

FILED FOR RECORD

DEC 05 2024

SUSAN STRICKLAND
COUNTY CLERK, VAN ZANDT CO., TX
BY _____ DEP

RECORDING REQUESTED BY:

WHEN RECORDED MAIL TO:

Randy Daniel, Cindy Daniel, Jim O`Bryant
c/o Malcolm Cisneros/Trustee Corps
17100 Gillette Avenue
Irvine, CA 92614
(949) 252-8300

TS No TX14000107-24-1

APN 014.2390.0004.0004.0000 /
R000001328

TO No FIN-24002575

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

WHEREAS, on June 8, 2001, DEBRA K. OLIPHANT AND HUSBAND, HOWARD A. OLIPHANT as Grantor/Borrower, executed and delivered that certain Deed of Trust in favor of RICHARD L. PERRYMAN as Trustee, UNITED STATES OF AMERICA ACTING THROUGH THE RURAL HOUSING SERVICE OR SUCCESSOR AGENCY, UNITED STATES DEPARTMENT OF AGRICULTURE as original Beneficiary, which Deed of Trust secures the payment of that certain Promissory Note of even date therewith in the original amount of \$64,774.36, payable to the order of United States Department of Agriculture as current Beneficiary, which Deed of Trust recorded on June 11, 2001 as Document No. 00015878 in Book 1632, on Page 170 in Van Zandt County, Texas. Deed of Trust covers all of the real property described therein, including, but not limited to, all of the following described property, rights and interests (the "Property"), to-wit: **SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF**

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WHEREAS, the Trustee named in the Deed of Trust having been removed, the legal holder of the indebtedness described in the Deed of Trust appointed Randy Daniel, Cindy Daniel, Jim O`Bryant or either of them, as Substitute Trustee (each being referred to as the "Substitute Trustee"), upon the contingency and in the manner authorized by the Deed of Trust; and

WHEREAS, defaults have occurred in the covenants of the Deed of Trust, monetary or otherwise, and the indebtedness secured by and described in the Deed of Trust is now wholly due, and United States Department of Agriculture, the legal holder of such indebtedness and the liens securing same has requested either one of the Substitute Trustees to sell the Property in accordance with applicable law and the terms and provisions of the Deed of Trust.

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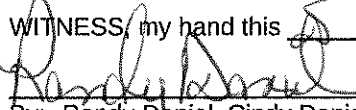
TO No FIN-24002575

NOW THEREFORE, NOTICE IS HEREBY GIVEN that on ⁰⁰⁰⁰⁰⁰¹³²⁸ **Tuesday, January 7, 2025 at 10:00 AM**, no later than three (3) hours after such time, being the first Tuesday of such month, the Substitute Trustee will sell the Property at public venue to the highest bidder for cash. The sale will take place in Van Zandt County, Texas, at the area designated by the Commissioner's Court for sales of real property under a power of sale conferred by a Deed of Trust or other contract lien as follows: **121 E. Dallas Street, Canton TX 75103; THE STEPS OF THE NORTH ENTRANCE TO THE VAN ZANDT COUNTY COURTHOUSE or If the preceding area is no longer the designated area at the area most recently designated by the County Commissioner Court.**

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of and United States Department of Agriculture's election to proceed against and sell both the real property and any personal property described in said Deed of Trust in accordance with and United States Department of Agriculture's rights and remedies under the Deed of Trust and Section 9.604(a) of the Texas Business and Commerce Code.

NOTICE IS FURTHER GIVEN, that except to the extent that the Substitute Trustee may bind and obligate Mortgagors to warrant title the Property under the terms of the Deed of Trust. Pursuant to Section 51.009 of the Texas Property Code, the Property will be sold in "as is", "where is" condition. Conveyance of the Property shall be made without any representations or warranties whatsoever, expressed or implied. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters and are advised to conduct an independent investigation of the nature and physical condition of the Property.

Pursuant to Section 51.009 of the Texas Property Code, the Property will be sold in "as is", "where is" condition, without any expressed or implied warranties, except as to the warranted.

WITNESS, my hand this 5 day of December 2024

By: Randy Daniel, Cindy Daniel, Jim O'Bryant
Substitute Trustee(s)

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.

**SALE INFORMATION CAN BE OBTAINED ONLINE AT www.insourcelogic.com
FOR AUTOMATED SALES INFORMATION PLEASE CALL: In Source Logic AT 702-659-7766**

FOR REINSTATEMENT / PAY OFF REQUESTS CONTACT: (949) 252-8300

To the extent your original obligation was discharged or is subject to an automatic stay of bankruptcy under Title 11 of the United States Code, this notice is for compliance and/or informational purposes only and does not constitute an attempt to collect a debt or to impose personal liability for such obligation. However, a secured party retains rights under its security instrument, including the right to foreclose its lien.

EXHIBIT A
Legal Description

TRACT ONE

Being Lot 4, Block 4 of the FOLDED HILLS ADDITION to the town of Canton, Van Zandt County, Texas, according to the plat of said addition as the same appears of record in Glide 26B, Plat Records of Van Zandt County, Texas.

TRACT TWO

BEING a 0.015 acre tract of land situated within the corporate limits of the City of Canton, Van Zandt County, Texas, part of the JESSE STOCKWELL SURVEY, Abstract No. 760, and being a part of Lot 3, Block 4, Folded Hills Addition. an addition of the City of Canton, Texas, according to the map or plat of said addition as the same appears of record in Glide 26B (formerly Volume 1, Page 56), Plat Records of Van Zandt County, Texas, said 0.015 acre tract of land being more particularly described as follows:

BEGINNING at a 1/2" iron rod (set) for corner at the West corner of Lot 3 and at the South corner of Lot 4, Block 4, Folded Hills Addition;

THENCE North 54 deg. 06 min. 28 sec. East, with the Northwest line of Lot 3 and with the Southeast line of Lot 4, a distance of 98.62 feet to a point for corner in same, from which a 3/8" iron rod (found) and used for reference bears South 46 deg. 03 min. 07 sec. West - 0.50 feet;

THENCE South 46 deg. 03 min. 07 sec. West, across Lot 3 and with the Northwest line of that certain called 0.2912 acre tract described in a Warranty Deed with Vendor's Lien from Ann Mayfield to Edward M. Cozart and wife, Barbara A. Cozart, recorded in Volume 1227, Page 644, Real Records of Van Zandt County, Texas, a distance of 97.58 feet to a 3/8" iron rod (found) for corner in the Southwest line of Lot 3 and at the West corner of said 0.2912 acre tract;

THENCE North 44 deg. 13 min. 31 sec. West, with the Southwest line of Lot 3, a distance of 13.82 feet back to the PLACE OF BEGINNING, and containing 0.015 of an acre of land.