

C&S No. 44-09-2502 / FHA / No / RECORD NOS
Selene Finance LP

FILED
2018 MAY 14 PM 12:14
JOHN F. WARREN
COUNTY CLERK
DALLAS COUNTY
BY

NOTICE OF TRUSTEE'S SALE

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. Sender is: Codilis & Stawiarski, PC, 400 North Sam Houston Parkway East, Suite 900A, Houston, Texas 77060

Date of Security Instrument: November 30, 2006

Grantor(s): Gregory J. Hall and Deloise E. Hall
Original Trustee: Hill Gilstrup P.C.
Original Mortgagee: Mortgage Electronic Registration Systems, Inc., solely as nominee for Fidelity Home Mortgage Corp., a Corporation, its successors and assigns
Recording Information: Clerk's File No. 200600447501, in the Official Public Records of DALLAS County, Texas.
Current Mortgagee: Selene Finance LP
Mortgage Servicer: Selene Finance LP, whose address is C/O 9990 Richmond Avenue, Suite 400S, Houston, TX 77042-4546 Pursuant to a Servicing Agreement between the Mortgage Servicer and Mortgagee, the Mortgage Servicer is authorized to represent the Mortgagee. Pursuant to the Servicing Agreement and Section 51.0025 of the Texas Property Code, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the referenced property.

Legal Description:
LOT TEN (10), BLOCK A OF WINTERGREEN RIDGE ADDITION, PHASE 1A, AN ADDITION TO THE CITY OF LANCASTER, DALLAS COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 2005151, PAGE 106 OF THE MAP RECORDS OF DALLAS COUNTY, TEXAS.

Date of Sale: 06/05/2018 **Earliest Time Sale Will Begin:** 1:00 PM

APPOINTMENT OF SUBSTITUTE TRUSTEE

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.

WHEREAS, the undersigned hereby APPOINTS AND DESIGNATES Shelley Ortolani as Substitute Trustee, Mary Mancuso as Successor Substitute Trustee, Robert Ortolani as Successor Substitute Trustee, Michele Hreha as Successor Substitute Trustee, David Stockman as Successor Substitute Trustee, Brenda Wiggs as Successor Substitute Trustee, Denise Boerner as Successor Substitute Trustee, Guy Wiggs as Successor Substitute Trustee, Donna Stockman as Successor Substitute Trustee, Tim Lewis as Successor Substitute Trustee, Michelle Schwartz as Successor Substitute Trustee, Francesca Ortolani as Successor Substitute Trustee, or Thomas Delaney as Successor Substitute Trustee or Lisa Cockrell as Successor Substitute Trustee

The Substitute Trustee will sell the property by public auction to the highest bidder for cash at the place and date specified. The sale will begin at the earliest time stated above, or within three (3) hours after that time. If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the funds paid. The Purchaser shall have no further recourse against the Mortgagor, the Mortgagee or the Mortgagee's attorney.



4657695

Place of Sale of Property: The foreclosure sale will be conducted in the area designated by the DALLAS County Commissioners Court pursuant to Section 51.002 of the Texas Property Code as the place where the foreclosure sales are to take place, or if no place is designated by the Commissioners Court, the sale will be conducted at the place where the Notice of Trustee's Sale was posted.

Executed on this the 11th day of May, 2018.

For Information:

"Servicelink Default Abstract Solutions
1320 Greenway Drive, Suite 300
Irving, TX 75038

Annarose Harding
Annarose Harding, Attorney at Law
Codilis & Stawiarski, P.C.
400 N. Sam Houston Pkwy E, Suite 900A
Houston, TX 77060
(281) 925-5200

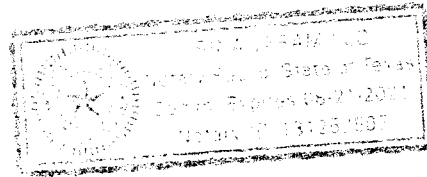
STATE OF TEXAS

COUNTY OF HARRIS

Before me, the undersigned Notary Public, on this day personally appeared Annarose Harding as Attorney for the Mortgagee and/or Mortgage Servicer known to me or proved to me through a valid State driver's license or other official identification described as Personal Knowledge, to be the person whose name is subscribed to the foregoing instrument and acknowledge to me that he/she executed the same for the purposes and consideration therein expressed.

Executed on this the 11th day of May, 2018.

