna Stockman or David Stockman~~  
c/o AVT Title Services, LLC  
1101 Ridge Rd. Suite 222  
Rockwall, TX 75087

I am Erica Hall Certificate of Posting  
whose address is 14160 N. Dallas Pkwy, Suite 900, Dallas, TX 75254. I declare under penalty of perjury that on 11-10-2016 I filed this Notice of Foreclosure Sale at the office of the Collin County Clerk and caused it to be posted at the location directed by the Collin County Commissioners Court.