

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

**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 8/1/2005, JAI B. POOLE AND CHERYL D. POOLE, HUSBAND AND WIFE , executed a Deed of Trust conveying to MATTHEW D. RIEDL 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 3462477, Volume 2005154, Page 01263, in the DEED OF TRUST OR REAL PROPERTY records of DALLAS 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 February 10, 2017 under Cause No. DC-16-14726 in the 44TH Judicial District Court of DALLAS COUNTY, Texas; and

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on 10/3/2017 beginning not earlier than 1:00 pm , or not later than three hours thereafter, I will sell said Real Estate in DALLAS 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:

LOT THIRTY-SEVEN (37), BLOCK FOUR (4) OF SHERWOOD PARK SECTION, TWO, AN ADDITION TO THE CITY OF COPPELL, DALLAS COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 84201 PAGE 2763, DALLAS COUNTY, TEXAS.

Property Address: 232 NIXON STREET, COPPELL, TX 75019  
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

FILED  
DORIS E. WARREN  
COUNTY CLERK  
DALLAS COUNTY  
AUG 24 AM 10:26

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, Aug 23, 2017

Shelley Ortolani

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

Shelley Ortolani, Mary Mancuso, Robert Ortolani,  
Michele Hreha, Guy Wiggs, David Stockman, Brenda  
Wiggs, Denise Boerner, Donna Stockman, Tim Lewis,  
Michelle Schwartz,  
Substitute Trustee



In Re: Order of Foreclosure	§	IN THE DISTRICT COURT
Concerning	§	
232 NIXON ST	§	
COPPELL, TX 75019	§	
Under Tex. R. Civ. P. 736	§	
	§	
Petitioner: U.S. BANK TRUST, N.A., AS	§	OF DALLAS COUNTY, TEXAS
TRUSTEE FOR LSF9 MASTER	§	
PARTICIPATION TRUST	§	
	§	
Respondent(s): JAI B. POOLE and	§	
CHERYL D. POOLE	§	44 <sup>th</sup> JUDICIAL DISTRICT

**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:

JAI B. POOLE  
232 NIXON ST  
COPPELL, TX 75019

CHERYL D. POOLE  
232 NIXON ST  
COPPELL, TX 75019

3. The property that is the subject of this foreclosure proceeding is commonly known as 232 NIXON ST, COPPELL, TX 75019 with the following legal description:

LOT THIRTY-SEVEN (37), BLOCK FOUR (4) OF SHERWOOD PARK SECTION, TWO, AN ADDITION TO THE CITY OF COPPELL, DALLAS COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 84201, PAGE 2763. DALLAS COUNTY, TEXAS.

4. The lien to be foreclosed is indexed or recorded at CLERK'S FILE NO. 3462477 and recorded in the real property records of DALLAS 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.

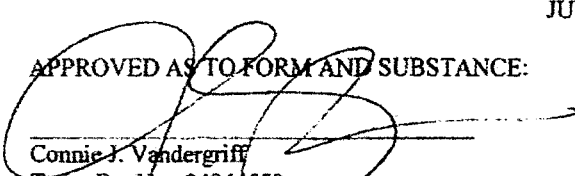
6. Therefore, the Court grants Petitioner's Application for an Expedited Order Under Rule 736 on a Home Equity Loan. Petitioner, and its successors and assigns, may proceed with foreclosure of the Property described above in accordance with the applicable law and the loan agreement, contract or lien sought to be foreclosed.

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 10 day of February, 2017

  
\_\_\_\_\_  
JUDGE PRESIDING

APPROVED AS TO FORM AND SUBSTANCE:

  
\_\_\_\_\_  
Connie J. Vandergriff  
Texas Bar No. 24044550  
ConnieVa@bdfgroup.com  
4004 Belt Line Road, Suite 100  
Addison, Texas 75001  
972-386-5040 (Phone)  
972-341-0734 (Fax)

**ATTORNEYS FOR PETITIONER**

HE Order  
BDFTE No.: 6124226

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