

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.

5965-560

NOTICE OF FORECLOSURE SALE

1 THE PROPERTY TO BE SOLD

COMMONLY KNOWN AS

1344 BIG HILL ROAD, STOWELL, TEXAS 77661

LEGAL DESCRIPTION

SEE EXHIBIT A.

2 THE DEED OF TRUST TO BE FORECLOSED UPON

RECORDED IN REAL PROPERTY RECORDS OF CHAMBERS COUNTY

RECORDED ON AUGUST 13, 2008

UNDER DOCUMENT# 38023

3 THE SALE IS SCHEDULED TO BE HELD

PLACE

DATE

TIME

INSIDE COURTHOUSE ON EASTERN-MOST STEPS OF THE SECOND LEVEL (MIDDLE FLOOR) OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE

OCTOBER 4, 2022

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 MATTHEW BATTLES, SR. and VIRGINIA BATTLES, provides that it secures the payment of the indebtedness in the original principal amount of \$187,500.00, 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 IN ITS CAPACITY AS OWNER TRUSTEE FOR CASCADE FUNDING MORTGAGE TRUST HB1 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:

TOMMY JACKSON, KEATA SMITH, STEPHANIE HERNANDEZ, CAROLYN CICCIO, NICHOLAS S. CAMPBELL, ANNAROSE M. HARDING, SARA A. MORTON, JONATHON AUSTIN, and/or BRANCH M. SHEPPARD.

ATTORNEYS AT LAW

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

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

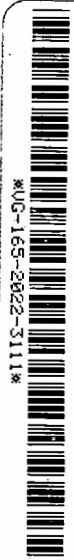
CERTIFICATE OF POSTING

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 9-8-22

NAME Tommy Jackson

Tommy Jackson 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 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.

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**EXHIBIT A – LEGAL DESCRIPTION
for 1344 Big Hill Road, Stowell, Texas 77661**

BEING A 10.40 ACRE TRACT OF LAND OUT OF LOT 25 AND LOT 26 OF THE ROEDENBECK SUBDIVISION IN THE TEXAS AND NEW ORLEANS RAILROAD COMPANY SURVEY, SECTION NO. 53, ABSTRACT NO. 276, IN CHAMBERS COUNTY, TEXAS, AS RECORDED ON VOLUME A, PAGE 100, OF THE PLAT RECORDS OF CHAMBERS COUNTY, TEXAS, AND BEING THE SAME TRACT AS CONVEYED TO MATTHEW BATTLES BY DEED AND RECORDED IN VOLUME 449, PAGE 581 OF THE OFFICIAL PUBLIC RECORDS OF CHAMBERS COUNTY, TEXAS; SAID 10.40 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A POINT FOR CORNER IN THE CENTERLINE OF BIG HILL ROAD (A 60.0' R.O.W.) AND IN THE WEST LINE OF A CALLED 2.25 ACRE TRACT OF LAND NOW OR FORMERLY OWNED BY CHARLES AND PATRI UNDERWOOD AND IDENTIFIED BY CHAMBERS COUNTY APPRAISAL DISTRICT ACCOUNT #00613-00000-00000-160001, FOR THE NORTHEAST CORNER OF A CALLED 53.29 ACRE TRACT OF LAND AS CONVEYED TO CHARLES AND PATRI UNDERWOOD AND RECORDED IN SAID VOLUME 782, PAGE 62 OF THE OFFICIAL PUBLIC RECORDS OF CHAMBERS COUNTY, TEXAS; SAID POINT BEING THE SOUTHEAST CORNER OF LOT 26, THE SOUTHEAST CORNER OF LOT 26, THE SOUTHEAST CORNER OF SAID T. & N.O. R.R. CO. SURVEY, AND THE SOUTHEAST CORNER AND POINT OF BEGINNING OF THE HEREIN DESCRIBED 10.40 ACRE TRACT OF LAND;

