

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

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.

Matter No.: 118137-TX

Date: July 31, 2025

County where Real Property is Located: Bailey

ORIGINAL MORTGAGOR: MEGAN R DUFFY, SINGLE WOMAN

ORIGINAL MORTGAGEE: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS
BENEFICIARY, AS NOMINEE FOR PRIMARY RESIDENTIAL
MORTGAGE, INC, ITS SUCCESSORS AND ASSIGNS

CURRENT MORTGAGEE: LAKEVIEW LOAN SERVICING, LLC

MORTGAGE SERVICER: LOANCARE, LLC

DEED OF TRUST DATED 1/11/2019, RECORDING INFORMATION: Recorded on 1/14/2019, as Instrument No.
2019-23640 in Book 0327 Page 0468

SUBJECT REAL PROPERTY (LEGAL DESCRIPTION): TRACT OF LAND IN THE NORTHWEST
QUARTER OF SECTION 21, BLOCK Z, W.D. & F.W. JOHNSON SUBDIVISION, BAILEY COUNTY,
TEXAS, AND MORE COMPLETEY DESCRIBED IN ATTACHED EXHIBIT "A"

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on 10/7/2025, the foreclosure sale will be conducted in Bailey County in the area designated by the Commissioners Court, pursuant to Section 51.002 of the Texas Property Code as the place where the foreclosure sales are to take place. If no place is designated by the Commissioners Court, sale will be conducted at the place where the Notice of Trustee's Sale was posted. The trustee's sale will be conducted no earlier than 10:00 AM, or not later than three (3) hours after that time, by one of the Substitute Trustees who will sell, to the highest bidder for cash, subject to the unpaid balance due and owing on any lien indebtedness superior to the Deed of Trust.

LOANCARE, LLC is acting as the Mortgage Servicer for LAKEVIEW LOAN SERVICING, LLC who is the Mortgagee of the Note and Deed of Trust associated with the above referenced loan. LOANCARE, LLC, as Mortgage Servicer, is representing the Mortgagee, whose address is:

LAKEVIEW LOAN SERVICING, LLC
c/o LOANCARE, LLC
3637 SENTARA WAY
VIRGINIA BEACH, VA 23452-4262

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.



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 AUCTION.COM LLC, BRAD DICKEY, ALDRIDGE PITE, LLP or either one of them, as Substitute Trustee, to act, either singly or jointly, under and by virtue of said Deed of Trust and hereby request said Substitute Trustees, or any one of them to sell the property in said Deed of Trust described and as provided therein. The address for the Substitute Trustee as required by Texas Property Code, Section 51.0075(c) is Auction.com, 1 Mauchly, Irvine, CA 92618.

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.

By: Hollis Hamilton
Hollis Rose Hamilton, Attorney
Aldridge Pite, LLP
3333 Camino Del Rio South, Suite 225
San Diego, California 92108

Return to:

ALDRIDGE PITE, LLP
3333 Camino Del Rio South, Suite 225
P.O. BOX 17935
SAN DIEGO, CA 92108-0935
FAX #: 619-590-1385
Phone: (866) 931-0036

EXHIBIT "A"

TS# 118137-TX

Legal description of the land:

Tract of land in the Northwest Quarter of Section 21, Block Z, W.D. & F.W. Johnson Subdivision, Bailey County, Texas, being described as follows:

BEGINNING at a nail, along the North line of Section 21, 347.86 feet S 89° 17' 15" E, from the Northwest corner of Section 21, set for the Northwest corner of this tract;
THENCE S 89° 17' 15" E, along the North line of Section 21, a distance of 347.86 feet to the Northeast corner of this tract;
THENCE S 00° 39' 25" W, at a distance of 40.0 feet pass a rebar set for reference in the South Right Of Way of County Road 1028, in all a total distance of 313.0 feet to a rebar set for the Southeast corner of this tract;
THENCE N 89° 17' 15" W, at a distance of 347.86 feet to a rebar set for the Southwest corner of this tract;
THENCE N 00° 38' 19" E, parallel to West line of Section 21, a distance of 273.0 feet pass a rebar set for reference in the South Right Of Way of County Road 1028, in all a total distance of 313.0 feet to the POINT AND PLACE OF BEGINNING; Said tract contains 2.500 acres of land.

