

C&amp;M No. 44-24-02117/ 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., 20405 State Highway 249, Suite 170, Houston, TX 77070**

### INSTRUMENT BEING FORECLOSED AND MORTGAGE SERVICER INFORMATION

Deed of Trust dated May 25, 2018 and recorded under Clerk's File No. 2018019423 correction instrument recorded as 2018023862, in the real property records of LUBBOCK County Texas, with Tyler Barron, a single person as Grantor(s) and Mortgage Electronic Registration Systems, Inc., as beneficiary, as nominee for First Rate Financial LLC, A Texas Corporation, its successors and assigns as Original Mortgagee.

Deed of Trust executed by Tyler Barron, a single person securing payment of the indebtedness in the original principal amount of \$285,000.00 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 Tyler Barron. CITIZENS BANK NA f/k/a RBS Citizens NA 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. Citizens Bank, N.A. a/k/a Citizens One Home Loans is acting as the Mortgage Servicer for the Mortgagee. Citizens Bank, N.A. a/k/a Citizens One Home Loans, is representing the Mortgagee, whose address is: PO BOX 2800, Glen Allen, VA 23058.

#### Legal Description:

**A TRACT OF LAND CONSISTING OF ALL LOT FIFTEEN (15) AND A PART OF LOTS TWELVE (12), THIRTEEN (13), AND FOURTEEN (14), AND A PORTION OF A CLOSED ALLEY, ALL IN BLOCK ONE (1), RUSSELL ADDITION TO THE CITY OF SLATON, LUBBOCK COUNTY, TEXAS, ACCORDING TO THE MAP, PLAT AND/OR DEDICATION DEED THEREOF IN VOLUME 757, PAGE 461, DEED RECORDS OF 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: 01/07/2025

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.

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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," "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, Jamie Osborne, 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, Terry Browder, Laura Browder, Jamie Osborne, Thomas Delaney, Danya Gladney, Aaron Demuth, Codilis & Moody, P.C., or Auction.com, 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.  
20405 State Highway 249, Suite 170  
Houston, TX 77070  
(281) 925-5200

Executed on 11/25/2024.

  
/s/ Will Morphis SBOT No. 24131905, Attorney at Law  
Codilis & Moody, P.C.  
20405 State Highway 249, Suite 170  
Houston, TX 77070  
(281) 925-5200

Posted and filed by: 

Printed Name: Terry Browder

C&M No. 44-24-02117

**EXHIBIT "A"**  
Legal Description

A portion of Lots 12, 13, 14, and 15, together with a Portion of a closed alley, located in Block 1, Russell Addition to the City of Slaton, Lubbock County, Texas, according to the map, plat and/or dedication deed thereof recorded in Volume 757, Page 461 of the Deed Records of Lubbock County, Texas, being that same tract previously described under County Clerk File Number 2006036268 of the Official Public Records of Lubbock County, Texas, being further described as follows:

**BEGINNING** at a 1/2" iron rod with cap marked "HRA" set for the original Northwest corner of Lot 13 Block 1, Russell Addition, being the Northwest corner of this tract, from whence a found 1/2" iron rod bears S. 89°07' W. a distance of 60.48 feet;

**THENCE** N. 89°07' E., along the Northern boundary of said Lot 13, a distance of 123.44 feet to a 3/8" iron rod found at the Northeast corner of this tract, from whence a found 1/2" iron rod bears N. 89°07' E. a distance of 155.79 feet;

**THENCE** Southeasterly, around a curve to the left, said curve having a radius of 2404.93 feet, a central angle of 04°53'01", a chord bearing of S. 10°24'30" E., and a chord distance of 204.92 feet to a 3/8" iron rod found in the Southern boundary of said Lot 12, at the Southeast corner of this tract;

**THENCE** Southwesterly, along the Southern boundary of said Lots 12 and 15, around a curve to the left, said curve having a radius of 1200.46 feet, a central angle of 04°56'12", a chord bearing of S. 65°30'25" W. and a chord distance of 103.40 feet to a 1/2" iron rod with cap marked "HRA" set for a point of intersection;

**THENCE** Northwesterly, continuing along the Southern boundary of said Lot 15, around a curve to the right, said curve having a radius of 15.00 feet, a central angle of 103°47'07", a chord bearing of N. 65°47'55" W., and a chord distance of 23.61 feet to a 1/2" iron rod with cap marked "HRA" set in the Western boundary of said Lot 15 for a point of intersection;

**THENCE** Northwesterly, along the Western boundary of said Lots 15, 14 and 13, around a curve to the right, said curve having a radius of 2524.93 feet, a central angle of 05°22'53", a chord bearing of N. 10°53'56" W. and a chord distance of 237.06 feet to the **POINT OF BEGINNING**.

**FILED AND RECORDED**

OFFICIAL PUBLIC RECORDS



*Kelly Pinion*

Kelly Pinion, County Clerk  
Lubbock County, TEXAS  
11/26/2024 09:45 AM  
FEE: \$2.00  
2024046583