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 COMPNENT 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.

5965-749

NOTICE OF FORECLOSURE SALE

1 THE PROPERTY TO BE SOLD

COMMONLY KNOWN AS — 220 CIRCLE RIDGE DRIVE, GILMER, TEXAS 75645

LEGAL DESCRIPTION — SEE EXHIBIT A.

2 THE DEED OF TRUST TO BE FORECLOSED UPON

RECORDED IN REAL PROPERTY RECORDS OF	RECORDED ON	UNDER DOCUMENT#
UPSHUR COUNTY	SEPTEMBER 26, 2007	200708990

3 THE SALE IS SCHEDULED TO BE HELD

PLACE	DATE	TIME
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	FEBRUARY 7, 2023	10:00 AM – 1:00 PM

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 § 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.

OBLIGATIONS SECURED

The Deed of Trust executed by RALPH KENNEDY and MARTHA KENNEDY, provides that it secures the payment of the indebtedness in the original principal amount of $163,500.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. SEATTLE BANK is the current mortgagee of the note and deed of trust and PHH MORTGAGE CORPORATION is the current mortgage servicer. A servicing agreement between the mortgager, whose address is 1661 Worthington Road, Suite# 100, West Palm Beach, Florida 33409, and the mortgage service exists. TEXAS PROPERTY CODE § 51.0025 authorizes the mortgage servicer to collect the debt.

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.

In accordance with Texas Property Code § 51.0076, the undersigned attorney for the mortgage servicer has named and appointed, and by these presents does name and appoint the following as Substitute Trustee to act under and by virtue of said Deed of Trust:

HARRIETT FLETCHER, SHERYL LAMONT, ROBERT LAMONT, RONNIE HUBBARD, ALLAN JOHNSTON, TERRI WORLEY, LISA DELONG, NICHOLAS S. CAMPBELL, ANNAROSE M. HARDING, SARA A. MORTON, JONATHON AUSTIN, and/or BRANCH M. SHEPPARD.

Annarose Harding

ATTORNEYS AT LAW

GALLOWAY, JOHNSON, TOMPKINS, BURR & SMITH
A PROFESSIONAL LAW CORPORATION
1301 McKinney Street, Suite 1400
Houston, Texas 77010
(713) 599-0700

Branch M. Sheppard
Annarose M. Harding
Sara A. Morton
Jonathon Austin

CERTIFICATE OF POSTING

I declare under penalty of perjury that I filed this Notice of Foreclosure Sale at the office of the County Clerk and caused it to be posted at the location directed by the County Commissioners Court.

POSTED December 01, 2022

NAME Harriett Fletcher

Harriett Fletcher TRUSTEE

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 COMPNENT 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.

5965-749

EXHIBIT A – LEGAL DESCRIPTION
for 220 Circle Ridge Drive, Gilmer, Texas 75645

ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING SITUATED IN UPSHUR COUNTY, TEXAS, IN THE WILLIAM KING HR SURVEY AT EAST MOUNTAIN, APPROXIMATELY 15 MILES SE GILMER AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE ROW OF FARM ROAD NO. 1845, AND BEING THE SE CORNER OF THAT CERTAIN TRACT OR LAND SOLD TO GARY MEDLIN;

THENCE NORTH 178.6 FEET ALONG THE EBL OF THE MEDLIN TRACT TO A STAKE FOR CORNER;

THENCE EAST 112 FEET TO A STAKE FOR CORNER;

THENCE SOUTH 188 FEET TO A STAKE FOR CORNER IN THE ROW OF FARM ROAD NO. 1845;

THENCE WEST ALONG THE ROAD BOUNDARY 122 FEET TO THE PLACE OF BEGINNING.

FILED
TERRI ROSS
COUNTY CLERK
2022 DEC -1 AM 11:48
UPSHUR COUNTY, TX.
BY KT
DEPUTY

CERTIFICATE OF POSTING

I declare under penalty of perjury that I filed this Notice of Foreclosure Sale at the office of the County Clerk and caused it to be posted at the location directed by the County Commissioners Court.

POSTED December 01, 2022

NAME Harriett Fletcher _____ TRUSTEE