

**APPOINTMENT OF SUBSTITUTE TRUSTEE AND
NOTICE OF SUBSTITUTE TRUSTEE SALE**

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 AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.

**APPOINTMENT
OF SUBSTITUTE
TRUSTEE:**

WHEREAS, in my capacity as the attorney for the Mortgagee and/or its Mortgage Servicer, and pursuant to Section 51.0076 of the Texas Property Code, I hereby name, appoint and designate Jack O'Boyle, Chris Ferguson, Travis Gray, Robert LaMont, Harriett Fletcher, Sheryl LaMont, Sharon St. Pierre, Travis Gray, Chris Ferguson, or Jack O'Boyle, each as Substitute Trustee, to act under and by virtue of said Deed of Trust, including posting and filing the public notice required under Section 51.002 Texas Property Code as amended, and to proceed with a foreclosure of the Deed of Trust lien securing the payment of the Note.

**SUBSTITUTE
TRUSTEE'S
ADDRESS:**

c/o JACK O'BOYLE & ASSOCIATES, PLLC, Mailing Address: P.O. Box 815369, Dallas, Texas 75381; Physical Address: 12300 Ford Road, Suite 212, Dallas, TX 75234.

**NOTICE OF
SUBSTITUTE
TRUSTEE SALE:**

WHEREAS, default has occurred in the payment of said herein referenced indebtedness, and the same is now wholly due, and the Mortgagee and/or Mortgage Servicer has requested the hereinafter appointed Substitute Trustee to sell said property to the highest bidder for cash and to distribute or apply the proceeds of said sale in accordance with the terms of said Deed of Trust.

FILED FOR RECORD
2024 OCT -3 AM 10:34

AMY L. VARNELL
CASS COUNTY CLERK

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on November 05, 2024 between the hours of 10am-1pm the Substitute Trustee will sell said real property at the place hereinafter set out and pursuant to the terms herein described. The sale will begin at the earliest time stated above or within three (3) hours after that time.

**LOCATION OF
SALE:**

The place of the sale shall be: The North Entrance of the Cass County Courthouse located on Houston Street, Linden, TX, or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner's Court in CASS County, Texas or as designated by the County Commissioners.

**INSTRUMENT TO
BE FORECLOSED:**

Deed of Trust or Contract Lien dated 06/07/2024 and recorded under Volume, Page or Clerk's File No. INSTRUMENT NUMBER 2024003477 in the real property records of Cass County Texas, with CHERYL WESTBROOK AND



RICHARD E WESTBROOK as Grantor(s) and Venture Properties Inc. as Original Mortgagee.

OBLIGATIONS SECURED: Deed of Trust or Contract Lien executed by CHERYL WESTBROOK AND RICHARD E WESTBROOK securing the payment of the indebtedness in the original principal amount of \$84,000.00 and obligations therein described including but not limited to the promissory note and all the modifications, renewals and extensions of the promissory note (the "Note") executed by CHERYL WESTBROOK AND RICHARD E WESTBROOK. VENTURE PROPERTIES INC. is the current mortgagee (the "Mortgagee") of the Note and Deed of Trust or Contract Lien.

MORTGAGEE:

VENTURE PROPERTIES INC. is the Mortgagee of the Note and Deed of Trust associated with the above referenced loan. VENTURE PROPERTIES INC.'s address is:

VENTURE PROPERTIES INC.
c/o Venture Properties Inc.
PO BOX 117744
CARROLLTON, TX 75011

LEGAL DESCRIPTION OF PROPERTY TO BE SOLD: ALL THAT CERTAIN TRACT OR PARCEL OF LAND BEING A PART OF THE B.L. WINTERS HEADRIGHT SURVEY, ABSTRACT NO. 1109, CASS COUNTY, TEXAS; SAID TRACT OF LAND BEING PART OF THAT CERTAIN 73954 SQ. FT. ACRE TRACT OF LAND DESCRIBED IN VOLUME 828, PAGE 553 OF THE DEED OF TRUST RECORDS, CASS COUNTY, TEXAS; SAID TRACT OF LAND ALSO BEING ALL THAT CERTAIN TRACT OF LAND CONVEYED TO KAREN WOMMACK BY GENERAL WARRANTY DEED RECORDED AS INSTRUMENT NO. 2015000831 IN THE RECORDS OF BOWIE COUNTY, TEXAS; AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:
COMMENCING ON THE SOUTH RIGHT-OF-WAY LINE OF TEXAS HIGHWAY NO. 77 AT CENTERLINE STATION 119+07.23, A DISTANCE OF 70.00 FEET AT RIGHT ANGLES FROM THE CENTERLINE OF SAID HIGHWAY NO. 77, SAID POINT OF COMMENCING BEING THE NORTHWEST CORNER OF THAT CERTAIN 2.00 ACRE TRACT DESCRIBED IN DEED OF TRUST RECORDED IN VOLUME 147, PAGE 428 OF THE DEED OF TRUST RECORDS OF CASS COUNTY, TEXAS; SAID POINT OF COMMENCING ALSO BEING THE NORTHEAST CORNER OF THAT CERTAIN 65 FOOT STRIP OF LAND CONVEYED FROM BOBBY AND KAREN WOMMACK TO FRANK AND VIRGIE MATTHEWS BY WARRANTY DEED RECORDED IN VOLUME 1064, PAGE 293 OF THE DEED RECORDS OF CASS COUNTY, TEXAS; AN AXLE FOUND IN PLACE BEARS NORTH 00 DEGREES 49 MINUTES 04