[Signature]
Notary Public
Signature



Posted and filed by: _____

Printed Name: _____

C&S No. 44-09-2502 / FHA / No
Selene Finance LP

SELENE FINANCE LP (SLE)
DRAIN, LATASHA
1407 HONEY BEE LANE, LANCASTER, TX 75134

FHA 4918899520703
Firm File Number: 15-019473

NOTICE OF TRUSTEE'S SALE

WHEREAS, on March 16, 2007, LATASHA S. DRAIN, KELVIN A. DRAIN, as Grantor(s), executed a Deed of Trust conveying to WILLIAM T. FOWLER, as Trustee, the Real Estate hereinafter described, to MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS NOMINEE FOR TAYLOR, BEAN & WHITAKER MORTGAGE CORP. in payment of a debt therein described. The Deed of Trust was filed in the real property records of DALLAS COUNTY, TX and is recorded under Clerk's File/Instrument Number 20070130610, to which reference is herein made for all purposes.

WHEREAS, default has occurred in the payment of said indebtedness, and the same is now wholly due, and the owner and holder has requested to sell said property to satisfy said indebtedness;

WHEREAS, the undersigned has been appointed Substitute Trustee in the place of said original Trustee, upon contingency and in the manner authorized by said Deed of Trust; and

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on TUESDAY, June 5, 2018 between ten o'clock AM and four o'clock PM and beginning not earlier than 1:00 PM or not later than three hours thereafter, I will sell said Real Estate in the area designated by the Commissioners Court, of Dallas county, pursuant to Section §51.002 of the Texas Property Code as amended; if no area is designated by the Commissioners' Court, the sale will be conducted in the area immediately adjacent (next) to the location where this Notice of Trustee's Sale was posted.


Said Real Estate is described as follows: In the County of Dallas, State of Texas:

LOT 17, BLOCK D, OF MEADOWVIEW PHASE TWO, AN ADDITION TO THE CITY OF LANCASTER, DALLAS COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 2003148 PAGE 154, OF THE PLAT RECORDS OF DALLAS COUNTY, TEXAS.

Property Address: 1407 HONEY BEE LANE
LANCASTER, TX 75134
Mortgage Servicer: SELENE FINANCE LP
Noteholder: SELENE FINANCE LP
9990 RICHMOND AVENUE
SUITE 400S
HOUSTON, TEXAS 77042

2018 MAY 14 PM 12:15
JOHN F. WARREN
COUNTY CLERK
DALLAS COUNTY
DEPUTY
FILED

The Mortgage Servicer is authorized to represent the Noteholder by virtue of a servicing agreement with the Noteholder. Pursuant to the Servicing Agreement and Texas Property Code §51.0025, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the property securing the above referenced loan.


SUBSTITUTE TRUSTEE
Shelley Ortolani, Mary Mancuso, Robert Ortolani, Michele Hreha, Russell Stockman, David Stockman, Brenda Wiggs, Denise Boerner, Guy Wiggs, Donna Stockman, Michelle Schwartz, Tim Lewis or Francesca Ortolani
c/o Shapiro Schwartz, LLP
13105 Northwest Freeway, Suite 1200
Houston, TX 77040
(713)462-2565

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 military service to the sender of this notice immediately.

NOTICE OF FORECLOSURE SALE

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.

1. *Property to Be Sold.* The property to be sold is described as follows:

BEING Lot 12, Block C, Ashmoore Addition, an Addition to the City of Lancaster, Dallas County, Texas according to the Map or Plat thereof recorded in Volume 99211, Page 1988, Map Records of Dallas County, Texas. (aka 1932 Crepe Myrtle St. Lancaster, Texas 75146)

2. *Instrument to be foreclosed:* The instrument to be foreclosed is the Deed of Trust dated December 1, 2011 and recorded in Document 201100339448 real property records of Dallas County, Texas.

3. *Date, Time, and Place of Sale.*

Date: 06/05/2018

Time: The sale will begin no earlier than 10:00 AM or no later than three hours thereafter.

Place: Dallas County Courthouse, Texas at the following location: NORTH SIDE OF THE GEORGE ALLEN COURTS BUILDING FACING COMMERCE STREET OR AS DESIGNATED BY THE COUNTY COMMISSIONERS OFFICE or as designated by the County Commissioners Court

4. *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.

