

### NOTICE OF TRUSTEE'S SALE

WHEREAS, on November 22, 2006, ARMANDO RUBALCABA, YESENIA RUBALCABA, HUSBAND AND WIFE, executed a Deed of Trust/Security Instrument conveying to CLAYTON L. HILL, as Trustee, the Real Estate hereinafter described, to CITIFINANCIAL, INC., in the payment of a debt therein described, said Deed of Trust/Security Instrument being recorded under County Clerk Number 304790, in Book 479, at Page 252, in the DEED OF TRUST OR REAL PROPERTY RECORDS of WILLACY COUNTY, TEXAS; and

WHEREAS, default has occurred in the payment of said indebtedness, and the same is now wholly due, and the owner and holder has requested to sell said property to satisfy said indebtedness;

WHEREAS, the undersigned has been appointed Substitute Trustee in the place of said original Trustee, upon the contingency and in the manner authorized by said Deed of Trust/Security Instrument; and

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on **TUESDAY, DECEMBER 3, 2024** between ten o'clock AM and four o'clock PM and beginning not earlier than 12:00 PM or not later than three hours thereafter, I will sell said Real Estate at Willacy County Courthouse, 576 West Main Street, Raymondville, TX 78580 in **WILLACY COUNTY, TEXAS** to the highest bidder for cash. The sale will be conducted in the area of the Courthouse designated by the Commissioners' Court, of said county, pursuant to Section §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 was posted.

Said Real Estate is described as follows: LOT THIRTEEN (13), FOURTEEN (14), FIFTEEN (15), AND SIXTEEN (16) BLOCK SIXTY-EIGHT (68), OF THE TOWN OF RAYMONVILLE, AS SHOWN BY THE MAP AND PLAT OF SAID TOWNSITE AN RECORD IN THE OFFICE OF COUNTY CLERK OF WALLACY, COUNTY, TEXAS.

Property Address: 376 E HARRIS, RAYMONDVILLE, TX 78580

Mortgage Servicer: LAND HOME FINANCIAL SERVICES, INC.

Noteholder: MAGERICK LLC  
3611 SOUTH HARBOR BOULEVARD, SUITE 100, SANTA ANA, CA 92704

The Mortgage Servicer is authorized to represent the Noteholder by virtue of a servicing agreement with the Noteholder. 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.

### ACTIVE MILITARY SERVICE NOTICE

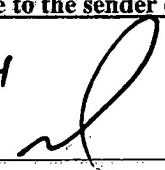
Assert and protect your rights as a member of the armed forces of the United States. If you or your spouse is serving on active military duty, including active military duty as a member of the Texas National Guard or the National Guard of another state or as a member of a reserve component of the armed forces of the United States, please send written notice of the active duty military service to the sender of this notice immediately.

WITNESS MY HAND this 6 day of Nov, 2024

9:14<sup>a.m.</sup>  
**FILED + posted**  
**COUNTY COURT**

NOV 07 2024

SUSANA R. GARZA, CLERK  
WILLACY COUNTY, TEXAS  
BY *Alma* DEPUTY  
*Mireles*

  
Adolfo Rodriguez, Alexis Mendoza, Arnold Mendoza, Bill Larew, David Karle, Jerry Perez, Julie Martin, Sarah Mays, Marinosci Law Group PC

Substitute Trustee Address:

Marinosci Law Group, P.C.  
16415 Addison Road, Suite 725  
Addison, TX 75001  
(972) 331-2300

CAUSE NO. 2024-CV-0216-A

In Re: Order of Foreclosure Concerning  
376 E Harris  
Raymondville, TX 78580  
Under Tex. R. Civ. P. 736

Petitioner:

Magerick LLC

Respondent(s):

Armando J. Rubalcaba  
Yessenia Rubalcaba

IN THE DISTRICT COURT

WILLACY COUNTY, TEXAS

197th JUDICIAL DISTRICT

ORDER FOR FORECLOSURE

On this date the Court considered the Tex. R. Civ. P. 736 Application for Order Permitting Foreclosure of Lien Created Under Texas Constitution Article XVI, §50a(6) ("Application") of Magerick LLC ("Petitioner"), its successors in interest and assigns. The Court has determined that it has jurisdiction over the subject matter and the parties in this proceeding. The Court finds the following:

1. This is an in rem proceeding;
2. The Petitioner has satisfied the requirements of Tex. R. Civ. P. 736(d)(3) and established that:
  - (a) A debt exists which is secured by a lien created under Tex. Const. Art. XVI §50a(6) for a home equity loan;
  - (b) The beneficiary of the security instrument and the party authorized to enforce the terms therein is for Magerick LLC;
  - (c) Party(s) obligated to pay the lien: Armando J. Rubalcaba
  - (d) Party(s) who is(are) mortgagor(s) of the lien sought to be foreclosed but is not a maker of or assumer of the underlying debt: Yessenia Rubalcaba;
  - (e) The requisite notices to cure the default and accelerate the maturity of the debt under the security instrument, Tex. Prop. Code §51.002, and applicable law have been given to each person, and the opportunity to cure has expired; and
  - (f) Prior to filing the Application, all actions required by applicable law and the lien sought to be foreclosed have been performed.

4:23 pm

Isabel Adams, Dist. Clerk, Willacy Co.

FILED

SEP 18 2024

By *Michael* Clerk

CERTIFIED COPY

3. The mailing address of the property sought to be foreclosed is 376 E Harris, Raymondville, TX 78580 ("Property"), and is more particularly described, to-wit:

LOT THIRTEEN (13), FOURTEEN (14), FIFTEEN (15), AND SIXTEEN (16),  
BLOCK SIXTY EIGHT (68), OF THE TOWN OF RAYMONVILLE, AS SHOWN BY THE  
MAP AND PLAT OF SAID TOWNSITE AN RECORD IN THE OFFICE OF COUNTY CLERK  
OF WILLACY COUNTY, TEXAS.

4. Respondents, Armando J Rubalcaba and Yesenia Rubalcaba, are subject to this Order, and according to the Petitioner's records, their last known addresses are P.O. Box 874 Raymondville, TX 78580 for Armando Rubalcaba and 376 E Harris, Raymondville, TX 78580 for Yesenia Rubalcaba.

5. The Security Instrument encumbering the Property is recorded in the official real property records of Willacy County, Texas under County Clerk Number 304790, Vol. 479, Page 252, where all or part of the property is located.

The Court further finds that the Application complies with Tex. R. Civ. P. 736; that the Application has been properly served in accordance with Tex. R. Civ. P. 736.3; that in accordance with Tex. R. Civ. P. 736.7(c), the required Return of Service has been on file with the clerk of the Court for at least 10 days, exclusive of the filing date, except that, if service by certified mail is unsuccessful, the return of service need not contain a return receipt as stated by Tex. R. Civ. P. 736.3(b)(2).

THE COURT THEREFORE GRANTS Petitioner's Application for Expedited Foreclosure Order Under Rule 736.6b a Home Equity Loan or Home Equity Line of Credit under Tex. Const. art. XVI, §50a(6).

IT IS THEREFORE ORDERED that Petitioner may proceed with a foreclosure sale of the lien on the Property under the terms of the security instrument and Texas Property Code §51.002.

IT IS FURTHER ORDERED that Petitioner shall send Respondents a copy of this signed Order with the notice of foreclosure sale sent to Respondents.

CERTIFIED COPY

IT IS FURTHER ORDERED that if Respondents are represented by counsel, Petitioner shall, by certified mail, send Respondents' attorney(s) notice of the foreclosure sale date.

IT IS FURTHER ORDERED that Petitioner may communicate with Respondents and all third parties as may be reasonably necessary to conduct the foreclosure sale of the Property.

SIGNED this 16 day of Sept, 2024.

  
JUDGE PRESIDING

Approved as to Form and Content:

MARINOSCI LAW GROUP, P.C.

By: /s/ Christopher K. Baxter

Christopher K. Baxter

State Bar No.: 90001747

16415 Addison Road, Suite 725

Addicks, TX 75001

Telephone: (972) 331-2300

Facsimile: (972) 331-5240

Email: [cbaxter@mlg-defaultlaw.com](mailto:cbaxter@mlg-defaultlaw.com)

Attorney for Petitioner

X C. C. Baxter

A TRUE COPY OF THE ORIGINAL  
I CERTIFY, this 25th DAY OF

September, 2024

ISABEL ADAME DISTRICT CLERK  
WILLIAM COUNTY, TEXAS

BY M. Adams DEPUTY

FILED FOR RECORD  
SUSANA R. GARZA - COUNTY CLERK  
WILLACY COUNTY, TEXAS

**INST NO: 20240001562**

FILED ON: SEPTEMBER 25, 2024 AT 2:11pm  
THE INSTRUMENT CONTAINED 4 PAGES AT FILING

THE STATE OF TEXAS  
COUNTY OF WILLACY



I, Susana R. Garza, Clerk County Court in and for said county hereby do certify that the foregoing instrument was filed for record in my office on the 25th day of September 2024 at 2:11 PM and duly recorded on that date, in the Official Public Records of said county.

Instrument # 20240001562, 4 Pages  
Susana R. Garza, County Clerk

Alma Mireles  
Deputy Clerk

**DO NOT DESTROY**  
**WARNING-THIS IS PART OF THE OFFICIAL RECORD**

Return:  
RECORD FINDERS  
27316 KORNEGAY RD  
SAN BENITO, TX 78586

Instrument Amount: \$33.00