DT: zNOS AND APPT (MTG) 230511



AL: 26907 W TX HWY 77

SECONDS WEST, 1.73 FEET; THENCE - SOUTH 88 DEGREES 38 MINUTES 00 SECONDS WEST WITH THE SAID SOUTH RIGHT-OF-WAY LINE A DISTANCE OF 65.00 FEET TO A 1/2" REINF. STEEL SET FOR THE POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT OF LAND;

THENCE - SOUTH 88 DEGREES 38 MINUTES 00 SECONDS WEST WITH THE THE ABOVE MENTIONED SOUTH RIGHT-OF WAY LINE A DISTANCE OF 293.74 FEET TO A 1/2" REINF. STEEL FOUND IN PLACE AT THE NORTHWEST CORNER OF THAT CERTAIN 73954 SQ. FT. ACRE TRACT OF LAND DESCRIBED IN VOLUME 828, PAGE 553 OF THE DEED OF TRUST RECORDS, CASS COUNTY, TEXAS;

THENCE - SOUTH 01 DEGREE 16 MINUTES 13 SECONDS EAST, A DISTANCE OF 199.73 FEET WITH THE COMMON BOUNDARY LINE BETWEEN THE ABOVE MENTIONED 73954 SQ.FT, TRACT OF LAND AND THAT CERTAIN TRACT 1 CONVEYED TO LINDA DIANNE WOMMACK PARR BY WARRANTY DEED RECORDED AS INSTRUMENT NO. 2023000657 OF THE RECORDS OF CASS COUNTY, TEXAS; TO A 1/2" REINF. STEEL SET FOR THE COMMON SOUTH CORNER OF SAID 73954 SQ.FT, TRACT OF LAND AND SAID TRACT 1, SAME BEING ON THE COMMON BOUNDARY LINE BETWEEN THE B.L. WINTERS HEADRIGHT SURVEY, ABSTRACT NO. 1109 AND THE D. BANCROFT HEADRIGHT SURVEY, ABSTRACT NO. 1203; A HIGHWAY REFLECTOR FOUND IN PLACE FOR THE NORTHWEST CORNER OF SAID BANCROFT SURVEY BEARS SOUTH 89 DEGREES 06 MINUTES 52 SECONDS WEST, 1043.41 FEET;

THENCE - NORTH 88 DEGREES 42 MINUTES 27 SECONDS EAST, WITH THE ABOVE MENTIONED COMMON BOUNDARY LINE BETWEEN THE B.L. WINTERS AND D. BANCROFT HEADRIGHT SURVEYS, A DISTANCE OF 292.16 FEET TO A 1/2" REINF. STEEL SET FOR CORNER AT THE SOUTHWEST CORNER OF THE ABOVE MENTIONED FRANK AND VIRGIE MATTHEWS TRACT DESCRIBED IN VOLUME 1064, PAGE 293, FROM WHICH A 1/2" REINF. STEEL BEING SET NORTH 88 DEGREES 42 MINUTES 27 SECONDS EAST A DISTANCE OF 65.00 FEET AT THE SOUTHEAST CORNER OF SAID MATTHEWS TRACT, SAME BEING THE SOUTHWEST CORNER OF THE DOUGLAS J. ROBERTS TRACT DESCRIBED IN INSTRUMENT 2021001447, SAID SOUTHWEST CORNER BEING CALLED A 12" WOOD POST; AN EXISTING 10" POST BEARS NORTH 14 DEGREES 19 MINUTES 49 SECONDS WEST, 3.30 FEET AND A 1/2" REINF. STEEL FOUND IN PLACE BEARS NORTH 50 DEGREES 08 MINUTES 48 SECONDS EAST, 3.80 FEET

THENCE - NORTH 00 DEGREES 49 MINUTES 03 SECONDS WEST, WITH THE WEST BOUNDARY LINE OF THE ABOVE MENTIONED MATTHEWS TRACT A DISTANCE OF 200.12 FEET TO THE POINT OF BEGINNING, BASIS OF BEARING BEING THE RECORD CALLS FOUND IN THAT CERTAIN TRACT OF LAND CONVEYED TO KAREN WOMMACK BY GENERAL WARRANTY DEED RECORDED AS INSTRUMENT NO. 2015000831 IN THE RECORDS OF BOWIE COUNTY,



