

Vicinta Stafford
COUNTY CLERK, BURNET COUNTY, TEXAS
BY: [Signature] DEPUTY

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: BEING A 0.40 ACRE TRACT OF LAND OUT OF THE JOHN HAMILTON SURVEY NO 1, ABSTRACT NO 405, IN BURNET COUNTY, TEXAS, AND BEING THAT SAME TRACT OF LAND, DESCRIBED IN AN ASSUMPTION WARRANTY DEED DATED FEBRUARY 18, 1983, FROM ROY E. MADDUX TO BETTY NELL, BARTON MUDDUX, OF RECORD 1 VOLUME 306, PAGE 790, DEED RECORDS OF BURNET COUNTY, TEXAS, SAID 0.40 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED, BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2 INCH IRON ROD FOUND IN THE NORTH RIGHT OF WAY LINE OF POST MOUNTAIN ROAD, AT THE SOUTHWEST CORNER OF THE REMAINDER OF A TRACT OF LAND, DESCRIBED AS 2.363 ACRES, IN A WARRANTY DEED DATED JUNE 7, 1976, FROM JOE A. SHEPPERD AND WIFE, EPIFANIA SHEPPERD, TO WALTON C. MCGUYER END WIFE, EVELYN M MCGUYER, OF RECORD IN VOLUME 229, PAGE 320, DEED RECORDS OF BURNET COUNTY, TEXAS, AND THE SOUTHEAST CORNER HEREOF;

THENCE N 84 DEGREES 23 MINUTES 00 SECONDS W (N 84 DEGREES 23 MINUTES W), WITH THE NORTH RIGHT OF WAY LINE OF POST MOUNTAIN ROAD, A DISTANCE OF 107.00 FEET 107, TO A 1/2 INCH IRON ROD SET WITH PLASTIC CAP STAMPED DJS-5602, AT THE SOUTHEAST CORNER OF A TRACT OF LAND, DESCRIBED AS 1.587 ACRES, IN A DEED DATED APRIL 1, 1985, FROM JOE A. SHEPPARD AND WIFE, EPIFANIA SHEPPARD, TO ROBERT C SHIELDS AND WIFE, EDITH A. SHIELDS, OF RECORD IN VOLUME 342, PAGE 662, DEED RECORDS OF BURNET COUNTY, TEXAS, AND THE SOUTHWEST CORNER HEREOF,

THENCE N 9 DEGREES 00 MINUTES 00 SECONDS W (N 9 DEGREES W), WITH THE EASTERN BOUNDARY LINE OF SAID 1.587 ACRE SHIELDS TRACT, A DISTANCE OF 150.34 FEET (150.7 FEET) TO A 1/2 INCH IRON ROD SET WITH PLASTIC CAP STAMPED DJS-5602, IN THE SOUTH RIGHT OF WAY LINE OF A 50 FEET WIDE PORTION OF A 30 FEET WIDE RADWAY EASEMENT, FOR THE NORTHWEST CORNER HEREOF,

THENCE N 87 DEGREES 00 MINUTES 00 SECONDS E (N 87 DEGREES E), WITH THE SOUTH RIGHT OF WAY LINE OF SAID ROADWAY EASEMENT, A DISTANCE OF 57.92 FEET (63.7 FEET), TO A 1/2 INCH IRON ROD SET WITH PLASTIC CAP "STAMPED DJS-5602", FOR ANGLE POINT HEREOF;

THENCE S 87 DEGREES 00 MINUTES 00 SECONDS E (S 87 DEGREES E), A DISTANCE OF 61.00 FEET (61 FEET), TO A 1/2 INCH IRON ROD SET WITH PLASTIC CAP STAMPED "DJS-5602", IN THE WESTERN BOUNDARY LINE OF A TRACT OF LAND, DESCRIBED AS 1.18 ACRES IN A WARRANTY DEED WITH VENDOR'S LIEN DATED APRIL 19, 2002, FROM IRENE JOHNSON TO JAMES B CRAWFORD AND SPOUSE, MAGDA L. CRAWFORD, OF RECORD IN VOLUME 1236, PAGE 807, OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS, AND THE NORTHEAST CORNER HEREOF; WHENCE A 5/8 INCH IRON ROD FOUND, AT THE NORTHWEST CORNER OF SAID 1.18 ACRE CRAWFORD TRACT BEARS N 4 DEGREES 03 MINUTES 00 SECONDS W (N 4 DEGREES 03 MINUTES W), A DISTANCE OF 20.06 FEET.

THENCE S 4 DEGREES 03 MINUTES 00 SECONDS E, THE BASIS OF BEARING FOR THIS SURVEY, AT 66.41 FEET, A 3/8 INCH ROD FOUND AT THE SOUTHWEST CORNER OF SAID 1.18 ACRE CRAWFORD TRACT, AND THE NORTHWEST CORNER OF THE REMAINDER OF SAID 2.363 ACRE MCGUYER TRACT, IN ALL A DISTANCE OF 159.20 FEET (159.2 FEET) TO THE POINT OF BEGINNING, AND CALCULATED TO CONTAIN 0.40 ACRES

APN B0405-0000-26501-000

2. *Instrument to be Foreclosed.* The instrument to be foreclosed is the Deed of Trust dated 04/03/2009 and recorded in Document 200903152 real property records of Burnet County, Texas.

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

- Date: 05/02/2023
- Time: 01:00 PM
- Place: Burnet County, Texas at the following location: THE AREA OUTSIDE THE COUNTY CLERK'S OFFICE, 220 SOUTH PIERCE ST, BURNET, TEXAS ON THE EAST SIDE OF THE COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE or as designated by the County Commissioners Court.

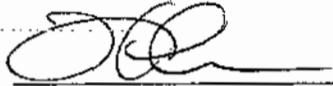
4. *Terms of Sale.* The sale will be conducted as a public auction to the highest bidder for cash. Pursuant to the deed of trust, the mortgagee has the right to direct the Trustee to sell the property in one or more parcels and/or to sell all or only part of the property. Pursuant to section 51.009 of 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 PATRICIA ISCHY, provides that it secures the payment of the indebtedness in the original principal amount of \$229,500.00, 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 33rd District Court of Burnet County on 02/17/2023 under Cause No. 53036. 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.



Mackie Wolf Zientz & Mann, P.C.
Brandon Wolf, Attorney at Law
L. Keller Mackie, Attorney at Law
Michael Zientz, Attorney at Law
Lori Liane Long, Attorney at Law
Chelsea Schneider, Attorney at Law
Ester Gonzales, Attorney at Law
Karla Balli, Attorney at Law
Parkway Office Center, Suite 900
14160 Dallas Parkway
Dallas, TX 75254

Certificate of Posting

I am _____ 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 _____ I filed this Notice of Foreclosure Sale at the office of the Burnet County Clerk and caused it to be posted at the location directed by the Burnet County Commissioners Court.