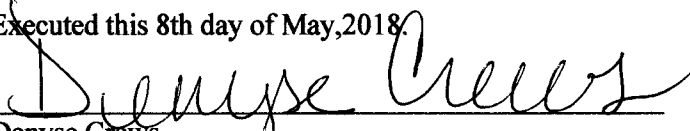
Pursuant to section 51.009 of the Texas Property Code, the property will be sold in AS IS, WHERE IS condition, without any express or implied warranties, except as to the warranties of title, if any, provided for under the deed of trust. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the property.

Prospective bidders are reminded that by law the sale will necessarily be made subject to all prior 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 of public record 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. 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.

5. *Obligations Secured.* The Deed of Trust executed by Malik Muhammad and Shree Muhammad as Grantor and Neighborhood Partner, LLC as Grantee, provides that it secures the payment of the indebtedness in the original principal amount of \$175,000.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals, assignments and extensions of the note. NEIGHBORHOOD PARTNER, INC. is the current mortgagee of the note and deed of trust

Default and Request to Act. Default has occurred under the deed of trust, and the mortgagee has requested a Substitute Trustee conduct this sale. Notice is given that before the sale the mortgagee may appoint another person substitute trustee to conduct the sale.

Executed this 8th day of May, 2018.


Denyse Crews
Substitute Trustee

FILED
2018 MAY - 8 PM 2:55
JOHN F. WARREN
COUNTY CLERK
DALLAS COUNTY

c/o Neighborhood Partner, INC., 9129 Belshire Dr. #100, North Richland Hills, TX 76182

NOTICE OF FORECLOSURE SALE

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 OR 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.

1. Property to Be Sold. The property to be sold is described as follows: LOT 16, BLOCK K, OF BOARDWALK, PHASE 2 SUBDIVISION, AN ADDITION TO THE CITY OF LANCASTER, DALLAS COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED UNDER COUNTY CLERK'S FILE NO. 20060031231, OF THE MAP RECORDS OF DALLAS COUNTY, TEXAS.

2. Instrument to be Foreclosed. The instrument to be foreclosed is the Deed of Trust dated 07/14/2011 and recorded in Document 201100188423 real property records of Dallas County, Texas. Re-filed in Document 201300258721 real property records of Dallas County, Texas.

3. Date, Time, and Place of Sale. The sale is scheduled to be held at the following date, time, and place:

Date: 06/05/2018

Time: 01:00 PM

Place: Dallas County Courthouse, Texas at the following location: NORTH SIDE OF THE GEORGE ALLEN COURTS BUILDING FACING COMMERCE STREET OR AS DESIGNATED BY THE COUNTY COMMISSIONERS OFFICE or as designated by the County Commissioners Court.

4. 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 section 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.

5. Obligations Secured. The Deed of Trust executed by KOLONDA N COX, provides that it secures the payment of the indebtedness in the original principal amount of \$163,649.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. VILLAGE CAPITAL & INVESTMENT, LLC is the current mortgagee of the note and deed of trust and VILLAGE CAPITAL & INVESTMENT, LLC is mortgage servicer. A servicing agreement between the mortgagee, whose address is VILLAGE CAPITAL & INVESTMENT, LLC c/o VILLAGE CAPITAL & INVESTMENT, LLC, 1 Corporate Dr., Ste 360, Lake Zurich, IL 60047 and the mortgage servicer and Texas Property Code § 51.0025 authorizes the mortgage servicer to collect the debt.

6. Substitute Trustee(s) Appointed to Conduct Sale. In accordance with Texas Property Code Sec. 51.0076, the undersigned attorney for the mortgage servicer has named and appointed, and by these presents does name and appoint CARL NIENDORFF, L. KELLER MACKIE, MICHAEL W. ZIENTZ, MICHAEL D. VESTAL, WES WEBB, TRACEY MIDKIFF, KRISTEN WALL, Donna Stockman or David Stockman, Substitute Trustee to act under and by virtue of said Deed of Trust.

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.

