



## 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 October 01, 2015 and recorded under Clerk's File No. 2015036109, in the real property records of LUBBOCK County Texas, with Brandi Booher and Stacy Booher, wife and husband as Grantor(s) and Mortgage Electronic Registration Systems, Inc., as beneficiary, as nominee for PrimeWest Mortgage Corporation, its successors and assigns as Original Mortgagee.

Deed of Trust executed by Brandi Booher and Stacy Booher, wife and husband securing payment of the indebtedness in the original principal amount of \$303,050.00 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 Brandi Booher. SERVBANK, SB 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. Allied First Bank, SB dba Servbank is acting as the Mortgage Servicer for the Mortgagee. Allied First Bank, SB dba Servbank, is representing the Mortgagee, whose address is: 500 South Broad Street, Suite #100A, Meriden, CT 06450.

### Legal Description:

**SURFACE ESTATE ONLY OF A 6.115 ACRE TRACT OUT OF THE SOUTHEAST QUARTER (SE/4) OF SECTION 34, BLOCK JS, LUBBOCK COUNTY, TEXAS, BEING TRACTS 8, 9 AND 10 AS SHOWN ON A PLAT TITLED NORTHWEST PLACE RECORDED IN THE LUBBOCK COUNTY COMMISSIONER'S COURT MINUTES, APRIL 12, 1976, AND BEING MORE PARTICULARLY DESCRIBED BY EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES:**

### SALE INFORMATION

**Date of Sale: 06/04/2024**

**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," "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 April 22, 2024.



/s/ Marla A. Skeltis SBOT No. 24136182, 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. 44-24-00996

EXHIBIT "A"

**SURFACE ESTATE ONLY** of a 8.115 acre tract out of the Southeast Quarter (SE4) of Section 34, Block JS, Lubbock County, Texas, being Tracts 8, 9 and 10 as shown on a Plat titled Northwest Place recorded in the Lubbock County Commissioner's Court Minutes, April 12, 1978, further described by metes and bounds as follows:

**BEGINNING** at the common corner of Tracts 2, 3, 10 and 11 Northwest Place for the Northeast corner of this tract which is called to bears S 0°10' W, 437 feet and N 89°54'38" W, 438.77 feet from the Northeast corner of the SE4 of Section 34, a found 1" iron pipe at a Northeasterly corner of a 20 foot easement bears S 01°47'31" W (Texas North Central Zone Bearing Basis), 19.90 feet and N 88°12'29" W, 10.00 feet;

**THENCE** N 88°09'23" W, with the South line of Tracts 3, 4, and 5, Northwest Place, 607.50 feet to the common corner of Tracts 5, 6, 7 and 8, Northwest Place;

**THENCE** S 01°47'31" W, with the East line of Tract 7, Northwest Place, at 10 feet pass a set 1/2" rod

with stainless steel cap marked Abacus Engineering RPLS 4480, from which a found 1" pipe bears West 0.63 feet and South 0.73 feet, in all, 438.48 feet to set nail with washer near the center of a paved county road (County Road 6150) for the Southwest corner of this tract;

**THENCE** S 88°09'23" E, with the North line of Tracts 14 and 15, Northwest Place, at 0.63 feet pass a found railroad spike; at 597.50 feet pass a found square pipe, in all 607.50 feet to the Southeast corner of this tract;

**THENCE** N 01°47'31" E, with the West line of Tracts 11 and 12, Northwest Place 438.48 feet to the Place of Beginning.

**FILED AND RECORDED**

OFFICIAL PUBLIC RECORDS



*Kelly Pinion*

Kelly Pinion, County Clerk  
Lubbock County, TEXAS  
04/25/2024 04:14 PM  
FEE: \$2.00  
2024016988