



1408 11th St, Shallowater, TX 79363

24-028790

**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: 11/05/2024

Time: Between 10:00 AM – 1:00 PM and beginning not earlier than 10:00 AM and ending not later than three hours thereafter.

Place: The area designated by the Commissioners Court of Lubbock County, pursuant to §51.002 of the Texas Property Code as amended: if no area is designated by the Commissioners' Court, the sale will be conducted in the area immediately adjacent (next) to the location where this Notice of Trustee's Sale was posted.

**2. Terms of Sale.** Highest bidder for cash.

**3. Instrument to be Foreclosed.** The Instrument to be foreclosed is the Deed of Trust or Contract Lien dated July 13, 2022 and recorded in the real property records of Lubbock County, TX and is recorded under Clerk's Instrument No. 2022033944 with Todd Phillips and Jillian Phillips (grantor(s)) and Mortgage Electronic Registration Systems, Inc., as nominee for Ark-La-Tex Financial Services, LLC dba Benchmark Mortgage mortgagee to which reference is herein made for all purposes.

**4. Obligations Secured.** Deed of Trust or Contract Lien executed by Todd Phillips and Jillian Phillips, securing the payment of the indebtedness in the original amount of \$365,600.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. Wells Fargo Bank, N.A. is the current mortgagee of the note and Deed of Trust or Contract Lien.

**5. Property to be Sold.** LOT FOUR (4), BIEN VENIDAS ESTATES, AN ADDITION TO THE CITY OF SHALLOWATER, LUBBOCK COUNTY, TEXAS, LOCATED IN SECTION 26, BLOCK D-5, J. SHERMAN ORIGINAL GRANTEE, E.L. & R.R. RAILROAD CO. SURVEY, LUBBOCK COUNTY, TEXAS, ACCORDING TO THE MAP, PLAT AND/OR DEDICATION DEED THEREOF RECORDED IN VOLUME 5480, PAGE 97 OF THE REAL PROPERTY RECORDS OF LUBBOCK COUNTY, TEXAS AND REVISED IN VOLUME 8290, PAGE 182 OF THE OFFICIAL PUBLIC RECORDS OF LUBBOCK COUNTY, TEXAS.

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 §51.002, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the lien securing the Property referenced above. Wells Fargo Home Mortgage, as Mortgage Servicer, is representing the current Mortgagee whose address is:

Wells Fargo Bank, N.A.  
11625 N Community House Rd  
Charlotte, NC 28277

7. **Substitute Trustee(s) Appointed to Conduct Sale.** In accordance with Texas Property Code §51.0076, the undersigned attorney for the mortgage servicer has named and appointed, and by these presents does name and appoint Kirk Schwartz, Esq or Candace Sissac, Esq OR Terry Browder, Laura Browder, Jamie Osborne whose address is 1320 Greenway Drive, Suite 300, Irving, TX 75038 OR AUCTION.COM OR Bobby Fletcher, Jonathan Schendel, Angie Uselton, Charles Green, Lisa Bruno, Shawn Schiller, David Ray, Patrick Zwiers, Kristopher Holub, Dana Kamin, Garrett Sanders, Joshua Sanders, Clay Golden, Logan Thomas, Terry Browder, Laura Browder whose address is 1 Mauchly, Irvine, CA 92618, Substitute Trustee to act under and by virtue of said Deed of Trust.


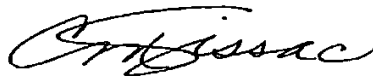
**THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE(S) IDENTIFIED TO SELL THE PROPERTY DESCRIBED IN THE SECURITY INSTRUMENT IDENTIFIED IN THIS NOTICE OF SALE. THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY OR AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.**

August 17, 2024

8/22/24

Executed on

Executed on



James E. Albertelli, P.A.  
Kirk Schwartz, Esq.  
Candace Sissac, Esq.  
6565 N MacArthur Drive, Suite 470  
Irving, TX 75039

**SUBSTITUTE TRUSTEE**  
Agency Sales & Posting  
Terry Browder, Laura Browder, Jamie Osborne OR  
AUCTION.COM OR Bobby Fletcher, Jonathan  
Schendel, Angie Uselton, Charles Green, Lisa Bruno,  
Shawn Schiller, David Ray, Patrick Zwiers, Kristopher  
Holub, Dana Kamin, Garrett Sanders, Joshua Sanders,  
Clay Golden, Logan Thomas  
1320 Greenway Drive, Suite 300  
Irving, TX 75038

**CERTIFICATE OF POSTING**

My name is Terry Browder, and my address is 1320 Greenway Drive, Suite 300, Irving, TX 75038. I declare under penalty of perjury that on 8-22-24 I filed at the office of the Lubbock County Clerk and caused to be posted at the Lubbock County courthouse this notice of sale.

Declarants Name: Terry Browder  
Date: 8-22-24

# FILED AND RECORDED

OFFICIAL PUBLIC RECORDS



*Kelly Pinion*

Kelly Pinion, County Clerk  
Lubbock County, TEXAS  
08/22/2024 09:44 AM  
FEE: \$2.00  
2024033683