Vylla Solutions, LLC
P.O. Box 3309
Anaheim, California 92803
For Sale Information: (888) 313-1969
For Reinstatement Requests: 1-866-874-5860
Pay Off Requests: 1-800-561-4567
TS#: 26-42707

FILED 9/22/2026 2:03:59 PM FRCL-2026-7011 TENESHIA HUDSPETH, COUNTY CLERK, HARRIS COUNTY, TEXAS

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NOTICE OF SUBSTITUTE TRUSTEE'S SALE

WHEREAS, on 11/8/2004, Charles H Smarr, a Single Person, as Grantor/Borrower, executed and delivered that certain Deed of Trust, in favor of CTC Real Estate Services , as Trustee, Mortgage Electronic Registration Systems, Inc., as beneficiary, as nominee for America's Wholesale Lender, as Beneficiary which deed of trust secures the payment of that certain promissory note of even date therewith in the original amount of $117,000.00, payable to the order of America's Wholesale Lender, which Deed of Trust is Recorded on 11/11/2004 as Volume Y056423, Book , Page , in Harris County, Texas, Deed of Trust covers all of the real property, personal property, and fixtures described therein, including , but not limited to, all the following described property, rights and interests (the "Property"), to-wit;

Lot Thirty-five (35), in Block Two (2), of Creekside Estates South, a Subdivision in Harris County, Texas, According to the Map or Plat There of Recorded in Volume 271, Page 73, of the Ma? Records of Harris County, Texas.

Commonly known as: **8926 WIND SIDE DR HOUSTON, TX 77040**

WHEREAS, the Trustee named in the Deed of Trust having been removed, the legal holder of the indebtedness described in the Deed of Trust appointed **Dustin George, Auction.com, LLC, Agency Sales and Posting LLC, Xome Inc., Prestige Posting and Publishing, LLC, Tejas Corporate Services LLC, NFPDS-TX LLC,** or any one of them, as Substitute Trustee (each being referred to as the "Substitute Trustee"), upon the contingency and in the manner authorized by the Deed of Trust: and

WHEREAS, defaults have occurred in the covenants of the Deed of Trust, monetary or otherwise, and the indebtedness secured by and described in the Deed of Trust is now wholly due, and Carrington Mortgage Services, LLC whose address is 500 N. State College Blvd., Suites 1030, 1300 & 1400, Orange, CA 92868, is acting as the mortgage servicer for **THE BANK OF NEW YORK MELLON, F/K/A The Bank of New York as trustee for registered Holders of CWABS, Inc., Asset-Backed Certificates, Series 2004-12,** which is the mortgagee of the Note and Deed of Trust or mortgage and the legal holder of such indebtedness and the liens securing same has requested either one of the Substitute Trustees to sell the Property in accordance with applicable law and the terms and provisions of the Deed of Trust. Carrington Mortgage Services, LLC is authorized to represent the mortgagee by virtue of a written servicing agreement with the mortgagee. Pursuant to that agreement and Texas Property Code Section 51.0025, Carrington Mortgage Services, LLC is authorized to administer the foreclosure referenced herein.

NOW, THEREFORE, NOTICE IS HEREBY GIVEN, that on **12/1/2026** at **10:00 AM,** or no later than three (3) hours after such time, in **Harris** County, Texas, the Substitute Trustee will sell the Property at public venue to the highest bidder for cash. The sale will take place at the area designated by the Commissioner's Court for sales of real property under a power of sale conferred by a deed of trust or other contract lien as follows: **PURSUANT TO TEXAS PROPERTY CODE 51.002. THE DESIGNATED SPACE FOR SALE OF REAL PROPERTY UNDER A POWER OF SALE IN THE AREA OF THE BAYOU CITY EVENT CENTER KNOWN AS MAGNOLIA SOUTH BALLROOM LOCATED AT 9401 KNIGHT ROAD IN THE CITY OF HOUSTON.**

NOTICE IS FURTHER GIVEN that , except to the extent that the Substitute Trustee may bind and obligate Mortgagors to warrant title the Property under the terms of the Deed of Trust, conveyance of the Property shall be made without any representations or warranties whatsoever, express or implied.

If the Trustee is unable to convey title for any reason, the successful bidder's sole and exclusive remedy shall be the return of monies paid to the Trustee, and the successful bidder shall have no further recourse.

If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the deposit paid. The Purchaser shall have no further recourse against the Mortgagor, the Mortgagee, or the Mortgagee's Attorney.

Please be advised that the trustee may require entity or trust bidders at this trustee's sale to provide information, documentation and/or certification of the vesting instructions and the data required to be reported pursuant to FinCEN regulations effective for transfers of residential real property to covered transferees on or after March 1, 2026. The required information must be provided to the trustee before a substitute trustee's deed will be issued for covered transfers. The Buyer may be required to pay charges associated with the gathering and reporting of information to FinCEN. Additional information regarding these regulations and the required transferee information and certifications can be found at:
https://www.federalregister.gov/documents/2024/08/29/2024-19198/anti-money-laundering-regulations-for-residential-real-estate-transfers and https://www.fincen.gov/rre-faqs#D_5

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.

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.

WITNESS, my hand this 9/21/2026

Kavonnah Dobson

By: Kavonnah Dobson, Sr. Trustee Sale Specialist
Vylla Solutions, LLC as
authorized agent for Mortgagee or Mortgage Servicer
500 N. State College Blvd., Suite 1400A
Orange, CA 92868

WITNESS, my hand this 09/22/2026

By: Substitute Trustee(s)
Dustin George, Auction.com, LLC, Agency Sales and Posting LLC, Xome Inc., Prestige Posting and Publishing, LLC, Tejas Corporate Services LLC, NFPDS-TX LLC
C/O Vylla Solutions, LLC
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