Mackie Wolf Zientz & Mann, P.C.
Brandon Wolf, Attorney at Law
L. Keller Mackie, Attorney at Law
Lori Liane Long, Attorney at Law
Tracey Midkiff, Attorney at Law
Marissa Sibal, Attorney at Law
Parkway Office Center, Suite 900
14160 North Dallas Parkway
Dallas, TX 75254

CARL NIENDORFF, L. KELLER MACKIE, MICHAEL W. ZIENTZ, MICHAEL D. VESTAL, WES WEBB, TRACEY MIDKIFF, KRISTEN WALL, Donna Stockman or David Stockman
c/o AVT Title Services, LLC
1101 Ridge Rd. Suite 222
Rockwall, TX 75087

BY _____
JOHN F. WARREN
COUNTY CLERK
DALLAS COUNTY
DEPUTY

2018 MAY -3 PM 2:33

FILED

I am _____ Certificate of Posting
whose address is c/o AVT Title Services, LLC, 1101 Ridge Rd., Suite 222, Rockwall, TX 75087. I declare under penalty of perjury that on _____ I filed this Notice of Foreclosure Sale at the office of _____ County Clerk and caused it to be posted at the location directed by the Dallas County Commissioners Court.

NOTICE OF SUBSTITUTE TRUSTEE'S NON-JUDICIAL FORECLOSURE SALE

STATE OF TEXAS

§
§
§

COUNTY OF DALLAS

FILED
MAY 15 AM 9:27
JOHN F. WARRICK
COUNTY CLERK
DALLAS COUNTY
TEXAS

WHEREAS, by that certain Deed of Trust dated as of March 8, 2004, executed by Don Edwards, Sr. ("Grantor"), to Billy R. Prince, Trustee, for the benefit of Preston National Bank of Dallas, predecessor-in-interest to AccessBank Texas, current owner and holder of the aforementioned Deed of Trust and the Note secured thereby ("Lender"), filed for record on March 9, 2004, as Document Number 2791227 in the deed records of Dallas County, Texas (the "Deed of Trust") and any and all addendums and/or modifications to such Deed of Trust, which are incorporated herein for all purposes, Grantor conveyed to Trustee certain property situated in Dallas County, Texas (the "Property"), which Property includes the real property, the improvements thereon as described in the Deed of Trust, said real property being all that certain tract or parcel of land situated in Dallas County, Texas, more fully described in Exhibit "A" attached hereto and made a part hereof for all purposes, to secure the repayment of that certain Promissory Note dated on or about March 8, 2004, in the original principal amount of \$58,986.00, executed by Grantor as Maker and payable to the order of Lender, and all renewals, extensions and modifications thereto (the "Note"), and any and all other indebtedness secured by and described in the Deed of Trust;

WHEREAS, by instrument entitled Appointment of Substitute Trustee, the Lender, the beneficiary of the Note and Deed of Trust, appointed John H. Ivie, III or Christopher C. Collie, as Substitute Trustee;

WHEREAS, default has occurred under the terms of the Note secured by the Deed of Trust, and the outstanding principal balance, together with accrued but unpaid interest and other sums owed pursuant to the Note and Deed of Trust (the "Indebtedness"), is now wholly due and payable; and

WHEREAS, the owner and holder of said Note has requested the undersigned to sell all personalty located on the Property in accordance with the terms and provisions of Article 9 of the Texas Business and Commerce Code. The sale of the personalty will be held at the same time and place as the above described real property sale; however, for purposes of determining the scope of this sale conducted pursuant to this paragraph, all personalty and improvements located on the Property shall be deemed realty to the extent permitted by the Deed of Trust and the laws of the State of Texas.

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on June 5, 2018, no earlier than 10:00 o'clock a.m., nor later than 1:00 o'clock p.m., I, as substitute trustee under the Deed of Trust, will sell the Property and all of the components thereof and all personalty located on the Property in the area designated by the Commissioner's Court of Dallas County, Texas, to the highest bidder for cash (the "Sale").

EXECUTED this 14th day of May, 2018.

By: *John H. Ivie, III*
John H. Ivie, III,
Substitute Trustee

STATE OF TEXAS

§
§
§

COUNTY OF DALLAS

This Notice of Substitute Trustee's Non-Judicial Foreclosure Sale was acknowledged before me on this 14th day of May, 2018, by John H. Ivie, III, Substitute Trustee, who acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

Given under my hand and seal of office this 14th day of May, 2018.



Katei Thom
Notary Public in and for the State of Texas

EXHIBIT "A"

BEING LOT 18, BLOCK 1 OF CLOVER MEADOW ADDITION, AN ADDITION TO THE CITY OF LANCASTER, DALLAS COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 72012, PAGE 1765, MAP RECORDS, DALLAS COUNTY, TEXAS.

