


<b>HOCKLEY COUNTY</b> Jennifer Palermo Hockley County Clerk 802 Houston St. Suite 213 Levelland, TX 79336 Phone: 806-894-3185	<b>DOCUMENT #:</b> FC-2023-0021 <b>RECORDED DATE:</b> 03/30/2023 01:14:53 PM 
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<b>Document Type:</b> NOTICE TRUSTEE SALE <b>Transaction Reference:</b> <b>Document Reference:</b>	<b>Transaction #:</b> 908964 - 1 Doc(s) <b>Document Page Count:</b> 6 <b>Operator Id:</b> PKiser
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<b>RETURN TO:</b> () BYRD REALTY ESCROW PO BOX 156 FARWELL, TX 79325	<b>SUBMITTED BY:</b> BYRD REALTY ESCROW PO BOX 156 FARWELL, TX 79325
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DOCUMENT # : FC-2023-0021  
RECORDED DATE: 03/30/2023 01:14:53 PM

I hereby certify that this document was filed on the date and time stamped hereon by me and was duly recorded in the Official Public Records of Hockley County.



*Jennifer Palermo*

Jennifer Palermo  
Hockley County Clerk

# **PLEASE DO NOT DETACH**

THIS PAGE IS NOW PART OF THIS LEGAL DOCUMENT

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**\*COVER PAGE DOES NOT INCLUDE ALL DATA, PLEASE SEE INDEX AND DOCUMENT AFTER RECORDING FOR ADDITIONAL INFORMATION.**

## NOTICE OF TRUSTEE'S SALE

### DEED OF TRUST INFORMATION:

Grantor(s)	Billy Roper and Pamilla Roper	Deed of Trust Date	November 15, 2010
Original Mortgagee	Genworth Financial Home Equity Access, Inc.	Original Principal	\$162,000.00
Recording Information	Instrument #: 00003790 Book #: 890 Page #: 339-354 in Hockley County, Texas	Original Trustee	Old Republic National Title Insurance Company
Property Address	6312 Tennessee Road, Anton, TX 79313	Property County	Hockley

### MORTGAGE SERVICER INFORMATION:

Current Mortgagee	Wilmington Savings Fund Society, FSB, not in its individual capacity but solely in its capacity as Owner Trustee for Cascade Funding Mortgage Trust HB2	Mortgage Servicer	PHH Mortgage Corporation
Current Beneficiary	Wilmington Savings Fund Society, FSB, not in its individual capacity but solely in its capacity as Owner Trustee for Cascade Funding Mortgage Trust HB2	Mortgage Servicer Address	1661 Worthington Road, Suite 100, West Palm Beach, FL 33409

### SALE INFORMATION:

Date of Sale	05/02/2023
Time of Sale	01:00 PM or no later than 3 hours thereafter
Place of Sale	The North door to the Courthouse in Hockley County, Texas, or if the preceding area is no longer the designated area, at the area most recently designated by the Hockley County Commissioner's Court.
Substitute Trustees	Ronald Byrd, Kevin Key, Jay Jacobs, Charles Green, Lisa Bruno, Shawn Schiller, Patrick Zwiars, Kristopher Holub, Dana Kamin, Aarti Patel, Auction.com, Ronald Byrd, Selim Taherzadeh, or Michael Linke, any to act
Substitute Trustees' Address	15851 N. Dallas Parkway, Suite 410, Addison, TX 75001

### PROPERTY INFORMATION:

Legal Description as per the Deed of Trust:

9.718 ACRES, SECTION 123, BLOCK A, RM THOMSON SURVEY, HOCKLEY CO. TX

FIELD NOTES OF 9.718 ACRES OUT OF SECTION 123, BLOCK A, RM THOMPSON SURVEY, HOCKLEY COUNTY, TEXAS;

BEGINNING AT 1/2" IR FOUND FOR SW CORNER OF SECTION 123 AND THE SW CORNER OF THIS TRACT;

THENCE N 0 DEGREES 21' 52" E, ALONG THE W/LINE OF SECTION 123, A DISTANCE OF 845.85' TO A 1/2" IR SET IN THE S/ROW OF US HIGHWAY 84 FOR THE NW CORNER OF THIS TRACT;

THENCE S 49 DEGREES 18' 18" E, ALONG THE S/ROW OF US HIGHWAY 84, A DISTANCE OF 1313.02' TO A 1/2" IR SET IN THE S/LINE OF SECTION 123 FOR THE SE CORNER OF THIS TRACT;

THENCE N 89 DEGREES 24' 38" W, ALONG THE S/LINE OF SECTION 123, A DISTANCE OF 1000.95' TO THE PLACE OF BEGINNING.

