

When recorded please return to:
Caliber Home Loans, Inc. – Document Control
13801 WIRELESS WAY
OKLAHOMA CITY, OK 73134

**NOTICE OF [SUBSTITUTE] TRUSTEE'S SALE**

File Number: TX-18-9531-ED

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 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.

WHEREAS, on 5/27/2008, DAVID LEE SULLIVAN AND KEYEWHINIAA SULLIVAN, executed a Deed of Trust conveying to JOE D. SAMPLES as Trustee, the Real Estate hereinafter described, to BENEFICIAL TEXAS INC., in the payment of a debt therein described, said Deed of Trust being recorded under Instrument 060318-2008, Volume XX, Page XX, in the DEED OF TRUST OR REAL PROPERTY records of LAMAR 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 had been appointed Substitute Trustee in the place of said original Trustee, upon the contingency and in the manner authorized by said Deed of Trust; and

WHEREAS, an Order to Proceed with Notice of Foreclosure Sale and Foreclosure Sale was entered on April 16, 2018 under Cause No. 87293 in the 62ND Judicial District Court of LAMAR COUNTY, Texas; and

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on 7/3/2018 beginning not earlier than 1:00 PM, or not later than three hours thereafter, I will sell said Real Estate in LAMAR COUNTY, TEXAS to the highest bidder for cash. The sale will be conducted in the area 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 at the location where this Notice of Trustee's Sale was posted. Said Real Estate is described as follows:

**LEGAL DESCRIPTION ATTACHED AS EXHIBIT A**

Property Address: 34 CR 15460, PATTONVILLE, TX 75468

Mortgage Servicer: Caliber Home Loans, Inc.

Mortgage Servicer Address: 13801 WIRELESS WAY, OKLAHOMA CITY, OK, 73134

Reinstatement Line: (800) 401-6587

Noteholder: U.S. Bank Trust, N.A., as Trustee for LSF10 Master Participation Trust

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.

WITNESS MY HAND this day, 5-17-18



Aurora Campos, Jonathan Harrison, Ramiro Cuevas, Darla Boettcher, Patrick Zwiers, Dana Kamin, Robert LaMont, Harriett Fletcher, Sheryl LaMont, David Sims, Allan Johnston, Sharon St. Pierre, Ronnie Hubbard, Substitute Trustee



4658092



RECEIVED BY  
LAMAR COUNTY CLERKS OFFICE  
ON THIS THE 17 DAY OF May 2018

**Exhibit A**

SITUATED ABOUT 16 MILES SOUTH, 40 EAST, FROM THE CITY OF PARIS, LAMAR COUNTY, TEXAS, A PART OF THE EPHRAIM R. WITT SURVEY, ABSTRACT 1038, ALSO BEING A PART OF A 20.022 ACRE TRACT OF LAND CONVEYED TO DAVID L. SULLIVAN AND JOAN SULLIVAN BY DEED RECORDED IN VOLUME 590, PAGE 429, OF THE

LAMAR COUNTY DEED RECORDS, AND BEING FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN SET FOR CORNER IN THE SOUTH BOUNDARY LINE OF F.M. HIGHWAY 196, SAID POINT BEING LOCATED NORTH 87 DEG. 22' 34' EAST A DISTANCE OF 51.87 FEET FROM A POST FOUND AT THE NORTHWEST CORNER OF SAID SULLIVAN TRACT (ALL SET IRON PINS ARE WITH CAPS STAMPED R B CHANEY RPLS 4057);

THENCE NORTH 87 DEG. 22' 34' EAST WITH SAID SOUTH BOUNDARY LINE A DISTANCE OF 49.04 FEET TO AN IRON PIN SET FOR CORNER;

THENCE NORTH 00 DEG. 08' 07' EAST A DISTANCE OF 19.00 FEET TO AN IRON PIN SET FOR CORNER IN THE SOUTH BOUNDARY LINE OF COUNTY ROAD 15460;

THENCE NORTH 87 DEG. 50' 00' EAST WITH SAID SOUTH BOUNDARY LINE (BEARING PER V. 590, P. 429) A DISTANCE OF 147.71 FEET TO AN IRON PIN SET FOR CORNER;

THENCE SOUTH 03 DEG. 59' 39' EAST A DISTANCE OF 269.29 FEET TO AN IRON PIN SET FOR CORNER;

THENCE NORTH 89 DEG. 00' 53' WEST A DISTANCE OF 148.20 FEET TO AN IRON PIN SET FOR CORNER;

THENCE NORTH 16 DEG. 10' 44' WEST A DISTANCE OF 238.74 FEET TO THE PLACE OF BEGINNING, AND CONTAINING 1.000 ACRE OF LAND.

