

NOTICE OF TRUSTEE'S SALE

WHEREAS, on April 25, 2007, BEHOMA ROQUEMORE, AKA BEHOMER ROQUEMORE, BLANCHE ROQUEMORE, HUSBAND AND WIFE, executed a Deed of Trust/Security Instrument conveying to M. WILLIAMS, 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 2007002380 in the DEED OF TRUST OR REAL PROPERTY RECORDS OF CASS 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, SEPTEMBER 6, 2022** between ten o'clock AM and four o'clock PM and beginning not earlier than 10:00 AM or not later than three hours thereafter, I will sell said Real Estate at Cass County Courthouse, 100 Houston, Linden, TX 75563

in CASS 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: ALL THAT CERTAIN 5.00 ACRE TRACT OR PARCEL OF LAND SITUATED IN THE SAMUEL GREGG SURVEY, A-394, AND BEING A PART OF A 40 ACRE TRACT AS CONVEYED IN TWO TRACTS TO HARVEY R ROQUEMORE AS FOLLOWS: ED RABB TO HARVEY ROQUEMORE, GUARDIAN, 10 ACRES OF LAND OFF THE EAST SIDE OF A 40 ACRE TRACT BY DEED DATED FEBRUARY 6, 1936, RECORDED IN VOLUME W-6, PAGE 236, IN DEED RECORDS OF CASS COUNTY, TEXAS, AND THE WEST 30 ACRES OF A 40 ACRE TRACT AS CONVEYED BY HOWE WHOLESAL GROCER COMPANY TO HARVEY ROQUEMORE BY WARRANTY DEED DATED FEBRUARY 2, 1942, RECORDED IN VOLUME S-8, PAGE 406 IN DEED RECORDS OF CASS COUNTY, TEXAS, SAID 5.00 ACRE TRACT MORE FULLY DESCRIBED AS FOLLOWS: BEGINNING AT AN IRON ROD ON THE WEST LINE OF SAID 40 ACRE TRACT 263 FEET SOUTH OF ITS NORTHWEST CORNER, THENCE EAST ON A NEW LINE 892.5 FEET TO AN IRON ROD ON THE WEST LINE OF A COUNTY ROAD AND THE EAST LINE OF SAID 40 ACRE TRACT; THENCE SOUTH WITH THE WEST LINE OF SAID ROAD 244.16 FEET TO AN IRON ROD SET ON SAME, THENCE WEST ON A NEW LINE ACROSS SAID 40 ACRE TRACT 892.5 FEET TO AN IRON ROD SET ON ITS WEST LINE FOR THE SOUTHWEST CORNER OF THIS TRACT; THENCE NORTH WITH FENCE AND THE WEST LINE OF SAID 40 ACRE TRACT 244.16 FEET TO THE PLACE OF BEGINNING AND CONTAINING 5.00 ACRES OF LAND.

Property Address: 3373 CR 4342, BIVINS, TX 75555
Mortgage Servicer: ACTIVIST LEGAL
Noteholder: U.S. BANK TRUST NATIONAL ASSOCIATION AS TRUSTEE
OF AMERICAN HOMEOWNER PRESERVATION TRUST
SERIES AHP SERVICING
1730 RHODE ISLAND AVE NW, SUITE 608, WASHINGTON
DC, DC 20036


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 05th. day of August, 2022.

FILED FOR RECORD
2022 AUG -5 P 2:05
AMY L. VARNELL
CASS COUNTY CLERK


Robert La Mont, David Sims, Harriett Fletcher,
Allan Johnston, Ronnie Hubbard, Marinosci
Law Group PC, Sheryl La Mont, Ramiro
Cuevas, Aurora Campos, Jonathan Harrison,
Shawn Schiller, Patrick Zwiars, Darla Boettcher,
Dana Kamin, Lisa Bruno, Auction.com

Substitute Trustee Address:
Marinosci Law Group, P.C.
14643 Dallas Parkway, Suite 750
Dallas, Texas 75254
(972) 331-2300

its attorney of record. Defendants, Delisha Easter was personally served with process, and The Unknown Heirs of Behoma Roquemore and The Unknown Heirs of Blanche Roquemore were served by publication. Returns of Service/Publisher's Affidavit were on file with this Court for at least ten (10) days before this judgment. Defendant, Delisha Easter, filed an Answer, and the Court-appointed attorney ad litem, Clint E. Allen, filed an Answer for The Unknown Heirs of Behoma Roquemore and The Unknown Heirs of Blanche Roquemore. Defendants are not members of the United States Military; and the damages in Plaintiff's petition are liquidated and proven by a written instrument. The Court determined it had jurisdiction over the subject matter and the parties in this proceeding.