THENCE WEST (REFERENCE BEARING) ALONG THE NORTH LINE OF THE SAID UNDERWOOD 53.29 ACRE TRACT, THE SOUTH LINE OF LOT 26, AND THE SOUTH LINE OF THE SAID T. & N.O. R.R. CO. SURVEY, A DISTANCE OF 30.00 FEET (CALLED 30.00 FEET) A 5/8" IRON ROD FOUND IN THE WEST RIGHT-OF-WAY LINE OF BIG HILL ROAD, AND CONTINUING A DISTANCE OF 1532.47 FEET (CALLED 1532.47 FEET) A 1" PINCHED TOP PIPE IN THE EAST RIGHT-OF-WAY LINE OF HAYES ROAD (A 60.00' R.O.W.), AND CONTINUING A TOTAL DISTANCE OF 1562.47 FEET (CALLED 1562.47 FEET) TO A POINT FOR CORNER IN THE CENTERLINE OF HAYES ROAD FOR THE SOUTHWEST CORNER OF LOT 25, THE SOUTHEAST CORNER OF LOT 24, AND THE SOUTHEAST CORNER OF A CALLED 3.00 ACRE TRACT OF LAND NOW OR FORMERLY OWNED BY LEWIS MERVIN AND IDENTIFIED BY CHAMBERS COUNTY APPRAISAL DISTRICT ACCOUNT #00276-02200-00100-160001; SAID POINT BEING THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED 10.40 ACRE TRACT OF LAND;

THENCE NORTH 00°00'45" EAST (CALLED NORTH 00°03'43" EAST) ALONG THE CENTERLINE OF HAYES ROAD, THE WEST LINE OF LOT 25, THE EAST LINE OF LOT 24, AND THE EAST LINE OF SAID MERVIN 3.00 ACRE TRACT, A DISTANCE OF 289.64 FEET (CALLED 290.07 FEET) TO A POINT FOR CORNER FOR THE SOUTHWEST CORNER OF A CALLED 10.00 ACRE TRACT OF LAND AS CONVEYED TO MATTHEW BATTLES AND RECORDED IN VOLUME 369, PAGE 297 OF THE OFFICIAL PUBLIC RECORDS OF CHAMBERS COUNTY, TEXAS; SAID POINT BEING THE NORTHWEST CORNER OF THE HEREIN DESCRIBED 10.40 ACRE TRACT OF LAND;

THENCE NORTH 89°59'07" EAST (CALLED EAST) ALONG THE SOUTH LINE OF SAID BATTLES 10.00 ACRE TRACT, A DISTANCE OF 30.00 FEET (CALLED 30.00 FEET) A 2" IRON PIPE FOUND IN THE EAST RIGHT-OF-WAY LINE OF HAYES ROAD, AND CONTINUING A DISTANCE OF 1533.76 FEET (CALLED 1532.47 FEET) A 2" IRON PIPE FOUND IN THE WEST RIGHT-OF-WAY LINE OF BIG HILL ROAD, AND CONTINUING A TOTAL DISTANCE OF 1563.76 FEET (CALLED 1562.47 FEET) TO A POINT FOR CORNER IN THE CENTERLINE OF BIG HILL ROAD, IN THE EAST LINE OF LOT 26, THE EAST LINE OF THE T. & N.O. R.R. CO. SURVEY, AND IN THE WEST LINE OF A CALLED 115.95 ACRE TRACT OF LAND AS CONVEYED TO MICHAEL A. DUNN AND RECORDED IN VOLUME 1016, PAGE 107 OF THE OFFICIAL PUBLIC RECORDS OF CHAMBERS COUNTY, TEXAS; SAID POINT BEING THE SOUTHEAST CORNER OF THE SAID BATTLES 10.00 ACRE TRACT AND THE NORTHEAST CORNER OF THE HEREIN DESCRIBED 10.40 ACRE TRACT OF LAND;

THENCE SOUTH 00°16'05" WEST (CALLED SOUTH 00°03'43" WEST) ALONG THE CENTERLINE OF BIG HILL ROAD, THE EAST LINE OF LOT 26, THE EAST LINE OF SAID T. & N.O. R.R. CO. SURVEY, THE WEST LINE OF THE SAID DUNN 115.95 ACRE TRACT, AND THE WEST LINE OF THE SAID UNDERWOOD 2.25 ACRE TRACT, A DISTANCE OF 290.03 FEET (CALLED 290.07 FEET) TO THE POINT OF BEGINNING AND ENCLOSING A TRACT OF LAND CONTAINING 10.40 ACRES GROSS, THERE BEING 0.40 ACRES IN SAID ROADS, LEAVING 10.00 ACRES NET.

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 9-8-22

NAME Tommy Jackson Tommy Jackson TRUSTEE

FILED FOR RECORD IN:
Chambers County
On: 9/8/2022 11:32:57 AM
Doc Number: 2022 - 3111
Number of Pages: 2
Amount: 10.00
Order#: 20220908000025
By: TW



Heather H. Hawthorne, County Clerk

Recorded: *Dawn Wilber*