



C&M No. 44-15-2339/ 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 August 11, 2006 and recorded under Clerk's File No. 2006168219, in the real property records of TRAVIS County Texas, with Darlene Westbrook and Gilson Westbrook, wife and husband as Grantor(s) and Mortgage Electronic Registration Systems, Inc. ("MERS"), solely as nominee for First Franklin A Division of National City Bank, its successors and assigns as Original Mortgagee.

Deed of Trust executed by Darlene Westbrook and Gilson Westbrook, wife and husband securing payment of the indebtedness in the original principal amount of \$230,400.00 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 Darlene Westbrook. Rushmore Loan Management Services 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. Rushmore Loan Management Services, LLC is acting as the Mortgage Servicer for the Mortgagee. Rushmore Loan Management Services, LLC, is representing the Mortgagee, whose address is: 15480 Laguna Canyon Road, Suite 100, Irvine, CA 92618.

Legal Description:

LOT 13, BLOCK C, LEGEND OAKS, SECTION 6, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT RECORDED IN VOLUME 91, PAGE 154, OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS.

SALE INFORMATION**Date of Sale: 02/01/2022****Earliest Time Sale Will Begin: 1:00 PM**

Location of Sale: The place of the sale shall be: TRAVIS County Courthouse, Texas at the following location: In the rear saltport of the Travis County Courthouse located on the west side which is immediately south of and slightly east of the intersection of 11th street and San Antonio Street, or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner's Court.

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 Angela Zavala, Michelle Jones, Thomas Delaney, Danya Gladney, Aaron Demuth, Codilis & Moody, P.C., or ServiceLink Agency Sales And Posting, 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 01/07/2022.

/s/ Aaron J. Demuth SBOT No. 24111076, 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:

Angela Zavala
Angela Zavala

C&M No. 44-15-2339

**FILED AND RECORDED
OFFICIAL PUBLIC RECORDS**

Dana DeBeauvoir

Dana DeBeauvoir, County Clerk
Travis County, Texas



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Jan 10, 2022 08:39 AM

Fee: \$3.00

LOPEZS