

under this [paragraph] SUBSECTION does not affect the duty of a holder of a superior interest to provide notice as required under this [subsection] SECTION.

[2.] (II) 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] SUBSECTION.

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

[i] (1) The return receipt from the notice; or

[ii] (2) An affidavit that:

[1.] (I) The notice provisions of this [subsection] SECTION have been complied with; or

[2.] (II) The address of the holder of the subordinate interest is not reasonably ascertainable.

[(5)] (E) 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] (1) The existence of the mortgage, deed of trust, or other subordinate interest is not reasonably ascertainable;

[ii] (2) The identity or address of the holder of the mortgage, deed of trust, or other subordinate interest is not reasonably ascertainable;

[iii] (3) 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.] (I) 30 days before the day on which the foreclosure sale was actually held; and

[2.] (II) The date the action to foreclose the mortgage or deed of trust was filed;