FILED 4:33 a.m. (p.m.)
April 9, 2025
District Court, Bailey County, Texas
Lupita Pineda, District Clerk
Lupita Pineda, Deputy

FILED FOR RECORD
IRENE ESPINOZA - COUNTY CLERK
INST NO: 2025-29386
FILED ON: Jun 12, 2025 at 10:10:16 AM

Cause No. 10578

**Lakeview Loan Servicing,
LLC.**

Plaintiff,

v₁

**DESTINEE DUFFY, M.D., A MINOR,
AND THE UNKNOWN HEIRS AT
LAW OF MEGAN R. DUFFY,
DECEASED.**

Defendants.

IN THE DISTRICT COURT OF

BAILEY COUNTY, TEXAS

287TH JUDICIAL DISTRICT

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FINAL JUDGMENT

On this date, came to be heard Plaintiff, Lakeview Loan Servicing, LLC's Motion for *In Rem* Default and *In Rem* Summary Judgment. After considering the evidence of record in this cause, the Court determined it had jurisdiction over the subject matter and the parties to this proceeding.

This suit is an *in rem* proceeding insofar as it concerns only the real property and improvements ("Property") commonly known as 732 FM 3125, Muleshoe, Texas 79347 and more particularly described as follows:

**TRACT OF LAND IN THE NORTHWEST QUARTER OF SECTION 21,
BLOCK Z, W.D. & F.W. JOHNSON SUBDIVISION, BAILEY COUNTY,
TEXAS, BEING DESCRIBED AS FOLLOWS:**

**BEGINNING AT A NAIL, ALONG THE NORTH LINE OF SECTION 21,
347.86 FEET S 89° 17' 15" E, FROM THE NORTHWEST CORNER OF
SECTION 21, SET FOR THE NORTHWEST CORNER OF THIS TRACT;
THENCE S 89° 17' 15" E, ALONG THE NORTH LINE OF SECTION 21, A
DISTANCE OF 347.86 FEET TO THE NORTHEAST CORNER OF THIS
TRACT;
THENCE S 00° 39' 25" W, AT A DISTANCE OF 40.0 FEET PASS A REBAR
SET FOR REFERENCE IN THE SOUTH RIGHT OF WAY OF COUNTY**

ROAD 1028, IN ALL A TOTAL DISTANCE OF 313.0 FEET TO A REBAR SET FOR THE SOUTHEAST CORNER OF THIS TRACT; THENCE N 89° 17' 15" W, AT A DISTANCE OF 347.86 FEET TO A REBAR SET FOR THE SOUTHWEST CORNER OF THIS TRACT; THENCE N 00° 38' 19" E, PARALLEL TO WEST LINE OF SECTION 21, A DISTANCE OF 273.0 FEET PASS A REBAR SET FOR REFERENCE IN THE SOUTH RIGHT OF WAY OF COUNTY ROAD 1028, IN ALL A TOTAL DISTANCE OF 313.0 FEET TO THE POINT AND PLACE OF BEGINNING; SAID TRACT CONTAINS 2.500 ACRES OF LAND.

After considering the evidence of record in this cause, this Court FINDS that Megan R. Duffy ("Decedent") executed a promissory note originally made payable to Primary Residential Mortgage, Inc. in the original principal amount of \$135,800.00, dated January 11, 2019 ("Note").

This Court further FINDS that concurrently with the execution of and to secure the Note, Decedent executed a first lien Deed of Trust ("Deed of Trust"), granting a lien on the Property, described above, which Deed of Trust was recorded on January 14, 2019, in the Official Real Property Records of Bailey County, Texas as Instrument 2019-23640.

This Court further FINDS that Plaintiff is currently the holder of the Note and beneficiary of the Deed of Trust, by way of endorsements on the Note and a Corporate Assignment of Deed of Trust from Mortgage Electronic Registration Systems, Inc., as nominee for Primary Residential Mortgage, Inc. to Plaintiff, which is duly recorded on August 7, 2023, in the Official Real Property Records of Bailey County, Texas as Instrument number 2023-27719.

This Court further FINDS the loan servicing records show that the loan has been in default since February 2023. The total amount due and owing on the loan as of April 9, 2025 is \$177,260.07, plus interest at the daily per diem rate of \$20.22.

This Court further FINDS Plaintiff filed this lawsuit *in rem* only to foreclose its security interest against the Property due to the material default in payment of the indebtedness secured by the Property.

This Court further FINDS that Decedent died on September 29, 2022. A search of the probate records was conducted and a probate action associated with Decedent's Estate is not pending.

This Court further FINDS that all of the Decedent's heirs at law have been named as Defendants to this suit and are vested with all of Decedent's right, title and interest in the Property pursuant to Tex. Est. Code § 201.001.

