

NOTICE OF TRUSTEE'S SALE

T.S. #: 102021-01323-10TX

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 TO THE SENDER OF THIS NOTICE IMMEDIATELY.

SALE INFORMATION:

Date: 4/4/2023
Time of Sale: 10:00 AM
Place: The Thomas Jefferson Park, located at 114 W. Austin St., Jefferson, TX 75657 or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner's Court

Pursuant to section 51.009 of the Texas Property Code, the property will be sold in ASIS, 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.

DEED OF TRUST INFORMATION:

Date: 11/2/2000
Grantor(s): ELLA MAE and CURTIS EVANS EVANS
Original Mortgagee: ASSOCIATES HOME EQUITY SERVICES, INC.
Current Mortgagee: U.S. Bank Trust, National Association, as Trustee of American Homeowner Preservation Trust Series AHP Servicing
Original Principal Amount: \$16,683.84

Recording Information: 11/16/2000, in Book 626, Page 490,
Property County: Marion
Property Address: 5435 STATE HWY 43
JEFFERSON, TEXAS 75657

Legal Description: ALL THAT CERTAIN PARCEL OF LAND SITUATED IN THE CITY OF JEFFERSON BEING KNOWN AS ALL OF THAT CERTAIN LOT, TRACT OR PARCEL OF LAND IN THE ROBERT MAXWELL SURVEY A-266, MARION COUNTY, TEXAS, AND BEING LOTS 27 AND 28 OF A SUBDIVISION OF THE DANIEL OWENS LAND SURVEYED BY RALPH DANIELS ON MAY 1, 1973, AND DEED REFERENCE, VOLUME N-1, PAGE 608, MARION COUNTY DEED RECORDS, CONTAINING .02626 ACRES MORE OR LESS, AS FOLLOWS, TO-WIT: BEGINNING AT A 3/8 INCH IRON ROD FOR THE SOUTHWEST CORNER OF SAID 0.2626 ACRES, ROD LYING IN THE EAST BOUNDARY LINE OF HIGHWAY 43 AND NORTH 00 DEGREES 10 MINUTES 30 SECONDS EAST 520.0 FEET FROM THE INTERSECTION OF HIGHWAY 43 AND THE SOUTHLINE OF SAID DANIEL OWENSTRACT; THENCE NORTH 00 DEGREES 10 MINUTES 20 SECONDS EAST 104.0 FEET, WITH THE EAST LINE OF HIGHWAY 43 TO A 3/8 INCH IRON ROD FOR THE NORTHWEST CORNER; THENCE WEST 110 FEET TO A 3/8 INCH IRON ROD FOR THE NORTHEAST CORNER, THENCE SOUTH 00 DEGREES 10 MINUTES 30 SECONDS WEST 104 FEET TO A 3/8 INCH IRON ROD FOR THE SOUTHEAST CORNER; THENCE WEST 110.0 FEET TO THE PLACE OF BEGINNING CONTAINING 0.2626 ACRES OF LAND, MORE OR LESS, BEING THE SAME PROPERTY CONVEYED TO ELLA MAE EVANS FROM JO ANN WILLIAMS, INDIVIDUALLY AND AS THE SOLE HEIR AT LAW OF L.B. OWENS AND WIFE, NANCY E. OWENS, AND OF DANIEL OWENS, A SINGLE PERSON, RECORDED 07-18-85 IN DEED BOOK 476, PAGE 789, MARION COUNTY RECORDS, BEING A PART OF THE ROBERT MAXWELL SURVEY, A-266, AND BEING A PORTION

FILED FOR RECORD

23 MAR -9 AM 10:40

SHARLENE WISE
CO. CLERK, MARION CO.