Plaintiff is the current "noteholder", as the term is defined in Texas Property Code §51.001, of a Note and secured the real property ("Property") commonly known as 3373 CR 4342, Bivins, TX 75555. The legal description of the Property is:

ALL THAT CERTAIN 5.00 ACRE TRACT OR PARCEL OF LAND SITUATED IN THE SAMUEL GREGG SURVEY, A-394, AND BEING A PART OF A 40 ACRE TRACT AS CONVEYED IN TWO TRACTS TO HARVEY R ROQUEMORE AS FOLLOWS: ED RABB TO HARVEY ROQUEMORE, GUARDIAN, 10 ACRES OF LAND OFF THE EAST SIDE OF A 40 ACRE TRACT BY DEED DATED FEBRUARY 6, 1936, RECORDED IN VOLUME W-6, PAGE 236, IN DEED RECORDS OF CASS COUNTY, TEXAS, AND THE WEST 30 ACRES OF A 40 ACRE TRACT AS CONVEYED BY HOWE WHOLESALE GROCER COMPANY TO HARVEY ROQUEMORE BY WARRANTY DEED DATED FEBRUARY 2, 1942, RECORDED IN VOLUME S-8, PAGE 406 IN DEED RECORDS OF CASS COUNTY, TEXAS, SAID 5.00 ACRE TRACT MORE FULLY DESCRIBED AS FOLLOWS: BEGINNING AT AN IRON ROD ON THE WEST LINE OF SAID 40 ACRE TRACT 263 FEET SOUTH OF ITS NORTHWEST CORNER; THENCE EAST ON A NEW LINE 892.5 FEET TO AN IRON ROD ON THE WEST LINE OF A COUNTY ROAD AND THE EAST LINE OF SAID 40 ACRE TRACT; THENCE SOUTH WITH THE WEST LINE OF SAID ROAD 244.16 FEET TO AN IRON ROD SET ON SAME; THENCE WEST ON A NEW LINE ACROSS SAID 40 ACRE TRACT 892.5 FEET TO AN IRON ROD SET ON ITS WEST LINE FOR THE SOUTHWEST CORNER OF THIS TRACT; THENCE NORTH WITH FENCE AND THE WEST LINE OF SAID 40 ACRE TRACT 244.16 FEET TO THE PLACE OF BEGINNING AND CONTAINING 5.00 ACRE OF LAND.

Defendant, Delisha Easter, is the only known heir-at-law of Behoma Roquemore and Bianche Roquemore ("Deceased Mortgagors") and was vested with Deceased Mortgagors' interest in the Property upon the deaths of Deceased Mortgagors.

Plaintiff will enforce its security interest pursuant to the Note and Tex. Prop. Code §51.002.

No personal liability is sought against Defendants, as they are not obligated for the Loan Agreement debt.

IT IS THEREFORE ORDERED that Plaintiff, or its successors or assigns in interest, shall enforce the Note default by foreclosing the security interest encumbering the Property pursuant to the Security Instrument or Texas Property Code §51.002 and Texas Constitution Section 50(a)(6), Article XVI.

IT IS FURTHER ORDERED that this Final Judgment on Plaintiff's Motion for Summary Judgment serves as an Order of Foreclosure in accordance with Tex. R. Civ. Pro. 735 and Texas Constitution Section 50(a)(6), Article XVI.

IT IS FURTHER ORDERED that a copy of this Final Judgment shall be sent to Defendant(s) with the notice of the date, time and place of the foreclosure sale.

IT IS FURTHER ORDERED that Plaintiff may communicate with the Defendants and all third parties reasonably necessary to conduct the foreclosure sale.

IT IS FURTHER ORDERED that if Defendants are represented by counsel, the notice of foreclosure sale shall also be mailed to counsel by certified mail.

IT IS FURTHER ORDERED that Plaintiff shall file a certified copy of this Final Judgment in the real property records of the county where the Property is located within ten (10) business days after the entry of this Final Judgment; however, failure to timely record this Final

Judgment shall not affect the validity of the foreclosure and defeat the presumption of Texas Constitution Article XVI, §50(i).

IT IS THEREFORE ORDERED that the Defendant(s) shall be divested of all rights, title, interest, and possession in and of the Property upon non-judicial foreclosure;

IT IS THEREFORE ORDERED that upon the non-judicial foreclosure sale ordered above is held, the purchaser of the property at the non-judicial foreclosure sale shall be vested and quieted with all rights, title, interest and possession in and of the Property;

IT IS THEREFORE ORDERED that if a person occupying the Property fails to surrender the possession of the premises after foreclosure, Plaintiff, or its successor in interest, shall be entitled to Writ of Possession issued in accordance with Tex. R. Civ. P. 310; and

IT IS FURTHER ORDERED that as part of the costs of court, and payable by Plaintiff, Clint E. Allen, Attorney Ad Litem is hereby granted the sum of One Thousand Two Hundred Seventy-Five Dollars and Zero Cents (\$1,275.00) for professional services rendered, payable within thirty (30) days of the signing of this judgment, and that Clint E. Allen is discharged as Ad Litem in this cause.

IT IS THEREFORE ORDERED all other costs of court are to be paid by the party by whom incurred;

IT IS THEREFORE ORDERED Plaintiff is entitled to all writs necessary to enforce this Judgment.

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

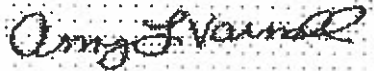
Christina Bowie on behalf of Sammy Hooda
Bar No. 24064032
cbowie@mlg-defaultlaw.com
Envelope ID: 57373941
Status as of 11/19/2021 2:49 PM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Clint Allen		clint@clintallenlaw.com	9/17/2021 3:55:32 PM	NOT SENT

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS



Amy L. Varnell, County Clerk
Cass County, Texas

December 09, 2021 02:22:39 PM

FEE: \$46.00 2021006002

A CERTIFIED COPY
ATTEST 3 December 2021
JAMIE ALBERTSON
DISTRICT CLERK
CASS COUNTY, TEXAS
BY Jane A. Daugherty
DEPUTY