This Court further FINDS that Defendant Destinee Duffy was personally served process on September 3, 2024. The Return of Service was filed with this Court on November 13, 2024. The deadline for Defendant to file a responsive pleading was September 30, 2024. The citations with the officer's return and proof of service has been on file with the clerk of the court at least ten days (10) excluding the day of filing and today. Defendant Destinee Duffy has not filed an answer or any pleading constituting an answer and has not entered an appearance.

This Court further FINDS that Defendant M.D., a Minor was served with process through her legal guardian and mother, Destinee Duffy on September 3, 2024. The Return of Service was filed with this Court on November 13, 2024. The deadline for Defendant to file a responsive pleading was September 30, 2024. The citations with the officer's return and proof of service has been on file with the clerk of the court at least ten days (10) excluding the day of filing and today. Defendant M.D., a Minor, has not filed an answer or any pleading constituting an answer and has not entered an appearance.

This Court further FINDS that the Unknown Heirs of Megan R. Duffy, Deceased (“Unknown Heirs”) were served by publication in the Muleshoe Journal from January 2, 2025, through January 23, 2025. The Affidavit of Publication was filed with this Court on January 28, 2025. The Citation and Proof of Service have been on file with the clerk at least 10 days, excluding the day of filing, pursuant to Tex. R. Civ. P. 107(h). The Unknown Heirs are represented by and through their appointed attorney *ad litem*, Jeff Atkinson. The Unknown Heirs filed an answer on December 9, 2024.

In accordance with the foregoing findings, this Court has determined that a final judgment should be granted *in rem* only. It is therefore,

ORDERED that Plaintiff is entitled to a final *in rem* judgment and Plaintiff may proceed with non-judicial foreclosure of the Property according to the terms of the Deed of Trust and the Texas Property Code and that upon completion of the foreclosure sale all Defendants' right, title and interest in the Property, if any, will be extinguished and title quieted in the purchaser, as against all Defendants.

It is further ORDERED that a copy of this Final Judgment shall be sent to each person entitled to notice of a foreclosure sale with the notice of the date, time and place of the foreclosure sale.

It is further ORDERED that these proceedings have given the Defendants proper notice of the Plaintiff's demand to cure default, notice of intent to accelerate and acceleration, as well as Federal and Texas Fair Debt Collection Practices notices;

It is further ORDERED that the attorney *ad litem*, having fulfilled his duties, is fully released from his representation in connection with the Property and this proceeding and no further action is required from the attorney *ad litem* in connection with the Property and this proceeding;

It is further ORDERED that the attorney *ad litem*, Jeff Actkinson, recover attorney's fees in the amount of \$500⁰⁰, which Plaintiff shall pay to the attorney *ad litem* within thirty (30) days after the entry of this Final Judgment;

It is further ORDERED that Plaintiff may record a certified copy of this Final Judgment in the real property records of the county where the Property is located within ten (10) days after the entry of this Final Judgment; however, failure to timely record this Order shall not affect the validity of the foreclosure or defeat any presumption arising under the Texas Constitution;

It is further ORDERED that costs of court are hereby taxed against the party by whom they were incurred.

All relief not expressly granted is DENIED. This judgment finally disposes of all parties and all claims related to the Property and is appealable.

SIGNED: April 9, 2025

BAILEY COUNTY, TEXAS
I, the undersigned, do hereby certify that the foregoing is a full, true and correct copy of the original document filed in my office on the date indicated, and is a true copy of the original on file and of record in my office.

Hand

Laurel I. Handley
HONORABLE JUDGE PRESIDING

APPROVED AS TO FORM
& ENTRY REQUESTED:

ALDRIDGE PITE, LLP

/s/ Tasha E. James

Tasha E. James / SBOT 24055729
Laurel I. Handley / SBOT 24118150
101 E. Park Blvd., Suite 600
Plano, Texas 75074
Phone: (858) 750-7600
Fax: (858) 412-2798
tjames@aldridgepite.com
ATTORNEY FOR PLAINTIFF

CERTIFIED TRUE AND CORRECT COPY CERTIFICATE

STATE OF TEXAS

COUNTY OF BAILEY

The document to which this certificate is affixed, containing 5 pages, is a full, true and correct copy of the original on file and of record in my office.



Attest: April 30 2025

LUPITA PINEDA, DISTRICT CLERK
BAILEY COUNTY TEXAS

BY Lupita Pineda, Deputy

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District Civil Minutes