NOTICE OF ASSESSMENT LIEN SALE

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

WHEREAS, on or about April 10, 2017, a Notice of Lien was filed in the Deed Records of Dallas County, Texas, covering the real property herein described concerning default in the payment of the indebtedness owing by Tawnya Harrington, the present owner of said real property, to Phase II Pleasant Run Estates Homeowners' Association, Inc. (the "Association"); and

WHEREAS, the said Tawnya Harrington has continued to default in the payment of her indebtedness to the Association and the same is now wholly due, and the Association, acting by and through its duly authorized agent, intends to sell the herein described property to satisfy the present indebtedness of said owners to the Association;

NOW, THEREFORE, notice is hereby given that on Tuesday, June 5, 2018, between 10 o'clock a.m. and 4 o'clock p.m., the Association will sell said real estate Outside on the north side of the George Allen Courts Building facing Commerce Street below the overhang, Dallas County, Texas, Dallas County, Texas, to the highest bidder for cash, subject to all superior liens and encumbrances of record. The earliest time at which said sale will begin will be 12:00 o'clock noon, and the sale will take place not later than three (3) hours after that time.

Said real estate is described as follows:

Lot 18, Block C, of Pleasant Run Estates Phase IIB, an addition to the City of Lancaster, Dallas County, Texas according to the Map thereof recorded in Volume 2005169, Page 91, of the Map Records of Dallas County, Texas (1832 Serena Drive)

WITNESS my hand this 14 day of May, 2018

PHASE II PLEASANT RUN ESTATES
HOMEOWNERS' ASSOCIATION, INC.

By: *Jason R. Reed*
Jason R. Reed, Substitute Trustee
Riddle & Williams, P.C.
3811 Turtle Creek Blvd, Suite 500
Dallas, Texas 75219

The within notice was posted by me on the ___ day of _____, 2018, at the Dallas County Courthouse in Dallas, Texas.

BY
DALLAS COUNTY CLERK
JOHN E. WARREN
2018 MAY 15 PM 3:37

FILED

NOTICE OF ASSESSMENT LIEN SALE

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

WHEREAS, on or about April 10, 2017, a Notice of Lien was filed in the Deed Records of Dallas County, Texas, covering the real property herein described concerning default in the payment of the indebtedness owing by Dena McCarthy and George Coleman, the present owners of said real property, to Phase II Pleasant Run Estates Homeowners' Association, Inc. (the "Association"); and

WHEREAS, the said Dena McCarthy and George Coleman have continued to default in the payment of their indebtedness to the Association and the same is now wholly due, and the Association, acting by and through its duly authorized agent, intends to sell the herein described property to satisfy the present indebtedness of said owners to the Association;

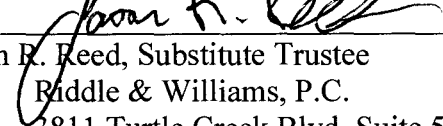
NOW, THEREFORE, notice is hereby given that on Tuesday, June 5, 2018, between 10 o'clock a.m. and 4 o'clock p.m., the Association will sell said real estate Outside on the north side of the George Allen Courts Building facing Commerce Street below the overhang, Dallas County, Texas, Dallas County, Texas, to the highest bidder for cash, subject to all superior liens and encumbrances of record. The earliest time at which said sale will begin will be 12:00 o'clock noon, and the sale will take place not later than three (3) hours after that time.

Said real estate is described as follows:

Lot 9, Block G, of Pleasant Run Estates Phase IIB, an addition to the City of Lancaster, Dallas County, Texas, according to the map thereof recorded in Volume 2005169, Page 91, of the Map Records of Dallas County, Texas (1727 Katrina Lane)

WITNESS my hand this 14 day of May, 2018

PHASE II PLEASANT RUN ESTATES
HOMEOWNERS' ASSOCIATION, INC.

By: 
Jason R. Reed, Substitute Trustee
Riddle & Williams, P.C.
3811 Turtle Creek Blvd, Suite 500

Dallas, Texas 75219

The within notice was posted by me on the _____ day of _____, 2018, at the Dallas County Courthouse in Dallas, Texas.

