



Notice of Substitute Trustee Sale

T.S. #: 23-9921

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.

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

Date: 5/7/2024
Time: The sale will begin no earlier than 10:00 AM or no later than three hours thereafter.
The sale will be completed by no later than 1:00 PM
Place: Lubbock County Courthouse in LUBBOCK, Texas, at the following location: THE GAZEBO LOCATED ON THE FRONT LAWN OF THE COUNTY COURTHOUSE, WITH THE FIRST ALTERNATE LOCATION BEING THE 2ND FLOOR AUDITORIUM AT 916 Main AND THE SECOND ALTERNATE LOCATION BEING THE COMMISSIONER'S COURT ROOM LOCATED ON THE 5TH FLOOR OF THE COURTHOUSE. OR IN THE AREA DESIGNATED BY THE COMMISSIONER'S COURT, PURSUANT TO SECTION 51.002 OF THE TEXAS PROPERTY CODE

Property To Be Sold - The property to be sold is described as follows:

The West half of Lot Seven (7), T. J. Wages Subdivision, an Addition to the City of Lubbock, Lubbock County, Texas, and being a part of the North One-Half of the Northeast Quarter of Section 20, Block A, Lubbock County, Texas, according to the Map or Plat thereof recorded in Volume 331, Page 520, Deed Records of Lubbock County, Texas.

Instrument to be Foreclosed – The instrument to be foreclosed is the Deed of Trust is dated 3/7/2007 and is recorded in the office of the County Clerk of Lubbock County, Texas, under County Clerk's File No 2007010770, recorded on 3/16/2007, of the Real Property Records of Lubbock County, Texas.
Property Address: 3204 DUKE STREET LUBBOCK TX 79415

Trustor(s): MARY AGUERO and FRANCISCO AGUERO **Original Beneficiary:** CITIFINANCIAL, INC

Current Beneficiary: U.S. Bank Trust National Association, as Trustee for LB-Ranch Series V Trust **Loan Servicer:** SN Servicing Corporation

Current Substituted Trustees: Auction.com, Terry Browder, Laura Browder, Jamie Osborne, Rick Snoke, Prestige Default Services, LLC

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.

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Terms of Sale - The sale will be conducted as a public auction to the highest bidder for cash with funds being made payable to Prestige Default Services, LLC, subject to the provisions of the deed of trust permitting the beneficiary thereunder to have the bid credited to the note up to the amount of the unpaid debt secured by the deed of trust at the time of sale. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any. Pursuant to the Deed of Trust, the beneficiary 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. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the property. Pursuant to section 51.0075 of the Texas Property Code, the trustee reserves the right to set further reasonable conditions for conducting the sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by the trustee or any substitute trustee.

Type of sale - The sale is a non-judicial deed of trust lien and security interest foreclosure sale being conducted pursuant to the power of the sale granted by the deed of trust executed by MARY AGUERO and FRANCISCO AGUERO WIFE AND HUSBAND. The real property and personal property encumbered by the deed of trust will be sold at the sale in accordance with the provisions of the deed of trust and as permitted by section 9.604(a) of the Texas Business and Commerce Code.

Obligations Secured - The deed of trust provides that it secures the payment of the indebtedness and obligations therein described (collectively the "Obligations") including by not limited to (1) the promissory note in the original principal amount of \$30,269.72, executed by MARY AGUERO and FRANCISCO AGUERO WIFE AND HUSBAND, and payable to the order of CITIFINANCIAL, INC ; (2) all renewals and extensions of the note; and (3) any and all present and future indebtedness of MARY AGUERO and FRANCISCO AGUERO WIFE AND HUSBAND to MARY AGUERO and FRANCISCO AGUERO. U.S. Bank Trust National Association, as Trustee for LB-Ranch Series V Trust is the current owner and holder of the Obligations and is the beneficiary under the Deed of Trust.

