

NOTICE OF FORECLOSURE 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 OR 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.

1. Property to Be Sold. The property to be sold is described as follows: ALL THAT CERTAIN LOT OR PARCEL OF LAND SITUATED IN UPSHUR COUNTY, TEXAS, A PART OF THE WH HEREFORD HR SURVEY, IN THE CITY OF GILMER, TEXAS, AND BEING ALL OF THE SOUTH 75 FEET OFF OF LOT 8 OF THE DUNCAN SUBDIVISION, ACCORDING TO PLAT AND PLAN OF SAID SUBDIVISION DULY RECORDED IN VOLUME 167, PAGE 561, UPSHUR COUNTY DEED RECORDS.

APN: S154-S02-C11-BLATLT8PT

2. Instrument to be Foreclosed. The instrument to be foreclosed is the Deed of Trust dated 11/10/2008 and recorded in Book 839 Page 1 Document 200810455 real property records of Upshur County, Texas.

3. Date, Time, and Place of Sale. The sale is scheduled to be held at the following date, time, and place:

Date: 06/07/2022

Time: 10:00 AM

Place: Upshur County, Texas at the following location: THE NORTH ENTRY OF THE UPSHUR COUNTY COURTHOUSE AS THE AREA FOR THE SALE OF REAL PROPERTY UNDER CONTRACT LIEN OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE or as designated by the County Commissioners Court.

4. Terms of Sale. The sale will be conducted as a public auction to the highest bidder for cash. Pursuant to the deed of trust, the mortgagee has the right to direct the Trustee to sell the property in one or more parcels and/or to sell all or only part 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 express or implied warranties, except as to the warranties of title, if any, provided for under the deed of trust.

5. Obligations Secured. The Deed of Trust executed by AUDREY LAVAUGHN SMITH, provides that it secures the payment of the indebtedness in the original principal amount of \$127,500.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. WILMINGTON SAVINGS FUND SOCIETY, FSB, NOT IN ITS INDIVIDUAL CAPACITY BUT SOLELY AS OWNER TRUSTEE FOR CASCADE FUNDING MORTGAGE TRUST HB5 is the current mortgagee of the note and deed of trust and PHH MORTGAGE CORPORATION is mortgage servicer. A servicing agreement between the mortgagee, whose address is WILMINGTON SAVINGS FUND SOCIETY, FSB, NOT IN ITS INDIVIDUAL CAPACITY BUT SOLELY AS OWNER TRUSTEE FOR CASCADE FUNDING MORTGAGE TRUST HB5 c/o PHH MORTGAGE CORPORATION, 14405 Walters Road, Suite 200, Houston, TX 77014 and the mortgage servicer and Texas Property Code § 51.0025 authorizes the mortgage servicer to collect the debt.

6. Order to Foreclose. WILMINGTON SAVINGS FUND SOCIETY, FSB, NOT IN ITS INDIVIDUAL CAPACITY BUT SOLELY AS OWNER TRUSTEE FOR CASCADE FUNDING MORTGAGE TRUST HB5 obtained a Order from the 115th District Court of Upshur County on 03/10/2022 under Cause No. 36-22. The mortgagee has requested a Substitute Trustee conduct this sale pursuant to the Court's Order.

7. Substitute Trustee(s) Appointed to Conduct Sale. In accordance with Texas Property Code Sec. 51.0076, the undersigned attorney for the mortgage servicer has named and appointed, and by these presents does name and appoint AVT Title Services, LLC, located at 5177 Richmond Avenue Suite 1230, Houston, TX 77056, Substitute Trustee to act under and by virtue of said Deed of Trust.

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.

[Handwritten signature]

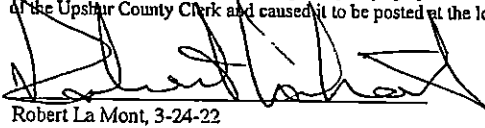
Mackie Wolf Zientz & Mann, P.C.
Brandon Wolf, Attorney at Law
L. Keller Mackie, Attorney at Law
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FILED
FERRI ROSS
COUNTY CLERK
2022 MAR 24 AM 11:44
UPSHUR COUNTY, TX.
BY [Signature] DEPUTY

Certificate of Posting



I am Robert La Mont whose address is c/o AVT Title Services, LLC, 5177 Richmond Avenue, Suite 1230,
Houston, TX 77056. I declare under penalty of perjury that on March 24, 2022 I filed this Notice of Foreclosure Sale at the office
of the Upshur County Clerk and caused it to be posted at the location directed by the Upshur County Commissioners Court.



Robert La Mont, 3-24-22