

NOTICE OF ACCELERATION AND NOTICE OF TRUSTEE'S SALE

DEED OF TRUST INFORMATION:

Date: 10/31/2003
Grantor(s): GUY RASSETTE, A MARRIED PERSON JOINED HEREIN BY SUZANNE E. RASSETTE
Original Mortgagee: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., SOLELY AS NOMINEE FOR REALTY MORTGAGE CORPORATION, ITS SUCCESSORS AND ASSIGNS
Original Principal: \$107,100.00
Recording Information: Instrument 037556 ; re-recorded under Instrument 040559
Property County: Austin
Property: LOT 20-A, BLOCK 1, MEADOW VIEW ESTATES, A SUBDIVISION OF A CALLED 134.6506 ACRES OF LAND, LOCATED IN THE H. & T.C.R.R. COMPANY SURVEY, SECTION 161, ABSTRACT 205, IN AUSTIN COUNTY, TEXAS, ACCORDING TO THE MAP AND PLAT FILED FOR RECORD IN THE OFFICE OF THE COUNTY CLERK OF AUSTIN COUNTY, TEXAS IN VOLUME 1, PAGES 249-254 OF THE PLAT RECORDS, AND RE-PLAT FILED FOR RECORD IN THE OFFICE OF THE COUNTY CLERK OF AUSTIN COUNTY, TEXAS, IN VOLUME 1, PAGES 285-286 OF THE PLAT RECORDS.
Reported Address: 2018 LAUREN LANE, SEALY, TX 77474

MORTGAGE SERVICING INFORMATION:

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

Current Mortgagee: Specialized Loan Servicing LLC
Mortgage Servicer: Specialized Loan Servicing LLC
Current Beneficiary: Specialized Loan Servicing LLC
Mortgage Servicer Address: 8742 Lucent Blvd., Ste. 300, Highlands Ranch, CO 80129

SALE INFORMATION:

Date of Sale: Tuesday, the 6th day of November, 2018
Time of Sale: 01:00PM
or within three hours thereafter.
Place of Sale: AT THE FOYER OF THE AUSTIN COUNTY COURTHOUSE in Austin County, Texas, or, if the preceding area is no longer the designated area, at the area most recently designated by the Austin County Commissioner's Court.
Substitute Trustee(s): Megan Randle, Ebbie Murphy, Michael Burns, Elizabeth Hayes, Sammy Hooda, or Suzanne Suarez, any to act
Substitute Trustee Address: 14841 Dallas Parkway, Suite 425, Dallas, TX 75254

WHEREAS, the above-named Grantor previously conveyed the above described property in trust to secure payment of the Note set forth in the above-described Deed of Trust; and

WHEREAS, a default under the Note and Deed of Trust was declared; such default was reported to not have been cured; and all sums secured by such Deed of Trust were declared to be immediately due and payable; and

WHEREAS, the original Trustee and any previously appointed Substitute Trustee has been removed and Megan Randle, Ebbie Murphy, Michael Burns, Elizabeth Hayes, Sammy Hooda, or Suzanne Suarez, any to act, have been appointed as Substitute Trustees and requested to sell the Property to satisfy the indebtedness; and

WHEREAS, the undersigned law firm has been requested to provide these notices on behalf of the Current Mortgagee, Mortgage Servicer and Substitute Trustees;

NOW, THEREFORE, NOTICE IS HEREBY GIVEN of the foregoing matters and that:

1. The maturity of the Note has been accelerated and all sums secured by the Deed of Trust have been declared to be immediately due and payable.
2. Megan Randle, Ebbie Murphy, Michael Burns, Elizabeth Hayes, Sammy Hooda, or Suzanne Suarez, any to act, as Substitute Trustee will sell the Property to the highest bidder for cash on the date, at the place, and no earlier than the time set forth above in the Sale Information section of this notice. The sale will begin within three hours after that time.
3. This sale shall be subject to any legal impediments to the sale of the Property and to any exceptions referenced in the Deed of Trust or appearing of record to the extent the same are still in effect and shall not cover any property that has been released from the lien of the Deed of Trust.
4. No warranties, express or implied, including but not limited to the implied warranties of merchantability and fitness for a particular purpose shall be conveyed at the sale, save and except the Grantor's warranties specifically authorized by the Grantor in the Deed of Trust. The property shall be offered "AS-IS", purchasers will buy the property "at the purchaser's own risk" and "at his peril", and no representation is made concerning the quality or nature of title to be acquired. Purchasers will receive whatever interest Grantor and Grantor's assigns have in the property, subject to any liens or interests of any kind that may survive the sale. Interested persons are encouraged to consult counsel of their choice prior to participating in the sale of the property.

Very truly yours,

Bonial & Associates, P.C.

FILED

18 SEP 13 AM 11:49

Carrie DeGor

COUNTY CLERK
AUSTIN COUNTY, TEXAS

2018-60

Notice of [Substitute] Trustee 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. Date, Time and Place of Sale.

Date: 11/06/2018

Time: The sale will begin at 01:00 PM or not later than three hours after that time

Place: **INSIDE THE FOYER OF THE AUSTIN COUNTY COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE PURSUANT TO SECTION 51.002 OF THE TEXAS PROPERTY CODE AS THE PLACE WHERE FORECLOSURE SALES ARE TO TAKE PLACE OR AS DESIGNATED BY THE COUNTY COMMISSIONERS**

Property Address: 753 Bob White Ln, Wallis, TX 77485

2. 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. Any conveyance of the property is subject to all matters of record affecting the property.

3. Instrument to be Foreclosed: The instrument to be foreclosed is the Deed of Trust or Contract Lien dated 03/29/2007 and recorded 04/11/2007 in Document 072015, real property records of Austin County, Texas, with **Jason L. Eder and Jessica M. Eder, husband and wife** grantor(s) and **WORLDWIDE MORTGAGE COMPANY** as Lender, **MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.** as Beneficiary.

4. Appointment of Substitute Trustee: In accordance with Texas Property Code Sec. 51.0076, the undersigned authorized agent for the mortgage servicer has named and appointed, and by these presents does name and appoint **EBBIE MURPHY OR MEGAN L. RANDLE AKA MEGAN L. RANDLE-BENDER**, Substitute Trustee to act under and by virtue of said Deed of Trust.

5. Obligation Secured: Deed of Trust or Contract Lien executed by **Jason L. Eder and Jessica M. Eder, husband and wife**, securing the payment of the indebtedness in the original principal amount of **\$98,385.00**, and obligations therein described including but not limited to the promissory note; and all modifications, renewals and extensions of the promissory note. **Ocwen Loan Servicing, LLC** is the current mortgagee of the note and deed of trust or contract lien.



Notice of [Substitute] Trustee Sale

6. Default: A default has occurred in the payment of indebtedness, and the same is now wholly due, and the owner and holder has requested to sell said property to satisfy said indebtedness.

7. Property to be sold: The property to be sold is described as follows:

LOT 14, DOVE ESTATES, AUSTIN COUNTY, TEXAS, ACCORDING TO THE PLAT OF DOVE ESTATES RECORDED IN VOLUME 1, PAGE 21, PLAT RECORDS OF AUSTIN COUNTY, TEXAS.

8. Mortgage Servicer Information: The Mortgage Servicer is authorized to represent the Mortgagee by virtue of a servicing agreement with the Mortgagee. 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 lien securing the property referenced above. **Ocwen Loan Servicing, LLC**, as Mortgage Servicer, is representing the current mortgagee, whose address is:

C/O Ocwen Loan Servicing, LLC

**1661 Worthington Rd., Suite 100
West Palm Beach, FL 33409**

Phone: 1-800-746-2936

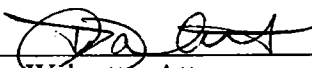
2018-61

Notice of [Substitute] Trustee Sale

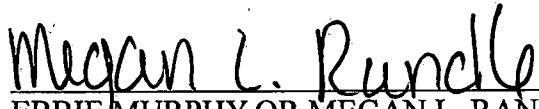
9. Limitation of Damages: If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the funds paid. The Purchaser shall have no further recourse against the Mortgagor, the Mortgagee, or the Mortgagee's attorney.

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.

Date: September 6, 2018


Iman Waleott – Attorney or Authorized Agent of The Mortgagee or Mortgage Servicer

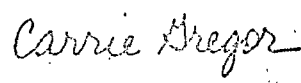
C/O Power Default Services, Inc.
Northpark Town Center
1000 Abernathy Rd NE; Bldg 400, Suite 200
Atlanta, GA 30328
Telephone: 855-427-2204
Fax: 866-960-8298


EBBIE MURPHY OR MEGAN L. RANDLE AKA MEGAN L. RANDLE-BENDER - Substitute Trustee(s)

C/O AVT Title Services, LLC
1101 Ridge Rd. Suite 222
Rockwall, TX 75087

POWER DEFAULT SERVICES, INC. MAY BE ACTING AS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED MAY BE USED FOR THAT PURPOSE.

Certificate of Posting
I am _____ 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 the Austin County Clerk and caused it to be posted at the location directed by the Austin County Commissioners Court.

FILED
18 SEP 13 AM 11:49

COUNTY CLERK
AUSTIN COUNTY, TEXAS

2018-61

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

AUSTIN County
Deed of Trust Dated: June 23, 2006
Amount: \$128,000.00
Grantor(s): MARIBEL PEREZ

Original Mortgagee: COUNTRYWIDE HOME LOANS, INC.
Current Mortgagee: M & T BANK

Mortgagee Address: M & T BANK, P. O. Box 1364, Buffalo, NY 14240-1364

Recording Information: Document No. 063710

Legal Description: SEE EXHIBIT "A"

Date of Sale: November 6, 2018 between the hours of 1:00 PM and 4:00 PM.

Earliest Time Sale Will Begin: 1:00 PM

Place of Sale: The foreclosure sale will be conducted at public venue in the area designated by the AUSTIN County Commissioners Court pursuant to Section 51.002 of the Texas Property Code as the place where 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.

EBBIE MURPHY OR KRISTIE ALVAREZ, JULIAN PERRINE, KATHLEEN ADKINS, AMY BOWMAN, EVAN PRESS, REVA ROUCHON-HARRIS, MONICA HIRVELA, OR BENJAMIN GRIESINGER, REID RUPLE, CATRENA WARD, KIM HINSHAW, STEPHANIE KOHLER, IAN MOSER OR MEGAN RANDLE have been appointed as Substitute Trustee(s), ('Substitute Trustee') each empowered to act independently, in the place of said original Trustee, upon the contingency and in the manner authorized by said Deed of Trust.

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.

NOTICE IS FURTHER GIVEN that, except to the extent that the Substitute Trustee(s) may bind and obligate the Mortgagors to warrant title to the Property under the terms of the Deed of Trust, conveyance of the Property shall be made 'AS IS' 'WHERE IS' without any representations and warranties whatsoever, express or implied, and subject to all matters of record affecting the Property.

A debtor who is serving on active military duty may have special rights or relief related to this notice under federal law, including the Servicemembers Civil Relief Act (50 U.S.C. §§ 3901 et seq.) and state law, including Section 51.015 Texas Property Code. 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.

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.


