



22-007932

### Notice of Substitute Trustee's Sale

Notice Concerning Military Duty: 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. Tex. Prop. Code § 51.002(i)

Deed of Trust Date: June 4, 2010	Original Mortgagor/Grantor: ROY M. HELBERT AND MELISSA J. HELBERT
Original Beneficiary / Mortgagee: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ACTING SOLELY AS NOMINEE FOR SOUTHWEST BANK, ITS SUCCESSORS AND ASSIGNS., ITS SUCCESSORS AND ASSIGNS	Current Beneficiary / Mortgagee: U.S. BANK NATIONAL ASSOCIATION
Recorded in: Volume: 2010018045 Page: N/A. Instrument No: 2010018045	Property County: LUBBOCK
Mortgage Servicer: U.S. BANK NATIONAL ASSOCIATION	Mortgage Servicer's Address: 2800 TAMARACK RD OWENSBORO, KY 42301

\* 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 property securing the above referenced loan.

**Secures:**Note in the original principal amount of \$199,900.00, executed by MELISSA HELBERT and ROY HELBERT and payable to the order of Lender.

**Property Address/Mailing Address:** 3002 81ST STREET, LUBBOCK, TX 79423

**Legal Description of Property to be Sold:** LOT TWO HUNDRED FORTY-SIX (246), MELONIE GARDENS ADDITION TO THE CITY OF LUBBOCK, LUBBOCK COUNTY, TEXAS, ACCORDING TO THE MAP, PLAT AND/OR DEDICATION DEED THEREOF RECORDED IN VOLUME 1379, PAGE 798, DEED RECORDS OF LUBBOCK COUNTY, TEXAS.

<b>Date of Sale:</b> January 02, 2024	<b>Earliest time Sale will begin:</b> 10:00 AM
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**Place of sale of Property:** Lubbock County Courthouse, 904 Broadway, Lubbock, TX 79401 OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE OR IN THE AREA DESIGNATED BY THE COMMISSIONER'S COURT, PURSUANT TO SECTION 51.002 OF THE TEXAS PROPERTY CODE

The Substitute Trustee will sell the property by public auction to the highest bidder for cash at the place and date specified. The sale will begin at the earliest time stated above or within three (3) hours after that time.

**Appointment of Substitute Trustee:** Default has occurred in the payment of the Note and in the performance of the obligations of the Deed of Trust, the same is now wholly due. Because of that default, *U.S. BANK NATIONAL ASSOCIATION*, the owner and holder of the Note, has requested Bobby Fletcher, David Ray, Clay Golden, Israel Curtis, Jonathan Schendel, Angie Uselton, Charles Green, Lisa Bruno, Patrick Zwiers, Kristopher Holub, Dana Kamin, Conrad Wallace, Joshua Sanders, Matthew Hansen, Aleena Litton, Auction.com, Terry Browder, Laura Browder, Jamie Osborne whose address is 1 Mauchly Irvine, CA 92618 OR Terry Browder, Laura Browder or Jamie Osborne whose address is 14800 Landmark Blvd., Suite 850, Dallas, TX 75254, to sell the property. The Trustee(s) has/have been appointed Substitute Trustee in the place of the original trustee, in the manner authorized by the deed of trust.

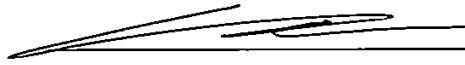


**Terms of Sale:** The Foreclosure Sale will be conducted as a public auction and the Property will be sold to the highest bidder for cash, except that *U.S. BANK NATIONAL ASSOCIATION* bid may be by credit against the indebtedness secured by the lien of the Deed of Trust.

Pursuant to section 51.009 of the Texas Property Code, the Property will be sold "AS IS," without any expressed or implied warranties, except as to the warranties (if any) provided for under the Deed of Trust. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the Property.

Pursuant to section 51.0075(a) of the Texas Property Code, Bobby Fletcher, David Ray, Clay Golden, Israel Curtis, Jonathan Schendel, Angie Uselton, Charles Green, Lisa Bruno, Patrick Zwiers, Kristopher Holub, Dana Kamin, Conrad Wallace, Joshua Sanders, Matthew Hansen, Aleena Litton, Auction.com, Terry Browder, Laura Browder, Jamie Osborne whose address is 1 Mauchly Irvine, CA 92618 OR Terry Browder, Laura Browder or Jamie Osborne whose address is 14800 Landmark Blvd., Suite 850, Dallas, TX 75254, Trustee reserves the right to set further reasonable conditions for conducting the Foreclosure Sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by Bobby Fletcher, David Ray, Clay Golden, Israel Curtis, Jonathan Schendel, Angie Uselton, Charles Green, Lisa Bruno, Patrick Zwiers, Kristopher Holub, Dana Kamin, Conrad Wallace, Joshua Sanders, Matthew Hansen, Aleena Litton, Auction.com, Terry Browder, Laura Browder, Jamie Osborne whose address is 1 Mauchly Irvine, CA 92618 OR Terry Browder, Laura Browder or Jamie Osborne whose address is 14800 Landmark Blvd., Suite 850, Dallas, TX 75254, Trustee.

**Limitation of Damages:** If the sale is set aside for any reason, the purchaser at the sale shall be entitled only to a return of the funds paid. The purchaser shall have no further recourse against Mortgagor, the Mortgagee, or the Mortgagee's attorney.



**SUBSTITUTE TRUSTEE**

Bobby Fletcher, David Ray, Clay Golden, Israel Curtis, Jonathan Schendel, Angie Uselton, Charles Green, Lisa Bruno, Patrick Zwiers, Kristopher Holub, Dana Kamin, Conrad Wallace, Joshua Sanders, Matthew Hansen, Aleena Litton, Auction.com, Terry Browder, Laura Browder, Jamie OR Terry Browder, Laura Browder or Jamie Osborne, Trustee

c/o Robertson, Anschutz, Schneid, Crane & Partners, PLLC,  
13010 Morris Rd, Suite 450, Alpharetta, Georgia 30004  
PH: (470)321-7112

**FILED AND RECORDED**

OFFICIAL PUBLIC RECORDS



*Kelly Pinion*

Kelly Pinion, County Clerk  
Lubbock County, TEXAS  
11/09/2023 09:48 AM  
FEE: \$3.00  
2023043069