



2212 48TH ST
LUBBOCK, TX 79412

00000009442914

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: September 06, 2022

Time: The sale will begin at 1:00 PM or not later than three hours after that time.

Place: THE GAZEBO LOCATED ON THE FRONT LAWN OF THE LUBBOCK 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 November 17, 2009 and recorded in Document CLERK'S FILE NO. 2009041328; AS AFFECTED BY LOAN MODIFICATION AGREEMENT CLERK'S FILE NO. 2014023151; AS AFFECTED BY 2022016455 real property records of LUBBOCK County, Texas, with JOHNATHAN RODRIGUEZ AND JANICE DELEON, grantor(s) and SIWELL INC., DBA CAPITAL MORTGAGE SERVICES OF TEXAS, A CORPORATION, mortgagee.

4. Obligations Secured. Deed of Trust or Contract Lien executed by JOHNATHAN RODRIGUEZ AND JANICE DELEON, securing the payment of the indebtednesses in the original principal amount of \$83,460.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. SIWELL INC. DBA CAPITAL MORTGAGE SERVICES OF TEXAS 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. SIWELL INC. DBA CAPITAL MORTGAGE SERVICE OF TEXAS, as Mortgage Servicer, is representing the current mortgagee, whose address is:

c/o SIWELL INC. DBA CAPITAL MORTGAGE SERVICE OF TEXAS
4212 50TH STREET
LUBBOCK, TX 79413



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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 JOHN MCCARTHY OR DAVID 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.

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Israel Saucedo - *David Carrillo*

Certificate of Posting

My name is *David Carrillo*, and my address is c/o 4004 Belt Line Road, Suite 100, Addison, Texas 75001-4320. I declare under penalty of perjury that on *6.23.2022* I filed at the office of the LUBBOCK County Clerk and caused to be posted at the LUBBOCK County courthouse this notice of sale.

Declarant's Name: *David Carrillo*
Date: *6.23.2022*

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LUBBOCK



LOT SEVENTY-FIVE (75), DOLLIE MAC ADDITION NO. 4 TO THE CITY OF LUBBOCK, LUBBOCK COUNTY, TEXAS,
ACCORDING TO THE MAP, PLAT AND/OR DEDICATION DEED THEREOF RECORDED IN VOLUME 590, PAGE 170 OF THE
DEED RECORDS OF LUBBOCK COUNTY, TEXAS.

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS



Kelly Pinion

Kelly Pinion, County Clerk
Lubbock County, TEXAS
06/23/2022 01:13 PM
FEE: \$3.00
2022030754