RACHEL U. DONNELLY, ATTORNEY AT LAW

HUGHES, WATTERS & ASKANASE, L.L.P.
1201 Louisiana, SUITE 2800
Houston, Texas 77002
Reference: 2018-005358



EBBIE MURPHY OR KRISTIE ALVAREZ, JULIAN PERRINE, KATHLEEN ADKINS, AMY BOWMAN, EVAN PRESS, REVA ROUCHON-HARRIS, MONICA HIRVELA, OR BENJAMIN GRIESINGER, REID RUPLE, CATRENA WARD, KIM HINSHAW, STEPHANIE KOHLER, IAN MOSER OR MEGAN RANDLE
c/o Auction.com, LLC
1 Mauchly
Irvine, California 92618

2018-62

EXHIBIT "A"

Escrow/Closing # 35552
Doc ID # 00013845925306006
MIN 1000157-0006813001-8

FIELD NOTES OF A SURVEY OF A 0.453 ACRE TRACT OUT OF THE CITY OF SEALY, IN THE SAN FELIPE DE AUSTIN 5 LEAGUE GRANT, AUSTIN COUNTY, TEXAS. SAID 0.453 ACRE TRACT BEING ALL OF THAT CALLED 36,000 SQUARE FOOT TRACT AS DESCRIBED IN A DEED DATED OCTOBER 20, 1994 TO EVELYN WENDT, RECORDED IN VOLUME 716, PAGE 66 AUSTIN COUNTY OFFICIAL RECORDS, LESS A 0.384 ACRE TRACT DESCRIBED IN VOLUME 248, PAGE 10, OF THE DEED RECORDS OF AUSTIN COUNTY, TEXAS FOR WHICH REFERENCE IS MADE AND THE SAID 0.453 ACRE TRACT BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS, TO-WIT:

BEGINNING AT A 3/8 INCH IRON ROD FOUND FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT IN THE WEST LINE OF MEYER STREET, SAID CORNER BEING ALSO THE SOUTHEAST CORNER OF THE RESIDUE OF A 1.898 ACRE TRACT DESCRIBED IN A DEED TO RICHARD J. BOEHM, FILE NUMBER 992523, AUSTIN COUNTY OFFICIAL RECORDS,

THENCE S 11° 07' 13" E A DISTANCE OF 120.77 FEET (CALLED 120') AND S 11° 07' 13" E BEING CALLED THE BEARING ALONG MEYER STREET AS PER VOLUME 636, PAGE 629 AUSTIN COUNTY OFFICIAL RECORDS) WITH THE WEST LINE OF MEYER STREET, SAME BEING THE EAST LINE OF THE HEREIN DESCRIBED TRACT TO A 1/2 INCH IRON ROD FOUND FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED 0.453 ACRE TRACT, SAID CORNER BEING ALSO THE NORTHEAST CORNER OF A CALLED 0.485 ACRE TRACT DESCRIBED IN A DEED TO ANTONIOS TSOUNAKA, ET UX, VOLUME 636, PAGE 629, AUSTIN COUNTY OFFICIAL RECORDS, FROM SAID CORNER A 3/4 INCH IRON PIPE FOUND FOR THE SOUTHEAST CORNER OF THE SAID 0.485 ACRE TRACT BEARS S 12° 33' 17" E - 70.13 FEET;

THENCE S 70° 56' 45" W A DISTANCE OF 164.23 FEET (CALLED 160') WITH THE NORTHWEST LINE OF THE SAID 0.485 ACRE TRACT, SAME BEING THE SOUTHEAST LINE OF THE HEREIN DESCRIBED 0.453 ACRE TRACT AND NOT WITH THE PRESENT FENCE TO A 5/8 INCH IRON ROD SET (CAPPED FRANK SURVEYING) FOR THE SOUTHEAST CORNER OF THE SAID 0.384 ACRE TRACT AS DESCRIBED IN VOLUME 248, PAGE 10, AUSTIN COUNTY DEED RECORDS, FROM SAID CORNER A 5/8 INCH IRON ROD SET (CAPPED FRANK SURVEYING) FOR THE SOUTHWEST CORNER OF THE SAID 0.384 ACRE TRACT IN THE EAST LINE OF ATCHINSON STREET BEARS S 70° 56' 45" W A DISTANCE OF 140.00 FEET (CALLED 140') AND FROM THAT CORNER A 3/4 INCH IRON PIPE FOUND FOR THE SOUTHWEST CORNER OF THE SAID 0.485 ACRE TRACT BEARS S 12° 04' 49" E A DISTANCE OF 70.37 FEET (CALLED 70.37'),

