

NOTICE OF [SUBSTITUTE] TRUSTEE'S SALE

DEC 12 2016

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. BOBBIE DAVIS
COUNTY CLERK, PANOLA COUNTY, TEXAS
BY B. Davis DEPUTY

WHEREAS, on 10/25/2007, ANTHONY DEAN HIGHT AND ELAINE HIGHT, NOT STATED, 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 125262, Volume 1408, Page 245, in the DEED OF TRUST OR REAL PROPERTY records of PANOLA 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 October 06, 2016 under Cause No. 2016-060 in the 123RD Judicial District Court of PANOLA COUNTY, Texas; and

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on 1/3/2017 beginning not earlier than 10:00 AM, or not later than three hours thereafter, I will sell said Real Estate in PANOLA 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: 3737 FM 10, GARY , TX 75643
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 LSF9 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, 12 December, 2016.

Sheryl LaMont

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

Sheryl LaMont, Robert LaMont, David Sims,
Harriett Fletcher, Allan Johnston, Sharon St.
Pierre, Carol Hampton,
Substitute Trustee



4602071

EXHIBIT A

ALL THAT CERTAIN TRACT OR PARCEL OF LAND SITUATED IN THE ISABELLA HANKS SURVEY, PANOLA COUNTY, TEXAS, BEING A 1.00 ACRE TRACT OUT OF A CALLED 8.9 ACRE TRACT OWNED BY LUCILLE HIGHT AND DESCRIBED IN VOLUME 565, PAGE 438-439 OF THE DEED RECORDS OF PANOLA COUNTY, TEXAS, SAID 1.00 ACRE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

BEGINNING AT THE MOST NORTHERN NWC OF SAID 8.9 ACRES, A STEEL SPIKE FOR CORNER IN THE CENTERLINE OF F.M. ROAD NO. 10, SAID STEEL SPIKE NOW BEING THE NWC OF SAID 1.00 ACRE, A 1/2" BOLT FOR WITNESS S 61 20' E, 40.0 FEET;

THENCE S 61 DEG. 20' E, WITH THE NORTH LINE OF SAID 8.9 ACRES, 170 FEET TO A 1/2" BOLT FOR THE MOST NORTHERN NEC OF SAID 1.00 ACRE;

THENCE S 9 DEG. 10' E, 221.8 FEET TO A 1/2" BOLT FOR CORNER AND S 4 DEG. 16' W, 31.7 FEET TO A 3/8" IRON ROD FOR THE SEC OF SAID 1.00 ACRE, SAID POINT LOCATED ON THE EAST BOUNDARY LINE OF SAID 8.9 ACRES;

THENCE N 53 DEG. 34' W, 319.7 FEET TO A STEEL SPIKE IN THE CENTERLINE OF F.M. ROAD NO. 10 FOR THE SWC OF SAID 1.00 ACRE, A 3/8" IRON ROD FOR WITNESS, S 53 DEG. 34' E, 40.0 FEET;

THENCE N 27 DEG. 49' E, WITH THE CENTERLINE OF F.M. ROAD NO. 10, AND THE WEST LINE OF SAID 8.9 ACRES, 160.9 FEET TO THE PLACE OF BEGINNING AND CONTAINING 1.00 ACRE OF LAND, MORE OR LESS.

CAUSE NO. 2016-060

In Re: Order of Foreclosure	§	IN THE DISTRICT COURT
Concerning	§	
3737 FM 10	§	
GARY, TX 75643	§	
Under Tex. R. Civ. P. 736	§	
Petitioner:	§	OF PANOLA COUNTY, TEXAS
U.S. BANK TRUST, N.A., AS TRUSTEE	§	
FOR LSF9 MASTER PARTICIPATION	§	
TRUST	§	
Respondent(s):	§	
ELAINE HIGHT and	§	123RD JUDICIAL DISTRICT
ANTHONY DEAN HIGHT	§	
	§	

