

**APPOINTMENT OF SUBSTITUTE TRUSTEE AND  
NOTICE OF SUBSTITUTE TRUSTEE 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 AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.**

**APPOINTMENT OF  
SUBSTITUTE TRUSTEE:**

WHEREAS, in my capacity as the attorney for the Mortgagee and/or its Mortgage Servicer, and pursuant to Section 51.0076 of the Texas Property Code. I hereby name, appoint and designate Jack O'Boyle, Chris Ferguson, Travis Gray, Robert LaMont, Harriett Fletcher, Sheryl LaMont, Allan Johnston, Sharon St. Pierre, Ronnie Hubbard, Travis Gray, Chris Ferguson, or Jack O'Boyle, each as Substitute Trustee, to act under and by virtue of said Deed of Trust, including posting and filing the public notice required under Section 51.002 Texas Property Code as amended, and to proceed with a foreclosure of the Deed of Trust lien securing the payment of the Note.

**SUBSTITUTE TRUSTEE'S  
ADDRESS:**

c/o JACK O'BOYLE & ASSOCIATE, PLLC, Mailing Address: P.O. Box 815369, Dallas, Texas 75381; Physical Address: 12300 Ford Road, Suite 212, Dallas, TX 75234.

**NOTICE OF SUBSTITUTE  
TRUSTEE SALE:**

WHEREAS, 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.

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on June 01, 2021 between the hours of 10am-1pm the Substitute Trustee will sell said real property at the place hereinafter set out and pursuant to the terms herein described. The sale will begin at the earliest time stated above or within three (3) hours after that time.

**LOCATION OF SALE:**

The place of the sale shall be: The North Entrance of the Cass County Courthouse located on Houston Street, Linden, TX, or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner's Court in CASS County, Texas or as designated by the County Commissioners.

**INSTRUMENT TO BE  
FORECLOSED:**

Deed of Trust or Contract Lien dated 03/04/2008 and recorded under Volume, Page or Clerk's File No. Instrument number 2008001358 in the real property records of Cass County Texas, with VIVIAN L. CAMPBELL TAYLOR AND BERNICE CAMPBELL SINGLE PERSONS as Grantor(s) and CITIFINANCIAL, INC. as Original Mortgagee.

**OBLIGATIONS SECURED:**

Deed of Trust or Contract Lien executed by VIVIAN L. CAMPBELL TAYLOR AND BERNICE CAMPBELL SINGLE PERSONS securing the payment of the indebtedness in the original principal amount of \$19,890.97 and obligations therein described including but not limited to the promissory note and all the modifications, renewals and extensions of the promissory note (the "Note") executed by VIVIAN L. CAMPBELL TAYLOR, BERNICE CAMPBELL, U.S. BANK TRUST NATIONAL ASSOCIATION AS TRUSTEE OF AMERICAN HOMEOWNER PRESERVATION TRUST SERIES 2015A+ is the current mortgagee (the "Mortgagee") of the Note and Deed of Trust or Contract Lien.

**MORTGAGE SERVICING  
INFORMATION**

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. AHP SERVICING, LLC is acting as the Mortgage Servicer for U.S. BANK TRUST NATIONAL ASSOCIATION AS TRUSTEE OF AMERICAN HOMEOWNER PRESERVATION TRUST SERIES 2015A+ who is the Mortgagee of the Note and Deed of Trust associated with the above referenced loan. AHP SERVICING, LLC, as Mortgage Servicer is representing the Mortgagee, whose address is:

**FILED FOR RECORDS  
2021 MAY -6 A 10:29  
AMY L. VARNELEY  
CASS COUNTY CLERK**

104 COUNTY ROAD 3784



U.S. BANK TRUST NATIONAL ASSOCIATION AS TRUSTEE OF  
AMERICAN HOMEOWNER PRESERVATION TRUST SERIES 201 5A+  
c/o AHP SERVICING, LLC  
440 S LASALLE ST, STE 1110  
CHICAGO, IL 60605

**LEGAL DESCRIPTION OF  
PROPERTY TO BE SOLD:**

ALL THAT CERTAIN LOT OR PARCEL BEING 0.995 ACRES IN THE NICHOLAS EDGAR SURVEY, A-328, CASS COUNTY, TEXAS, BEING A PORTION OF THAT CALLED 4 ACRES CONVEYED BY WARRANTY DEED DATED MARCH 18, 1971, FROM IDAHLIA GRUNDY TO ELBERT A CAMPBELL AND RECORDED IN VOLUME 531, PAGE 218, DEED RECORDS CASS COUNTY, TEXAS AND THE 0.995 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: BEGINNING AT A 3/8" IRON ROD SET IN THE LOWER NORTH BOUNDARY LINE OF THE EDGAR SURVEY AND NORTH BOUNDARY OF THE CALLED 4 ACRES FOR NORTHERLY NORTHWEST CORNER, THE NORTHEAST CORNER OF THE ARVA R CAMPBELL CALLED 0.739 ACRES (VOLUME 810, PAGE 30, REAL PROPERTY RECORDS, CASS COUNTY, TEXAS) BEARS WEST AT 178.31 FEET AND A 1" IRON PIPE FOUND AT THE NORTHWEST CORNER OF THE CALLED 4 ACRES BEARS WEST AT 485.57 FEET. THENCE EAST 135.20 FEET WITH LOWER NORTH BOUNDARY OF THE EDGAR SURVEY AND NORTH BOUNDARY OF THE CALLED 4 ACRES TO A 3/8" IRON ROD SET AT THE NORTHWEST CORNER OF THE M O CAMPBELL CALLED 1 ACRE (VOLUME 632, PAGE 634, DEED RECORDS, CASS COUNTY, TEXAS) FOR NORTHEAST CORNER; THENCE: SOUTH 208.71 FEET WITH WEST BOUNDARY OR CALLED 1 ACRE TO 3/8" IRON ROD SET AT SOUTHWEST CORNER OF SAME FOR SOUTHEAST CORNER, THENCE, WEST 313.51 FEET WITH SOUTH BOUNDARY OF CALLED 4 ACRES TO A 3/8" IRON ROD SET AT SOUTHEAST CORNER CALLED 0.739 ACRE FOR SOUTHWEST CORNER, A 3/8" IRON ROD BEARS SOUTH AT 286 FEET, THENCE, NORTH 85.00 FEET WITH EAST BOUNDARY OF CALLED 0.739 ACRES TO A 3/8" IRON ROD SET FOR WESTERLY NORTHWEST CORNER; THENCE: EAST 178.30 FEET WITH NEW MARKED BOUNDARY TO A 3/8" IRON ROD SET FOR OFFSET CORNER; THENCE: NORTH 123.71 FEET WITH NEW MARKED BOUNDARY TO THE PLACE OF BEGINNING, AND CONTAINING 0.995 ACRES OF AND MORE OR LESS (the "Property")

**REPORTED PROPERTY  
ADDRESS:**

104 COUNTY ROAD 3784, QUEEN CITY, TX 75572

**TERMS OF SALE:** The Substitute Trustee will sell the Property by public auction at the place and date specified herein.

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. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the property and the priority of the lien being foreclosed.

The sale will be conducted as a public auction to the highest bidder for cash, subject to the provisions of the Deed of Trust permitting the Mortgagee and/or Mortgage Servicer thereunder to have the bid credited to the Note up to the amount of the unpaid debt secured by the Deed of Trust at the time of sale.

Those desiring to purchase the property will need to demonstrate their ability to pay their bid immediately in cash if their bid is accepted.

The sale will be made expressly subject to any title matters set forth in the Deed of Trust, but prospective bidders are reminded that by law the sale will necessarily be made subject to all prior matters of record affecting the property, if any, to the extent that they remain in force and effect and have not been subordinated to the Deed of Trust. The sale shall not cover any part of the property that has been released of public record from the lien of the Deed of Trust. Prospective bidders are strongly urged to examine the applicable property records to determine the priority, nature and extent of such matters, if any.

In the event of a defect or other problem with the foreclosure process is discovered that may invalidate the sale, the consideration paid will be returned to the purchaser as the sole and absolute remedy. In the event of any claim or action brought by any person including the purchaser requiring or resulting in the invalidation of the sale and rescission of the Trustee's Deed or Substitute Trustee's Deed, purchaser's

damages resulting therefrom are limited to the consideration paid to the Trustee or Substitute Trustee and the sole and absolute remedy shall be the return to purchaser of the consideration paid. The purchaser shall have no further recourse against the Trustee, Substitute Trustee, Mortgagee and/or Mortgage Servicer, or its attorney(s).

The Deed of Trust permits the Mortgagee and/or Mortgage Servicer to postpone, withdraw, or reschedule the sale for another day. In that case, the Trustee under the Deed of Trust or Substitute Trustee appointed herein need not appear at the date, time and place of a scheduled sale to announce the postponement, withdrawal, or rescheduling. Notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Texas Property Code. The reposting or refiling may be after the date originally scheduled for this sale.

**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.**

Signed on the 30 day of April, 2021.

Respectfully,

JACK O'BOYLE & ASSOCIATES, PLLC



Jack O'Boyle | SBN: 15165300

[jack@jackoboyle.com](mailto:jack@jackoboyle.com)

Travis H. Gray | SBN: 24044965

[travis@jackoboyle.com](mailto:travis@jackoboyle.com)

Chris Ferguson | SBN: 24069714

[chris@jackoboyle.com](mailto:chris@jackoboyle.com)

P.O. Box 815369

Dallas, Texas 75381

P: 972.247.0653 | F: 972.247.0642

ATTORNEYS FOR MORTGAGEE AND/OR ITS MORTGAGE  
SERVICER

**CERTIFICATE OF POSTING**

My name is Robert La Mont, and my address is c/o 12300 Ford Rd, Ste. 212, Dallas, TX 75234. I declare under the penalty of perjury that on May 06, 2021 I filed at the office of the Cass County Clerk and caused to be posted at the Cass County courthouse (or other designated place) this notice of sale.

Signed: 

Declarant's Name: Robert La Mont

Date: May 06, 2021



3. Each Respondent was properly served with the citation, but none filed a response within the time required by law. The return of service for each Respondent has been on file with the court for at least ten days.

4. The property that is the subject of this foreclosure proceeding is commonly known as 104 COUNTY ROAD 3784 QUEEN CITY TX 75572 with the following legal description:

ALL THAT CERTAIN LOT OR PARCEL BEING 0.995 ACRES IN THE NICHOLAS EDGAR SURVEY, A-328, CASS COUNTY, TEXAS, BEING A PORTION OF THAT CALLED 4 ACRES CONVEYED BY WARRANTY DEED DATED MARCH 18, 1971, FROM IDAHLIA GRUNDY TO ELBERT A CAMPBELL AND RECORDED IN VOLUME 531, PAGE 218, DEED RECORDS CASS COUNTY, TEXAS AND THE 0.995 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: BEGINNING AT A 3/8" IRON ROD SET IN THE LOWER NORTH BOUNDARY LINE OF THE EDGAR SURVEY AND NORTH BOUNDARY OF THE CALLED 4 ACRES FOR NORTHERLY NORTHWEST CORNER, THE NORTHEAST CORNER OF THE ARVA R CAMPBELL CALLED 0.739 ACRES (VOLUME 810, PAGE 30, REAL PROPERTY RECORDS, CASS COUNTY, TEXAS) BEARS WEST AT 178.31 FEET AND A " IRON PIPE FOUND AT THE NORTHWEST CORNER OF THE CALLED 4 ACRES BEARS WEST AT 485.57 FEET, THENCE EAST 135.20 FEET WITH LOWER NORTH BOUNDARY OF THE EDGAR SURVEY AND NORTH BOUNDARY OF THE CALLED 4 ACRES TO A 3/8" IRON ROD SET AT THE NORTHWEST CORNER OF THE M 0 CAMPBELL CALLED 1 ACRE (VOLUME 632, PAGE 634, DEED

RECORDS, CASS COUNTY, TEXAS) FOR NORTHEAST CORNER: THENCE:  
SOUTH 208 71 FEET WITH WEST BOUNDARY OR CALLED 1 ACRE TO 3/8"  
IRON ROD SET AT SOUTHWEST CORNER OF SAME FOR SOUTHEAST  
CORNER, THENCE. WEST 313 51 FEET WITH SOUTH BOUNDARY OF  
CALLED 4 ACRES TO A 3/8" IRON ROD SET AT SOUTHEAST CORNER  
CALLED 0 739 ACRE FOR SOUTHWEST CORNER, A 3/8" IRON ROD  
BEARS SOUTH AT 2 86 FEET, THENCE. NORTH 85.00 FEET WITH EAST  
BOUNDARY OF CALLED 0.739 ACRES TO A 3/8" IRON ROD SET FOR  
WESTERLY NORTHWEST CORNER: THENCE EAST 178.30 FEET WITH  
NEW MARKED BOUNDARY TO A 3/8" IRON ROD SET FOR OFFSET  
CORNER: THENCE: NORTH 123.71 FEET WITH NEW MARKED  
BOUNDARY TO THE PLACE OF BEGINNING, AND CONTAINING 0 995  
ACRES OF AND MORE OR LESS

5. The lien to be foreclosed is indexed or recorded at Number Instrument number 2008001358, and recorded in the real property records of Cass County, Texas.

6. The material facts establishing Respondent(s)'s default are alleged in Petitioner's application and the supporting affidavit. Those facts are adopted by the Court and incorporated by reference in this order.

7. Based on the affidavit of Petitioner, no Respondent subject to this order is protected from foreclosure by the Servicemembers Civil Relief Act, 50 U.S.C. App. § 501 et seq.

8. Therefore, the Court grants Petitioner's motion for a default order under Texas Rules of Civil Procedure 736.7 and 736.8. Petitioner, its successors and assigns, may foreclose on the lien described above in accordance with applicable law and the loan agreement, contract, or lien sought to be foreclosed.

10350.0005

RE: 104 COUNTY ROAD  
3784  
20210422

DN: HE Default Order

9. This order is not subject to a motion for rehearing, new trial, bill of review, or appeal. Any challenge to this order must be made in a separate, original proceeding filed in accordance with Texas Rule of Civil Procedure 736.11.

SIGNED this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Signed: 4/27/21 11:48 AM

  
HONORABLE JUDGE PRESIDING

**SUBMITTED BY:**  
JACK O'BOYLE & ASSOCIATES, PLLC

/s/ Travis H Gray

Travis H Gray

SBN: 24044965

travis@jackoboyle.com

P.O. Box 815369

Dallas, Texas 75381

P: 972.247.0653 | F: 972.247.0642

ATTORNEYS FOR PETITIONER

U.S. BANK TRUST NATIONAL ASSOCIATION AS TRUSTEE OF AMERICAN HOMEOWNER  
PRESERVATION TRUST SERIES 2015A+

10350.0005

RE: 104 COUNTY ROAD

DN: HE Default Order

3784  
20210422