2018 MAY 15 PM 3:37

FILED

CAUSE NO. DC-17-09522

IN RE: ORDER FOR FORECLOSURE § IN THE DISTRICT COURT OF
CONCERNING §
§
1727 Katrina Lane § DALLAS COUNTY, TEXAS
Lancaster, TX 75134 §
§
UNDER TEX. R. CIV. PROC. 736 §
§
AND DENA MCCARTHY AND § 44TH JUDICIAL DISTRICT
GEORGE COLEMAN §

ORDER FOR FORECLOSURE

On August 4, 2017, the Application for Foreclosure under Tex. R. Civ. Proc. 736 in the above-entitled cause of action was presented to the Court. Phase II Pleasant Run Estates Homeowners' Association, Inc. (the "Association"), Petitioner herein, seeks an order pursuant to Tex. R. Civ. Proc. 736 to foreclose the Association's assessment lien against 1727 Katrina Lane, Lancaster, Texas 75134, and further described as follows:

Lot 9, Block G, of Pleasant Run Estates Phase IIB, an addition to the City of Lancaster, Dallas County, Texas, according to the map thereof recorded in Volume 2005169, Page 91, of the Map Records of Dallas County, Texas (1727 Katrina Lane) (hereinafter the "Property").

The Court finds that the Association's Application for Foreclosure complies with Rule 736.1 of the Tex. R. Civ. Proc. and was properly served in accordance with Rule 736.4 of the Tex. R. Civ. Proc. The Court further finds that Respondents have not previously filed a response, and the return of service has been on file with the clerk of the Court for at least 10 days before the date of this Order. The Court finds that the name and last known address of each Respondent is as follows:

Dena McCarthy
1727 Katrina Lane
Lancaster, Texas 75134

George Coleman
1727 Katrina Lane
Lancaster, Texas 75134

Pursuant to Rule 736.7 of the Tex. R. Civ. Proc., all facts alleged in the Application for Foreclosure and supported by the affidavit of material facts constitute prima facie evidence of the truth of the matters alleged. The Court further finds as follows:

1. This proceeding is brought in the county in which all or part of the real property encumbered by the lien sought to be foreclosed is located.
2. The Association is governed by the Declaration of Covenants, Conditions and Restrictions for Pleasant Run Estates Subdivision (the "Declaration"), as corrected and supplemented from time to time.
3. The Property is subject to and governed by the Declaration.
4. By virtue of Respondents' acquisition of the Property, Respondents agreed to and became obligated by the Declaration to pay to the Association all assessments for the expense of administration, maintenance, upkeep and repair of the Community as assessed in accordance with the Declaration, as more particularly shown in Article IV of the Declaration.
5. Article IV, Section 4.1 of the Declaration creates an assessment lien against the Property to secure payment of assessments and other charges pursuant to Tex. R. Civ. Proc. 735.1(c) and Tex. Prop. Code 209.0092.
6. Article IV, Section 4.8 of the Declaration further provides that the Association may foreclose its assessment lien by appropriate judicial or non-judicial proceedings.
7. During the period of Respondents' ownership, Respondents have been assessed

maintenance fees in a non-discriminatory manner based on Respondents' ownership of the Property.

8. Article IV, Section 4.8(b) of the Declaration and Texas Property Code 5.006 provide for recovery of attorney's fees and expenses incurred in the collection of delinquent assessments.
9. As of July 10, 2017, Respondents were 24 months in default in their obligation to the Association for a total of Three Thousand Three Hundred Twenty Two Dollars and Fifty Two Cents (\$3,322.25).
10. Respondents have been notified of the amounts due and unpaid attributed to Respondents' failure to pay the assessments and other charges by notice letter dated October 18, 2016.
11. A Notice of Lien was filed on or about April 10, 2017 at Instrument No. 201700099077 in the office of the County Clerk of DALLAS, Texas, and Respondents was notified of same by letter dated April 6, 2017.
12. The Association afforded Respondents thirty (30) days to cure the default pursuant to the April 6, 2017 letter, and such opportunity to cure the default has expired.
13. Prior to filing this Application, the Association performed all actions required under applicable law and the terms of the Declaration required prior to foreclosing the Association's assessment lien against the Property.

THE COURT THEREFORE GRANTS the Association's Application for Foreclosure under Tex. R. Civ. Proc. 736.

IT IS THEREFORE ORDERED that the Association may proceed with a foreclosure of its assessment lien on the Property under the terms of the Association's Declaration and Texas Property Code Section 51.002; and

IT IS FURTHER ORDERED that the Association shall send Respondents a copy of this Order with the notice of foreclosure sale sent to Respondents; and

IT IS FURTHER ORDERED that the Association may communicate with Respondents and all third parties as may be reasonably necessary to conduct the foreclosure sale of the Property.

SIGNED ON

January 28, 2018



JUDGE PRESIDING