The sale will be made, but without covenant or warranty, expressed or implied, regarding title, possession, or encumbrances, to pay the remaining principal sum of the Note and all other amounts lawfully owing under the Note, the Deed of Trust, and all of the other associated loan documents, including, without limitation, all interest, default interest, late charges, advances, attorneys' fees and other costs and expenses. **All checks must be made payable to Prestige Default Services, LLC**

Questions concerning the sale may be directed to the undersigned or to the beneficiary:

U.S. Bank Trust National Association, as Trustee for LB-Ranch Series V Trust
c/o SN Servicing Corporation
323 5th Street
Eureka, CA 95501
800-603-0836

Dated: 4/15/24

Auction.com, Terry Browder, Laura Browder, Jamie Osborne, Rick Snoke,
Prestige Default Services, LLC.

Prestige Default Services, LLC
16801 Addison Road, Suite 350
Addison, Texas 75001
Phone: (972) 893-3096 ext. 1035
Fax: (949) 427-2732

237th JUDICIAL DISTRICT

SITUATE, LYING AND BEING IN THE COUNTY OF LUBBOCK, STATE OF TEXAS, DESCRIBED AS FOLLOWS:
THE WEST HALF OF LOT SEVEN (7), T. J. WAGES SUBDIVISION, AN ADDITION TO THE CITY OF LUBBOCK, LUBBOCK COUNTY, TEXAS, AND BEING A PART OF THE NORTH ONE-HALF OF THE NORTHEAST QUARTER OF SECTION 20, BLOCK A, LUBBOCK COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 331, PAGE 520, DEED RECORDS OF LUBBOCK COUNTY, TEXAS.

4. The lien to be foreclosed is indexed or recorded as Instrument No. 2007010770 and recorded in the real property records of Lubbock County, Texas.
5. The material facts establishing Respondent's default are alleged in the Petitioner's application and the supporting affidavit. Those facts are adopted by the court and incorporated by reference in this order.
6. Based on the affidavit of Petitioner, no Respondent subject to this order is protected from foreclosure by the Servicemembers Civil Relief Act, 50 U.S.C. App § 501 et seq.
7. Therefore, the Court grants Petitioner's motion for default order under Texas Rules of Civil Procedure 736.7 and 736.8 on its Application. Petitioner and/or its successors and assigns may proceed with foreclosure of the property described above in accordance with applicable law and the Loan Agreement, contract, or lien sought to be foreclosed, and Petitioner is hereby authorized to proceed with a non-judicial foreclosure on the herein described property pursuant to the Loan Agreement, Texas Property Code Section 51.002, and under article XVI, section 50(a)(6) of the Texas Constitution.
8. Petitioner and/or its successors and assigns is hereby authorized to take all actions necessary to proceed with the non-judicial foreclosure and to secure the property.
9. This order is not subject to a motion for rehearing, a new trial, a bill of review, or an appeal. Any challenge to this order must be made in a separate, original proceeding filed in

23-002281-3

DEFAULT ORDER ON RULE 736 APPLICATION FOR
EXPEDITED FORECLOSURE

accordance with Texas Rule of Civil Procedure 736.11.

SIGNED this 28th day of March, 2024



Judge Presiding

APPROVED AND ENTRY REQUESTED:

Ghidotti | Berger LLP

/s/ George Scherer

George Scherer, Esq.

State Bar No. 00784916

Ghidotti | Berger LLP

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Addison, TX 75001

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ATTORNEY FOR PETITIONER

23-002281-3

DEFAULT ORDER ON RULE 736 APPLICATION FOR
EXPEDITED FORECLOSURE

Automated Certificate of eService

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Filing Code Description: DJDG - Default Judgment

Filing Description: Default Order

Status as of 4/1/2024 11:55 AM CST

Associated Case Party: US BANK TRUST NATIONAL ASSOCIATION AS TRUSTEE
FOR LB-RANCH SERIES V TRUST

Name	BarNumber	Email	TimestampSubmitted	Status
Delliah Perez		dperez@ghidottiberger.com	3/27/2024 1:11:41 PM	SENT

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AFTER RECORDING, PLEASE RETURN TO:
Prestige Default Services, LLC
16801 Addison Road, Suite 350
Addison, Texas 75001
Attn: Trustee Department

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS



Kelly Pinion

Kelly Pinion, County Clerk
Lubbock County, TEXAS
04/16/2024 11:41 AM
FEE: \$2.00
2024015626