THENCE N 12° 06' 11" W A DISTANCE OF 120.03 FEET WITH THE EAST LINE OF THE SAID 0.384 ACRE TRACT TO A 5/8 INCH IRON ROD SET (CAPPED FRANK SURVEYING) NEAR THE PRESENT FENCE LINE FOR THE NORTHEAST CORNER OF THE SAID 0.384 ACRE TRACT, SAID CORNER BEING ALSO IN THE SOUTHEAST LINE OF THE SAID RESIDUE TRACT OF 1.898 ACRES, AND FROM SAID CORNER A CHAIN LINK FENCE CORNER POST (CALLED FOR IN THE SAID 1.898 ACRE DEED) FOR THE NORTHWEST CORNER OF THE SAID 0.384 ACRE TRACT BEARS S 70° 47' 07" W A DISTANCE OF 140.00 FEET (CALLED 140'),

THENCE N 70° 47' 07" E A DISTANCE OF 166.38 FEET (CALLED 160') GENERALLY WITH THE PRESENT FENCE LINE (AS CALLED IN THE SAID 1.898 ACRE DEED) AND BEING THE NORTHWEST LINE OF THE HEREIN DESCRIBED 0.453 ACRE TRACT, THE SOUTHEAST LINE OF THE SAID RESIDUE 1.898 ACRE TRACT TO THE PLACE OF BEGINNING, CONTAINING 0.453 ACRE OF LAND.

FILED

10 SEP 20 AM 9:34

Carrie Gregor

COUNTY CLERK
AUSTIN COUNTY, TEXAS

2018-62

1404 KATHY AVE
SEALY, TX 77474

00000007265812

NOTICE OF [SUBSTITUTE] 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.

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

Date: November 06, 2018

Time: The sale will begin at 1:00PM or not later than three hours after that time.

Place: FOYER OF THE AUSTIN COUNTY COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONERS or as designated by the county commissioners.

2. **Terms of Sale.** Cash.

3. **Instrument to be Foreclosed.** The Instrument to be foreclosed is the Deed of Trust or Contract Lien dated July 13, 2005 and recorded in Document CLERK'S FILE NO. 054239 real property records of AUSTIN County, Texas, with ANACLETO MARTINEZ AND ANTONIA MARTINEZ, grantor(s) and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC ("MERS") AS NOMINEE, mortgagee.

4. **Obligations Secured.** Deed of Trust or Contract Lien executed by ANACLETO MARTINEZ AND ANTONIA MARTINEZ, securing the payment of the indebtednesses in the original principal amount of \$67,000.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. SUNTRUST BANK is the current mortgagee of the note and Deed of Trust or Contract Lien.

5. **Property to Be Sold.** The property to be sold is described in the attached Exhibit A.

6. **Mortgage Servicer Information.** The Mortgage Servicer is authorized to represent the Mortgagee by virtue of a servicing agreement with the Mortgagee. 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 lien securing the Property referenced above. SUNTRUST BANK, as Mortgage Servicer, is representing the current mortgagee, whose address is:

c/o SUNTRUST BANK
1001 SEMMES AVENUE MAIL CODE RVW 3014
RICHMOND, VA 23224

Reid Ruple by Taj Kirkpatrick

KRISTIE ALVAREZ, JULIAN PERRINE, KATHLEEN ADKINS, AMY BOWMAN, EVAN PRESS, REVA ROUCHON-HARRIS, MONICA HIRVELA, BENJAMIN GRIESINGER, REID RUPLE, CATRENA WARD, KIM HINSHAW, STEPHANIE KOHLER, IAN MOSER MEGAN L. RANDLE, REBECCA BOLTON, OR AMY JURASEK

