

B. The date the superior mortgage or deed of trust was recorded; and

C. The office, docket or book, and page where the superior mortgage or deed of trust is recorded.

(iii) ~~Failure~~ 1. EXCEPT AS PROVIDED IN SUB-SUBPARAGRAPH 2 OF THIS SUBPARAGRAPH, FAILURE of a holder of a subordinate mortgage, deed of trust, or other subordinate interest to record a request for notice under this paragraph does not affect the duty of a holder of a superior interest to provide notice as required under this subsection.

2. A HOLDER OF A SUPERIOR INTEREST DOES NOT HAVE A DUTY TO PROVIDE NOTICE TO A CONDOMINIUM COUNCIL OF UNIT OWNERS OR HOMEOWNERS ASSOCIATION THAT HAS NOT FILED A REQUEST FOR NOTICE UNDER THIS PARAGRAPH.

[(3)](4) The person giving notice under this subsection shall file in the action:

(i) The return receipt from the notice; or

(ii) An affidavit that:

1. The notice provisions of this subsection have been complied with; or

2. The address of the holder of the subordinate interest is not reasonably ascertainable.

[(4)](5) The person authorized to make a sale in an action to foreclose a mortgage or deed of trust is not required to give notice to the holder of a subordinate mortgage, deed of trust, or other subordinate interest if:

(i) The existence of the mortgage, deed of trust, or other subordinate interest is not reasonably ascertainable;

(ii) The identity or address of the holder of the mortgage, deed of trust, or other subordinate interest is not reasonably ascertainable;

(iii) With respect to a recorded or filed subordinate mortgage, deed of trust, or other recorded or filed subordinate interest, the recordation or filing occurred after the later of:

1. 30 days before the day on which the foreclosure sale was actually held; and

2. The date the action to foreclose the mortgage or deed of trust was filed; or

(iv) With respect to an unrecorded or unfiled subordinate mortgage, deed of trust, or other unrecorded or unfiled subordinate interest, the subordinate interest was created after the later of: