

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.

5905-047

### NOTICE OF FORECLOSURE SALE

**1 THE PROPERTY TO BE SOLD**

COMMONLY KNOWN AS 1919 ARKANSAS STREET, GAINESVILLE, TEXAS 76240

LEGAL DESCRIPTION LOT NO. TWENTY-ONE (21) IN BLOCK NO. ONE (1) OF SECTION ONE (1) OF CONSTITUTION VILLAGE ADDITION TO THE CITY OF GAINESVILLE, COOKE COUNTY, TEXAS; LESS AND EXCEPT ALL OF THE OIL, GAS AND MINERALS THEREIN.

**2 THE DEED OF TRUST TO BE FORECLOSED UPON**

RECORDED IN REAL PROPERTY RECORDS OF COOKE COUNTY RECORDED ON APRIL 25, 2008 UNDER DOCUMENT# 00013571

**3 THE SALE IS SCHEDULED TO BE HELD**

PLACE DATE TIME  
THE EAST STEPS OF THE COOKE COUNTY COURTHOUSE SEPTEMBER 6, 2022 10:00 AM - 1:00 PM  
LOCATED AT 101 SOUTH DIXON STREET, GAINESVILLE, TX  
76240 OR AS DESIGNATED BY THE COUNTY  
COMMISSIONER'S OFFICE

#### 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 SYLVIA F. BENNETT, provides that it secures the payment of the indebtedness in the original principal amount of \$135,000.00, 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 1 Mortgage Way, Mount Laurel, New Jersey, 08054, 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:

MARY MANCUSO, FRANCESCA ORTOLANI, SHELLEY ORTOLANI, MICHELE HREHA, 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) 599-7700

#### 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 6/30/2022

NAME Shelley Ortolani

*Shelley Ortolani* TRUSTEE

FILED FOR RECORD  
22 JUN 30 PM 15:00  
PAM HARRISON  
COUNTY CLERK, COOKE CO. TX  
BY *SM* DEPUTY