BY *[Signature]* DEPUTY



OF THOSE LANDS CONVEYED TO GRANTOR BY DEED RECORDED IN VOLUME 463, PAGE 409, ET SEQ. DEED RECORDS OF MARION COUNTY, TEXAS, AND MORE PARTICULARLY DESCRIBED AS: BEGINNING IN THE NORTHEAST CORNER OF LOT 26, DAN OWENS SUBDIVISION, PLAT RECORDS MC VOLUME I, PAGE 240; THENCE SOUTH WITH EAST BOUNDARY LINE OF LOTS 26, 27, 28 AND 29 OF SAID SUBDIVISION TO THE SOUTHEAST CORNER OF LOT 29, A TOTAL DISTANCE OF 280 FEET; THENCE EAST 210 FEET, STAKE FOR CORNER; THENCE NORTH ON A LINE PARALLEL TO HIGHWAY 43, 208 FEET, STAKE FOR CORNER; THENCE WEST 210 FEET TO THE PLACE OF BEGINNING, CONTAINING 1 ACRE OF LAND; BEING THE SAME PROPERTY CONVEYED TO ELLA M. EVANS FROM JOAN WILLIAMS, RECORDED 07-18-85 IN DEED BOOK 476, PAGE 868, MARION COUNTY RECORDS LESS AND EXCEPT: FROM ELLA MAE EVANS TO LEANDRA CHARAE EVANS, RECORDED 11-12-97 IN DEED BOOK 594, PAGE 323, MARION COUNTY RECORDS; 0.243 AC IN A-266 ROBERT MAXWELL BEGINNING AT THE SOUTHEAST CORNER OF LOT 29 OF THE DANIEL OWENS SUBDIVISION; THENCE EAST 105 FEET; THENCE NORTH 105 FEET; THENCE WEST 105 FEET; THENCE SOUTH 105 FEET; TO THE POINT OF BEGINNING CONTAINING 0.243 ACRES AND BEING MORE FULLY DESCRIBED IN DEED BOOK 476, PAGE 868, RECORDED ON 07/18/1985 IN THE LAND RECORDS OF MARION COUNTY, TEXAS

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 lien securing the Property referenced above. AHP Servicing, LLC, as the Mortgage Servicer, is representing the current mortgagee, whose address is:

c/o AHP Servicing, LLC
440 S Lasalle St, Suite 1110
Chicago, IL 60605

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 OR AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.

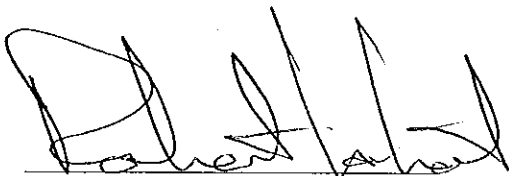
The undersigned agent for the mortgagee or mortgage servicer does hereby remove the original trustee and all successor substitute trustees and appoints in their stead Robert LaMont, Harriett Fletcher, Sheryl LaMont, Sharon St. Pierre or Allan Johnston whose address is c/o Americas Trustee Services, Coppell, Texas 75019 as Substitute Trustee, who shall hereafter exercise all powers and duties set aside to the said original trustee under the said Deed of Trust; and, further does hereby request, authorize, and instruct said Substitute Trustee to conduct and direct the execution of remedies set aside to the beneficiary therein.

TO OBTAIN THE LATEST SALE INFORMATION PLEASE CONTACT AGENCY SALES & POSTING LLC (ASAP) AT 714-730-2727 OR SERVICELINKASAP.COM.

America's Trustee Services, LLC



Cheryl Asher, General Counsel



Posted by Robert La Mont, March 9, 2023.

LEANDRA CHARAE HINES
9329 FM 249
LODI, TEXAS 75564

CURTIS EVANS, JR.
5439 STATE HIGHWAY 43
JEFFERSON, TEXAS 75657

ARTHUR RAY EVANS
5431 STATE HIGHWAY 73
JEFFERSON, TEXAS 75657

PATSY EVANS
7037 HEDGEBROOK DRIVE
DALLAS, TEXAS 75249

ESTATE OF CURTIS EVANS
5435 STATE HWY 43
JEFFERSON, TEXAS 75657

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 5435 STATE HWY 43, JEFFERSON, TEXAS 75657 with the following legal description:

ALL THAT CERTAIN PARCEL OF LAND SITUATED IN THE CITY OF JEFFERSON BEING KNOWN AS ALL OF THAT CERTAIN LOT, TRACT OR PARCEL OF LAND IN THE REOBERT MAXWELL SURVEY A-266, MARION COUNTY, TEXAS, AND BEING LOTS 27 AND 28 OF A SUBDIVISION OF THE DANIEL OWENS LAND SURVEYED BY RALPH DANIELS ON MAY 1, 1973, AND DEED REFERENCE, VOLUME N-I, PAGE 608, MARION COUNTY DEED RECORDS, CONTAINING .02626 ACRES MORE OR LESS, AS FOLLOWS, TO-WIT: BEGINNING AT A 3/8 INCH IRON ROD FOR THE SOUTHWEST CORNER OF SAID 0.2626 ACRES, ROD LYING IN THE EAST BOUNDARY LINE OF HIGHWAY 43 AND NORTH 00 DEGREES 10 MINUTES 30 SECONDS EAST 520.0 FEET FROM THE INTERSECTION OF HIGHWAY 43 AND THE SOUTHLINE OF SAID DANIEL OWENS TRACT; THENCE NORTH 00 DEGREES 10

