



C&amp;M No. 44-22-3169/ FILE NOS

## NOTICE OF TRUSTEE'S SALE AND APPOINTMENT OF SUBSTITUTE TRUSTEE

**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. Sender is: Codilis & Moody, P.C., 400 North Sam Houston Parkway East, Suite 900A, Houston, Texas 77060**

### INSTRUMENT BEING FORECLOSED AND MORTGAGE SERVICER INFORMATION

Deed of Trust dated May 24, 2019 and recorded under Clerk's File No. 2019019373, in the real property records of LUBBOCK County Texas, with Ursula D Findley and Robert A Baker, wife and husband as Grantor(s) and Mortgage Electronic Registration Systems, Inc., as beneficiary, as nominee for Consumer Real Estate Finance Co., its successors and assigns as Original Mortgagee.

Deed of Trust executed by Ursula D Findley and Robert A Baker, wife and husband securing payment of the indebtedness in the original principal amount of \$281,408.00 and obligation therein described including but not limited to the promissory note and all modifications, renewal and extensions of the promissory note (the "Note") executed by Ursula D Findley. Lakeview Loan Servicing, LLC is the current mortgagee (the "Mortgagee") of the Note and Deed of Trust or Contract Lien.

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. RightPath is acting as the Mortgage Servicer for the Mortgagee. RightPath, is representing the Mortgagee, whose address is: 8950 Cypress Waters Boulevard, Coppell, TX 75019.

#### Legal Description:

**FIELD NOTES ON A 10.002 ACRE, BEING THE SAME TRACT AS SHOWN AS EXHIBIT A IN LUBBOCK COUNTY CLERK FILE NUMBER (CCFN) 2017029102, OUT OF THE NORTH HALF (N/2) OF THE SOUTHWEST QUARTER (SW/4) OF SECTION 16, BLOCK JS, LUBBOCK COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES:**

### SALE INFORMATION

Date of Sale: 03/07/2023

Earliest Time Sale Will Begin: 10:00 AM

**Location of Sale:** The place of the sale shall be: LUBBOCK County Courthouse, Texas at the following location: The gazebo located on the front lawn of the Lubbock County Courthouse with the first alternate location being the 2nd floor auditorium at 916 Main and the second alternate location being the Commissioner's Courtroom located on the 5th floor of the courthouse

### TERMS OF SALE

A default has occurred in the payment of said herein referenced indebtedness, and the same is now wholly due, and the Mortgagee and/or Mortgage Servicer has requested the hereinafter appointed Substitute Trustee to sell said property to the highest bidder for cash and to distribute or apply the proceeds of said sale in accordance with the terms of said Deed of Trust.

The Sale will be conducted as a public auction to the highest bidder for cash, except that Mortgagee's bid may be by credit against the indebtedness secured by the lien of the Deed of Trust. 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,"

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LUBBOCK

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**"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.**

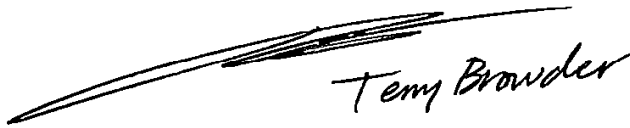
The sale will begin at the earliest time stated above, or within three (3) hours after that time. If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the funds paid. The Purchaser shall have no further recourse against the Mortgagor, the Mortgagee or the Mortgagee's attorney.

**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.**

**WHEREAS, in my capacity as attorney for the Mortgagee and/or Its Mortgage Servicer, and pursuant to Section 51.0076 of the Texas Property Code, I HEREBY APPOINT AND DESIGNATE Terry Browder, Laura Browder, Marsha Monroe, Thomas Delaney, Danya Gladney, Aaron Demuth, Codilis & Moody, P.C., or ServiceLink Auction, as Substitute Trustee.**

The address for the Substitute Trustee for purposes of Section 51.0075(e) of the Texas Property Code is:  
Codilis & Moody, P.C.  
400 N. Sam Houston Pkwy E, Suite 900A  
Houston, TX 77060  
(281) 925-5200

Executed on 12/19/2022.



/s/ Danya F. Gladney SBOT No. 24059786, Attorney at Law  
Codilis & Moody, P.C.  
400 N. Sam Houston Pkwy E, Suite 900A  
Houston, TX 77060  
(281) 925-5200

Posted and filed by: \_\_\_\_\_

Printed Name: \_\_\_\_\_

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## EXHIBIT A

FIELD NOTES ON A 10.001 ACRE, BEING THE SAME TRACT AS SHOWN AS EXHIBIT A IN LUBBOCK COUNTY CLERK FILE NUMBER (CCFN) 2017029102, OUT OF THE NORTH HALF (N/2) OF THE SOUTHWEST QUARTER (SW/4) OF SECTION 16, BLOCK JS, LUBBOCK COUNTY, TEXAS, AND BEING FURTHER DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THIS TRACT, HAVING TEXAS NORTH CENTRAL ZONE COORDINATES (NAD 83, 2011, EPOCH 2010.0000) OF NORTH: 7286997.36, EAST: 900307.42 FROM WHICH A FOUND RAILROAD SPIKE, THE SOUTHWEST CORNER OF SECTION 16 AS HELD ON THE GROUND (NORTH: 7285343.26, EAST 900264.93) BEARS S 01 DEG 28' 32" W (TEXAS NORTH CENTRAL ZONE BEARING BASIS), 1650.04 FEET;

THENCE NORTH 01 DEG 28' 32" E WITH THE WEST LINE OF SECTION 16 AND NEAR THE CENTER OF F.M. 179, A DISTANCE OF 330.14 FEET TO THE NORTHWEST CORNER OF THIS TRACT;

THENCE S 88 DEG 14' 14" E, WITH THE SOUTH LINE OF A 10.001 ACRE TRACT SHOWN AS EXHIBIT B IN CCFN 2017029102, AT 40 FEET PASS A SET 1/2" ROD WITH ALUMINUM CAP MARKED ABACUS RPLS 4460, IN AT 1319.66 FEET TO A SET 1/2" ROD WITH ALUMINUM CAP FOR THE NORTHEAST CORNER OF THIS TRACT;

THENCE S 01 DEG 28' 16" W, 330.14 FEET TO A SET 1/2" ROD WITH ALUMINUM CAP FOR THE SOUTHEAST CORNER OF THIS TRACT;

THENCE N 88 DEG 14' 14" W, WITH THE NORTH LINE OF A 10.001 ACRE TRACT DESCRIBED IN CCFN 2016033970, AT 1279.88 FEET PASS A SET 1/2" ROD WITH ALUMINUM CAP, IN ALL 1319.88 FEET TO THE PLACE OF BEGINNING, CONTAINING 10.001 ACRES INCLUDING ANY RIGHT OF WAY.

## FILED AND RECORDED

OFFICIAL PUBLIC RECORDS



*Kelly Pinion*

Kelly Pinion, County Clerk  
Lubbock County, TEXAS  
12/21/2022 03:59 PM  
FEE: \$3.00  
2022056805