TAX MAP OR PARCEL ID NO.: 43641

Tess Anderson

CAUSE NO. 87293

In Re: Order of Foreclosure           §           IN THE DISTRICT COURT  
    Concerning                           §  
34 CR 15460                               §  
PATTONVILLE, TX 75468               §  
    Under Tex. R. Civ. P. 736           §  
  
Petitioner: U.S. BANK TRUST, N.A., AS   §           OF LAMAR COUNTY, TEXAS  
TRUSTEE FOR LSF10 MASTER           §  
PARTICIPATION TRUST                 §  
  
Respondent(s): KEYEWHINIAA           §  
SULLIVAN and DAVID LEE SULLIVAN   §           62nd JUDICIAL DISTRICT

**DEFAULT ORDER**

1. On this day, the Court considered Petitioner's motion for a default order granting its application for an expedited order under Rule 736. Petitioner's application complies with the requirements of Texas Rule of Civil Procedure 736.1.

2. The name and last known address of each Respondent subject to this order is:

**KEYEWHINIAA SULLIVAN**  
**2525 WEST 3<sup>RD</sup>, NUMBER 59**  
**ODESSA, TEXAS 79763**

**DAVID LEE SULLIVAN**  
**2525 WEST 3<sup>RD</sup>, # 59**  
**ODESSA, TEXAS 79763**

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.

3. The property that is the subject of this foreclosure proceeding is commonly known as 34 CR 15460, PATTONVILLE, TX 75468 with the following legal description:

SITUATED ABOUT 16 MILES SOUTH 40 EAST, FROM THE CITY OF PARIS, LAMAR COUNTY, TEXAS, A PART OF THE EPHRAIM R. WITT SURVEY, ABSTRACT 1038, ALSO BEING A PART OF A 20.022 ACRE TRACT OF LAND CONVEYED TO DAVID L. SULLIVAN AND JOAN SULLIVAN BY

DEED RECORDED IN VOLUME 590, PAGE 429, OF THE LAMAR COUNTY DEED RECORDS, AND BEING FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN SET FOR CORNER IN THE SOUTH BOUNDARY LINE OF F.M. HIGHWAY 196, SAID POINT BEING LOCATED NORTH 87 DEG. 22' 34' EAST A DISTANCE OF 51.87 FEET FROM A POST FOUND AT THE NORTHWEST CORNER OF SAID SULLIVAN TRACT (ALL SET IRON PINS ARE WITH CAPS STAMPED R B CHANEY RPLS 4057);

THENCE NORTH 87 DEG. 22' 34' EAST WITH SAID SOUTH BOUNDARY LINE A DISTANCE OF 49.04 FEET TO AN IRON PIN SET FOR CORNER;

THENCE NORTH 00 DEG. 08' 07' EAST A DISTANCE OF 19.00 FEET TO AN IRON PIN SET FOR CORNER IN THE SOUTH BOUNDARY LINE OF COUNTY ROAD 15460;

THENCE NORTH 87 DEG. 50' 00" EAST WITH SAID SOUTH BOUNDARY LINE (BEARING V, 590, P. 429) A DISTANCE OF 147.71 FEET TO AN IRON PIN SET FOR CORNER;

THENCE SOUTH 03 DEG. 59' 39' EAST A DISTANCE OF 259.29 FEET TO AN IRON PIN SET FOR CORNER;

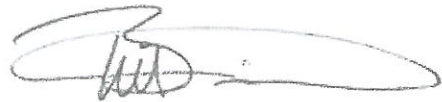
THENCE NORTH 89 DEG. 00' 53' WEST A DISTANCE OF 148.20 FEET TO AN IRON PIN SET FOR CORNER;

THENCE NORTH 16 DEG. 10' 44' WEST A DISTANCE OF 238.74 FEET TO THE PLACE OF BEGINNING, AND CONTAINING 1.000 ACRE OF LAND, MORE OR LESS.

4. The lien to be foreclosed is indexed or recorded at CLERK'S FILE NO. 060318-2008 and recorded in the real property records of LAMAR County, Texas.
5. 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.
6. Based on the affidavit of Petitioner, no Respondent subject this order is protected from foreclosure by the Servicemembers Civil Relief Act, 50 U.S.C. App. § 501 *et seq.*

7. Therefore, the Court grants Petitioner's motion for a default order under Texas Rules of Civil Procedure 736.7 and 736.8. Petitioner, and its successors and/or assigns may proceed with foreclosure of the property described above in accordance with the applicable law and the loan agreement, contract, or lien sought to be foreclosed.
8. This order is not subject to a motion for rehearing, a new trial, a bill of review, or an 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 16 day of April, 2018.



JUDGE PRESIDING

SUBMITTED BY:

**BARRETT DAFFIN FRAPPIER TURNER & ENGEL, LLP**

By: 

Connie J. Vandergriff

ConnieVa@bdfgroup.com

State Bar No. 24044550

4004 Belt Line Road, Suite 100

Addison, Texas 75001

(972) 386-5040(Phone)

(972) 341-0734(Fax)

**ATTORNEYS FOR PETITIONER**