A TRUE COPY
ATTEST:

Susan Anderson

DISTRICT CLERK

MINUTES 20 SECONDS EAST 104.0 FEET, WITH THE EAST LINE OF HIGHWAY 43 TO A 3/8 INCH IRON ROD FOR THE NORTHWEST CORNER; THENCE WEST 110 FEET TO A 3/8 INCH IRON ROD FOR THE NORTHEAST CORNER, THENCE SOUTH 00 DEGREES 10 MINUTES 30 SECONDS WEST 104 FEET TO A 3/8 INCH IRON ROD FOR THE SOUTHEAST CORNER; THENCE WEST 110.0 FEET TO THE PLACE OF BEGINNING CONTAINING 0.2626 ACRES OF LAND, MORE OR LESS. BEING THE SAME PROPERTY CONVEYED TO ELLA MAE EVANS FROM JO ANN WILLIAMS, INDIVIDUALLY AND AS THE SOLE HEIR AT LAW OF L.B. OWENS AND WIFE, NANCY E. OWENS, AND OF DANIEL OWENS, A SINGLE PERSON, RECORDED 07-18-85 IN DEED BOOK 476, PAGE 789, MARION COUNTY RECORDS; BEING A PART OF THE ROBERT MAXWELL SURVEY, A-266, AND BEING A PORTION OF THOSE LANDS CONVEYED TO GRANTOR BY DEED RECORDED IN VOLUME 463, PAGE 409, ET SEQ. DEED RECORDS OF MARION COUNTY, TEXAS, AND MORE PARTICULARLY DESCRIBED AS: BEGINNING IN THE NORTHEAST CORNER OF LOT 26, DAN OWENS SUBDIVISION, PLAT RECORDS MC VOLUME I, PAGE 240; THENCE SOUTH WITH EAST BOUNDARY LINE OF LOTS 26, 27, 28 AND 29 OF SAID SUBDIVISION TO THE SOUTHEAST CORNER OF LOT 29, A TOTAL DISTANCE OF 280 FEET; THENCE EAST 210 FEET, STAKE FOR CORNER; THENCE NORTH ON A LINE PARALLEL TO HIGHWAY 43, 208 FEET, STAKE FOR CORNER; THENCE WEST 210 FEET TO THE PLACE OF BEGINNING, CONTAINING 1 ACRE OF LAND; BEING THE SAME PROPERTY CONVEYED TO ELLA M. EVANS FROM JOAN WILLIAMS, RECODED 07-18-85 IN DEED BOOK 476, PAGE 868, MARION COUNTY RECORDS LESS AND EXCEPT: FROM ELLA MAE EVANS TO LEANDRA CHARAE EVANS, RECORDED 11-12-97 IN DEED BOOK 594, PAGE 323, MARION COUNTY RECORDS; 0.243 AC IN A-266 ROBERT MAXWELL BEGINNING AT THE SOUTHEAST CORNER OF LOT 29 OF THE DANIEL OWENS SUBDIVISION; THENCE

A TRUE COPY
ATTEST:

Susan Anderson

DISTRICT CLERK

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4. The lien to be foreclosed is indexed or recorded at Instrument No. and recorded in the real property records of Marion County, Texas.

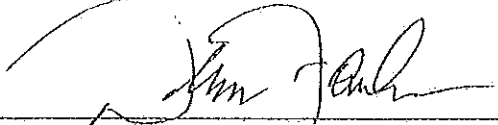
5. The material facts establishing Respondent(s) default are alleged in Petitioner's application and the supporting affidavit. Those facts are adopted by the court and incorporated by reference in this order.

6. Based on the affidavit of Petitioner, no Respondent subject to 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 Rules of Civil Procedure 736.11.

Signed this 26 day of JANUARY, 2023.



JUDGE PRESIDING

A TRUE COPY
ATTEST
Susan Anderson
DISTRICT CLERK

SUBMITTED BY:

AMERICA'S TRUSTEE SERVICES, LLC

By: /s/ Cheryl Asher

Cheryl Asher

SBN:24034188

cashier@americatrustee.com

106 N. Denton Tap Rd., Suite 210 Box 235

Coppell, Texas 75019

(877) 287-6524 (Phone)

(972) 848-5201 (Fax)

ATTORNEYS FOR PETITIONER

U.S. Bank Trust, National Association, as

Trustee of American Homeowner

Preservation Trust Series AHP Servicing

A CERTIFIED COPY
ATTEST: SUSAN ANDERSON
DISTRICT CLERK, MARION COUNTY, TEXAS
Susan Anderson 2023
DEPUTY