AGREED HOME EQUITY FORECLOSURE ORDER

On this date the court considered the TEX. R. CIV. P. 736 Home Equity Foreclosure Application of U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF9 MASTER PARTICIPATION TRUST, its successor or assigns, (hereinafter "Petitioner"). The court determined it has jurisdiction over the subject matter and the parties in this proceeding. After reviewing the pleadings, the affidavits and the arguments of counsel, the court finds:

1. Petitioner's application complies with the requirements of Texas Rules of Civil Procedure 736.
2. The name and last known address of each Respondent subject to this Order is:

ELAINE HIGHT	ANTHONY DEAN HIGHT
3737 FM 10	3737 FM 10
GARY, TEXAS 75643	GARY, TEXAS 75643
3. The property that is the subject of this foreclosure proceeding is commonly known as 3737 FM 10, GARY, TX 75643 with the following legal description:

ALL THAT CERTAIN TRACT OR PARCEL OF LAND SITUATED IN THE ISABELLA HANKS SURVEY, PANOLA COUNTY, TEXAS, BEING A 1.00

ACRE TRACT OUT OF A CALLED 8.9 ACRE TRACT OWNED BY LUCILLE HIGHT AND DESCRIBED IN VOLUME 666, PAGE 438-439 OF THE DEED RECORDS OF PANOLA COUNTY, TEXAS, SAID 1.00 ACRE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

BEGINNING AT THE MOST NORTHERN NWC OF SAID 8.9 ACRES, A STEEL SPIKE FOR CORNER IN THE CENTERLINE OF F.M. ROAD NO. 10, SAID STEEL SPIKE NOW BEING THE NWC OF SAID 1.00 ACRE, A 1/2" BOLT FOR WITNESS S 61 50' E, 40.0 FEET;

THENCE S 61 DEG. 20' E, WITH THE NORTH LINE OF SAID 8.9 ACRES, 170 FEET TO A 1/2' BOLT FOR THE MOST NORTHERN NEC OF SAID 1.00 ACRE;

THENCE S 9 DEG. 10' E, 221.8 FEET TO A 1/2' BOLT FOR CORNER AND S 4 DEG. 16' W, 31.7 FEET TO A 3/8" IRON ROD FOR THE SEC OF SAID 1.00 ACRE, SAID POINT LOCATED ON THE EAST BOUNDARY LINE OF SAID 8.9 ACRES;

THENCE N 53 DEG. 34' W, 319.7 FEET TO A STEEL SPIKE IN THE CENTERLINE OF F.M. ROAD NO 10 FOR THE SWC OF SAID 1.00 ACRE, A 3/8" IRON ROD FOR WITNESS, S 53 DEG. 34' E, 40.0 FEET;

THENCE N 27 DEG. 49' E, WITH THE CENTERLINE OF F.M. ROAD NO. 10, AND THE WEST LINE OF SAID 8.9 ACRES, 160.9 FEET TO THE PLACE OF BEGINNING AND CONTAINING 1.00 ACRE OF LAND, MORE OR LESS.

4. The lien to be foreclosed is indexed or recorded at VOLUME 1408, PAGE 245 and recorded in the real property records of PANOLA County, Texas.

5. The material facts establishing Respondents' 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. Therefore, the Court grants Petitioner's Application for an Expedited Order Under Rule 736 on a Home Equity Loan. Petitioner, and its successors and assigns, may proceed with foreclosure of the Property described above in accordance with the applicable law and the loan

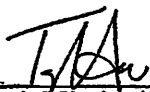
agreement, contract or lien sought to be foreclosed. The parties agree, however, that the foreclosure sale shall not occur prior to January 3, 2017.

7. 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 6th day of October, 2016.


JUDGE PRESIDING

AGREED AS TO FORM AND SUBSTANCE:



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Elaine Hight

RESPONDENT



Anthony Dean Hight

RESPONDENT

ATTORNEYS FOR PETITIONER