



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.

5965-369

**NOTICE OF FORECLOSURE SALE**

- 1 THE PROPERTY TO BE SOLD**  
COMMONLY KNOWN AS 5401 20TH STREET, LUBBOCK, TEXAS 79407
- LEGAL DESCRIPTION** LOT ONE (1) BLOCK TWO (2) ROBERT NEILL HEIGHTS, AN ADDITION TO THE CITY OF LUBBOCK, LUBBOCK COUNTY, TEXAS, ACCORDING TO THE MAP, PLAT AND/OR DEDICATION DEED THEREOF RECORDED IN VOLUME 378 PAGE 202 OF THE DEED RECORDS OF LUBBOCK COUNTY, TEXAS.
- 2 THE DEED OF TRUST TO BE FORECLOSED UPON**  
RECORDED IN REAL PROPERTY RECORDS OF LUBBOCK COUNTY      RECORDED ON FEBRUARY 4, 2009      UNDER DOCUMENT# 2009003627
- 3 THE SALE IS SCHEDULED TO BE HELD**  
PLACE      DATE      TIME  
THE GAZEBO LOCATED ON THE FRONT LAWN OF THE COUNTY COURTHOUSE, WITH THE FIRST ALTERNATE LOCATION BEING THE SECOND FLOOR AUDITORIUM AT 916 MAIN AND THE SECOND ALTERNATE LOCATION BEING THE COMMISSIONER'S COURT LOCATED ON THE FIFTH FLOOR OF THE COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE      DECEMBER 7, 2021      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 JOE W. HOWELL and DONNA J. HOWELL, provides that it secures the payment of the indebtedness in the original principal amount of \$502,500.00, 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 the current mortgage servicer. A servicing agreement between the mortgager, whose address is 14405 Walters Rd., Suite 200, Houston, Texas 77014, 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:

TERRY BROWDER, LAURA BROWDER, MARSHA MONROE, JAMIE OSBORNE, NICHOLAS S. CAMPBELL, ANNAROSE M. HARDING, SARA A. MORTON, and/or BRANCH M. SHEPPARD.

ATTORNEYS AT LAW

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

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

*Terry Browder*  
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**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 AND RECORDED**  
OFFICIAL PUBLIC RECORDS



*Kelly Pinion*

Kelly Pinion, County Clerk  
Lubbock County, TEXAS  
11/04/2021 01:08 PM  
FEE: \$3.00  
2021057043