

#42

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.

5965-880

NOTICE OF FORECLOSURE SALE

1 THE PROPERTY TO BE SOLD
COMMONLY KNOWN AS

137 CROWFOOT LANE, WHITNEY, TEXAS 76692

LEGAL DESCRIPTION

SEE EXHIBIT A.

2 THE DEED OF TRUST TO BE FORECLOSED UPON

RECORDED IN REAL PROPERTY RECORDS OF
HILL COUNTY

RECORDED ON
OCTOBER 23, 2008

UNDER DOCUMENT#
00022004

3 THE SALE IS SCHEDULED TO BE HELD

PLACE
EAST DOOR OF THE HILL COUNTY COURTHOUSE OR
AS DESIGNATED BY THE COUNTY COMMISSIONER'S
OFFICE

DATE
OCTOBER 3, 2023

TIME
11:00 AM - 2:00 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 JO ANN GOUGE, provides that it secures the payment of the indebtedness in the original principal amount of \$44,250.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. CASCADE FUNDING MORTGAGE TRUST HB4 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:

DONNA STOCKMAN, DAVID STOCKMAN, BRENDA WIGGS, GUY WIGGS, MICHELLE SCHWARTZ, JANET PINDER, KATHY ARRINGTON, BRANDY BACON, JAMIE DWORSKY, NICHOLAS S. CAMPBELL, ANNAROSE M. HARDING, SARA A. MORTON, JONATHON AUSTIN, HALEY SHEPPARD, 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) 599-8000

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 _____

NAME _____

TRUSTEE

FILED
NICOLE TAMMER, COUNTY CLERK
HILL COUNTY, TEXAS
2023 AUG - 3 PM 2:14

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5965-880

**EXHIBIT A – LEGAL DESCRIPTION
for 137 Crowfoot Lane, Whitney, Texas 76692**

FIELD NOTES FOR THE SURVEY OF A CERTAIN LOT, TRACT, OR PARCEL OF LAND BEING A PART OF LOT 70 OF THE LOMA LINDA SUBDIVISION IN HILL COUNTY, TEXAS, ACCORDING TO PLAT RECORDED IN VOLUME 371, PAGE 409 OF THE DEED RECORDS OF HILL COUNTY. SAID LAND IS ALL THAT CERTAIN TRACT DESCRIBED IN A DEED FROM JIMMY REAVIS TO MELVIN O. MCKAY RECORDED IN VOLUME 809, PAGE 106 OF THE OFFICIAL PUBLIC RECORDS OF HILL COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD FOUND FOR THE NORTHWEST CORNER OF SAID LOT 70 AND FOR THE NORTHWEST CORNER OF THIS:

THENCE N60°01'11"E 160.00 FEET TO A 1/2" IRON ROD SET IN THE WEST LINE OF CROWFOOT LANE FOR THE NORTHEAST CORNER OF SAID LOT 70 AND FOR THE NORTHEAST CORNER OF THIS;

THENCE WITH THE WEST LINE OF CROWFOOT LANE AND WITH THE EAST LINE OF SAID LOT 70, S13°50'37"E 86.00 FEET TO A 1/2" IRON ROD FOUND FOR THE NORTHEAST CORNER OF THAT CERTAIN TRACT DESCRIBED IN A DEED TO JOHNNIE W. BENNETT RECORDED IN VOLUME 1107, PAGE 212 OF THE OFFICIAL PUBLIC RECORDS OF HILL COUNTY AND FOR THE SOUTHEAST CORNER OF THIS;

THENCE S66°53'57"W 136.50 FEET TO A 1/2" IRON ROD FOUND IN THE WEST LINE OF SAID LOT 70 FOR THE NORTHWEST CORNER OF SAID BENNETT TRACT AND FOR THE SOUTHWEST CORNER OF THIS;

THENCE N30°29'00"W 66.26 FEET TO THE PLACE OF BEGINNING, CONTAINING 0.254 ACRES OF LAND.

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 _____

NAME _____ TRUSTEE