ALL OF THAT PART OF THE SOUTHWEST QUARTER (SW/4) OF SECTION ONE HUNDRED TWENTY-THREE (123), BLOCK A, R.M. THOMSON SURVEY IN HOCKLEY COUNTY, TEXAS, LYING SOUTH OF THE RAILROAD RIGHT OF WAY, CONTAINING 13.7 ACRES OF LAND MORE OR LESS.

FOR INFORMATIONAL PURPOSES ONLY: THE ABOVE DESCRIBED PROPERTY IS ALSO KNOWN AS 6318 US HIGHWAY 84, ANTON, TX 79313 AKA 6312 TENNESSEE ROAD, ANTON, TX 79313.

The Mortgage Servicer, if not the Current Mortgagee, is representing the Current Mortgagee pursuant to a Mortgage Servicing Agreement.

Default has occurred under the Deed of Trust and all sums secured by the Deed of Trust were declared immediately due and payable. The Beneficiary has, or caused another to, removed the Original Trustee and appointed Substitute Trustees. On behalf of the Mortgagee, Mortgage Servicer, and Substitute Trustees, the undersigned is providing this Notice of Trustee's Sale.

TAHERZADEH, PLLC

NOTICE OF TRUSTEE'S SALE- 281-00511

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## NOTICE OF TRUSTEE'S SALE

The sale will be conducted as a public auction to the highest bidder for cash, subject to the provisions of the Deed of Trust permitting the Beneficiary thereunder to have the bid credited to the Note up to the amount of the unpaid debt secured by the Deed of Trust at the time of sale.

The sale will be made expressly subject to any title matters set forth in the Deed of Trust, but prospective bidders are reminded that by law the sale will necessarily be made subject to all other matters of record affecting the property, if any, to the extent that they remain in force and effect and have not been subordinated to the Deed of Trust. The sale shall not cover any part of the property that has been released from the lien of the Deed of Trust. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

Pursuant to the Deed of Trust, the Beneficiary 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 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. Purchasers will buy the property "at the purchaser's own risk" and "at his/her peril", and no representation is made concerning the quality of title to be acquired. Purchasers will receive whatever interest Grantor and Grantor's assigns have in the property.

Pursuant to the Texas Property Code, the Trustee reserves the right to set further reasonable conditions for conducting the Sale. Any such further conditions shall be announced before bidding is opened for the first Sale of the day held by the Trustee or any Substitute Trustee.

The Deed of Trust permits the Beneficiary to postpone, withdraw, or reschedule the sale for another day. In that case, the Trustee, or any subsequently appointed Trustee, need not appear at the date, time, and place of a scheduled sale to announce the postponement, withdrawal, or rescheduling. Notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Texas Property Code. The reposting or refiled may be after the date originally scheduled for this sale.

Interested parties are encouraged to consult counsel of their choice prior to participating in the sale of the property.

**Assert and protect your rights as a member of the armed forces of the United States. If you 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.**

**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.**

Dated March 27, 2023

*/s/ Selim H. Taherzadeh*

Selim H. Taherzadeh  
15851 N. Dallas Parkway, Suite 410  
Addison, TX 75001  
(469) 729-6800

Return to: TAHERZADEH, PLLC  
15851 N. Dallas Parkway, Suite 410, Addison, TX 75001

CAUSE NUMBER 221226997

<b>IN RE: ORDER FOR FORECLOSURE</b>	§	<b>IN THE DISTRICT COURT</b>
<b>CONCERNING</b>	§	
	§	
<b>6312 TENNESSEE ROAD</b>	§	
<b>ANTON, TX 79313</b>	§	
	§	
<b>UNDER TEX. R. CIV. PROC. 736</b>	§	<b>OF HOCKLEY COUNTY, TEXAS</b>
	§	
<b>Petitioner:</b>	§	
	§	
<b>WILMINGTON SAVINGS FUND SOCIETY,</b>	§	
<b>FSB, NOT IN ITS INDIVIDUAL CAPACITY</b>	§	
<b>BUT SOLELY IN ITS CAPACITY AS OWNER</b>	§	
<b>TRUSTEE FOR CASCADE FUNDING</b>	§	
<b>MORTGAGE TRUST HB2,</b>	§	
	§	
<b>Respondent(s):</b>	§	
	§	
<b>BILLY ROPER AND PAMILLA ROPER,</b>	§	<b>286th JUDICIAL DISTRICT</b>
	§	