TEXAS. THE HEREIN DESCRIBED TRACT OF LAND BEING SURVEY BY RICHARD V. HALL, JR. CONTAINS 1.344 ACRES OF LAND, MORE OR LESS, AND SUBJECT TO SUCH RIGHTS AS MAY BE VESTED IN OTHERS FOR ALL EASEMENTS AND RIGHTS-OF-WAYS OF RECORD OR OF USE (the "Property")

**REPORTED
PROPERTY
ADDRESS:**

26907 W TX HWY 77, NAPLES, TX 75568

TERMS OF SALE: The Substitute Trustee will sell the Property by public auction at the place and date specified herein.

Pursuant to Section 51.009 of the Texas Property Code, the property will be sold in "AS IS, 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 and the priority of the lien being foreclosed.

The sale will be conducted as a public auction to the highest bidder for cash, subject to the provisions of the Deed of Trust permitting the Mortgagee and/or Mortgage Servicer thereunder to have the bid credited to the Note up to the amount of the unpaid debt secured by the Deed of Trust at the time of sale.

Those desiring to purchase the property will need to demonstrate their ability to pay their bid immediately in cash if their bid is accepted.

The sale will be made expressly subject to any title matters set forth in the Deed of Trust, but prospective bidders are reminded that by law the sale will necessarily be made subject to all prior matters of record affecting the property, if any, to the extent that they remain in force and effect and have not been subordinated to the Deed of Trust. The sale shall not cover any part of the property that has been released of public record from the lien of the Deed of Trust. Prospective bidders are strongly urged to examine the applicable property records to determine the priority, nature and extent of such matters, if any.

In the event of a defect or other problem with the foreclosure process is discovered that may invalidate the sale, the consideration paid will be returned to the purchaser as the sole and absolute remedy. In the event of any claim or action brought by any person including the purchaser requiring or resulting in the invalidation of the sale and rescission of the Trustee's Deed or Substitute Trustee's Deed, purchaser's damages resulting therefrom are limited to the consideration paid to the Trustee or Substitute Trustee and the sole and absolute remedy shall be the return to purchaser of the consideration paid. The purchaser



shall have no further recourse against the Trustee, Substitute Trustee, Mortgagee and/or Mortgage Servicer, or its attorney(s).

The Deed of Trust permits the Mortgagee and/or Mortgage Servicer to postpone, withdraw, or reschedule the sale for another day. In that case, the Trustee under the Deed of Trust or Substitute Trustee appointed herein need not appear at the date, time and place of a scheduled sale to announce the postponement, withdrawal, or rescheduling. Notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Texas Property Code. The reposting or refileing may be after the date originally scheduled for this sale.

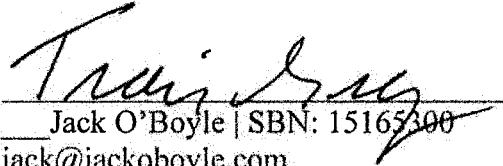
ASSERT AND PROTECT YOUR RIGHTS AS A MEMBER OF THE ARMED FORCES OF THE UNITED STATES. IF YOU ARE OR YOUR SPOUSE IS SERVING ON ACTIVE MILITARY DUTY, INCLUDING ACTIVE MILITARY DUTY AS A MEMBER OF THE TEXAS NATIONAL GUARD OR THE NATIONAL GUARD OF ANOTHER STATE OR AS A MEMBER OF A RESERVE COMPONENT OF THE ARMED FORCES OF THE UNITED STATES, PLEASE SEND WRITTEN NOTICE OF THE ACTIVE DUTY MILITARY SERVICE TO THE SENDER OF THIS NOTICE IMMEDIATELY.



Signed on the 26 day of September, 2024.

Respectfully,

JACK O'BOYLE & ASSOCIATES, PLLC



Jack O'Boyle | SBN: 15165300

jack@jackoboyle.com

Travis H. Gray | SBN: 24044965

travis@jackoboyle.com

Chris Ferguson | SBN: 24069714

chris@jackoboyle.com

P.O. Box 815369

Dallas, Texas 75381

P: 972.247.0653 | F: 972.247.0642

ATTORNEYS FOR MORTGAGEE AND/OR ITS
MORTGAGE SERVICER

CERTIFICATE OF POSTING

My name is Robert LaMont, and my address is c/o 12300 Ford Rd, Ste. 212, Dallas, TX 75234. I declare under the penalty of perjury that on October 3, 2024 I filed at the office of the Cass County Clerk and caused to be posted at the Cass County courthouse (or other designated place) this notice of sale.

Signed: 

Declarant's Name: Robert LaMont

Date: October 3, 2024