DEFAULT ORDER ALLOWING FORECLOSURE

Wilmington Savings Fund Society, FSB, not in its individual capacity but solely in its capacity as Owner Trustee for Cascade Funding Mortgage Trust HB2, Petitioner, on behalf of itself, its successors and assigns, has brought before this Court for consideration its Application for Court Order Allowing Foreclosure of a Lien Under Texas Constitution Article XVI, Section 50(k)(6) ("Application"). Having considered the evidence presented, the Court finds that:

- 1) the Application complies with Texas Rule of Civil Procedure ("TRCP") 736.1;
- 2) the Application was properly served in accordance with TRCP 736.3;
- 3) a respondent did not file a response to the Application by the due date; and
- 4) the return of service has been on file with the Clerk of the Court for at least 10 days; and
- 5) Petitioner has established the basis for foreclosure and finds that:

(a) Petitioner is the holder of a Texas Home Equity Conversion Note secured by a lien created under Texas Constitution Article XVI, Section 50(k). A debt exists.

(b) The obligation secured by the lien sought to be foreclosed is in default.

(c) The requisite notice to cure the default has been mailed to each person as required under applicable law and the loan agreement, contract, or lien sought to be foreclosed and the opportunity to cure has expired. Before the Application was filed, any other action required under applicable law and the loan agreement, contract, or lien sought to be foreclosed was performed.

IT IS THEREFORE ORDERED that:

1. Wilmington Savings Fund Society, FSB, not in its individual capacity but solely in its capacity as Owner Trustee for Cascade Funding Mortgage Trust HB2, together with its successors and assigns, is hereby authorized to serve Notice of Sale on each Respondent and may proceed with a foreclosure sale in accordance with the security agreement and Texas Property Code Section 51.002 concerning the property with a commonly known mailing address of 6312 Tennessee Road, Anton, TX 79313 and legal description as described in the Real Property Records of Hockley County, Texas as follows:

9.718 ACRES, SECTION 123, BLOCK A, RM THOMSON SURVEY, HOCKLEY CO. TX  
FIELD NOTES OF 9.718 ACRES OUT OF SECTION 123, BLOCK A, RM THOMPSON  
SURVEY, HOCKLEY COUNTY, TEXAS;  
BEGINNING AT 1/2" IR FOUND FOR SW CORNER OF SECTION 123 AND THE SW  
CORNER OF THIS TRACT;  
THENCE N 0 DEGREES 21' 52" E, ALONG THE W/LINE OF SECTION 123, A  
DISTANCE OF 845.85' TO A 1/2" IR SET IN THE S/ROW OF US HIGHWAY 84 FOR THE  
NW CORNER OF THIS TRACT;  
THENCE S 49 DEGREES 18' 18" E, ALONG THE S/ROW OF US HIGHWAY 84, A

DISTANCE OF 1313.02' TO A 1/2" IR SET IN THE S/LINE OF SECTION 123 FOR THE SE CORNER OF THIS TRACT;

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ALL OF THAT PART OF THE SOUTHWEST QUARTER (SW/4) OF SECTION ONE HUNDRED TWENTY-THREE (123), BLOCK A, R.M. THOMSON SURVEY IN HOCKLEY COUNTY, TEXAS, LYING SOUTH OF THE RAILROAD RIGHT OF WAY, CONTAINING 13.7 ACRES OF LAND MORE OR LESS.

FOR INFORMATIONAL PURPOSES ONLY: THE ABOVE DESCRIBED PROPERTY IS ALSO KNOWN AS 6318 US HIGHWAY 84, ANTON, TX 79313 AKA 6312 TENNESSEE ROAD, ANTON, TX 79313.

2. The name and last known address of each respondent subject to the order are:

Billy Roper

6318 US Highway 84

Anton, TX 79313

Pamilla Roper, Deceased

6318 US Highway 84

Anton, TX 79313

3. The recording or indexing information of each lien to be foreclosed is as follows:


Instrument #: 00003790 Book #: 890 Page #: 339-354 in the Real Property Records of Hockley County, Texas.

4. A conformed copy of an Order Allowing Foreclosure must be attached to the Trustee or Substitute Trustee's Foreclosure Deed in accordance with TRCP 736.12.

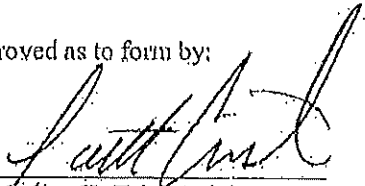
5. Petitioner may communicate with each Respondent and all third parties as reasonably necessary to conduct a foreclosure sale.

6. Notice of Foreclosure Sale must be mailed to respondent's counsel by certified mail if a respondent is represented by counsel.

Signed, this 3 day of Feb, 2023.

  
\_\_\_\_\_  
Judge Presiding

Approved as to form by:



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**ATTORNEYS FOR PETITIONER**