Substitute Trustee

c/o BARRETT DAFFIN FRAPPIER TURNER & ENGEL, LLP
4004 Belt Line Road, Suite 100
Addison, Texas 75001



1404 KATHY AVE
SEALY, TX 77474

0000007265812
Date of Sale: 11/06/2018

Certificate of Posting

My name is Taj Kirkpatrick, and my address is c/o 4004 Belt Line Road, Suite 100, Addison, Texas. I declare under penalty of perjury that on 11/16/2018 I filed at the office of the AUSTIN County Clerk and caused to be posted at the AUSTIN County courthouse this notice of sale.

Taj Kirkpatrick

Declarant's Name: Taj Kirkpatrick

Date: 11/16/2018

2018-63

0000007265812

AUSTIN



LOT NO. 7, IN THE DON ELL KRAMPITZ SUBDIVISION, BEING OUT OF LOT NO. 3, BLOCK NO. 34, SEALY SUBDIVISION, IN THE SAN FELIPE TOWN TRACT OF FIVE LEAGUES OF LAND IN AUSTIN COUTNY, TEXAS, RECORDED IN VOLUME 256, PAGE 251, DEED RECORDS OF AUSTIN COUNTY, TEXAS.

2018-63

731194
JG/m

Submitted: 8/6/2018 1:29 PM
Suz Murphy, District Clerk
Austin County, Texas
By: Christina Stalinski, Deputy

Cause No. 2018V-0024

SUNTRUST MORTGAGE, INC.,
Plaintiff,

IN THE DISTRICT COURT

v.

SIEDE H. GUERRERO,

OF AUSTIN COUNTY, TEXAS

Defendants.

In Re: 1404 KATHY AVE.,
SEALY, TEXAS 77474

155TH JUDICIAL DISTRICT

DEFAULT JUDGMENT

After considering plaintiff, Suntrust Mortgage, Inc.'s, its successors or assigns, motion for default judgment, pleadings, and evidence on file the Court GRANTS the motion and finds:

1. Citation properly served on defendants according to law and remained on file with the Clerk of this Court for the time prescribed by law.

2. Defendant, Siede H. Guerrero was served with process and defendant has not filed an answer or any pleading constituting an answer and have not entered an appearance in this lawsuit. The last known address for defendant Siede H. Guerrero is as follows: 1404 Kathy Ave., Sealy, Texas 77474.

3. None of the defendants who were personally served are in active military service.

4. The Loan Agreement between Anacleto Martinez, Antonia Martinez, and the plaintiff is in default and, that plaintiff is in the beneficiary of that agreement on the property made the basis of lawsuit.

5. Plaintiff entitled to the relief sought in plaintiff's original petition. Therefore it is

IT IS ORDERED that:

All of Anacleto Martinez's ("Decedent") heirs-at-law have been made defendants to this suit and were immediately vested with all of Decedent's right, title and interest in the real property and

Default Judgment
BDFIE #: 731194

Page 1

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improvements commonly known as 1404 Kathy Ave., Sealy, Texas 77474 ("Property") and legally described as:

LOT NO. 7, IN THE DONNELL KRAMPITZ SUBDIVISION, BEING OUT OF LOT NO. 3, BLOCK NO. 34, SEALY SUBDIVISION, IN THE SAN FELIPE TOWN TRACT OF FIVE LEAGUES OF LAND IN AUSTIN COUNTY, TEXAS, RECORDED IN VOLUME 256, PAGE 281, DEED RECORDS OF AUSTIN COUNTY, TEXAS.

FURTHER ORDERED plaintiff has a valid lien on the Property by way of a Texas Home Equity Security Instrument dated July 13, 2005 and filed under Document No. 054239 of the Official Public Records of Austin County, Texas.

IT IS FURTHER ORDERED that this Default Judgment serves as an Order authorizing plaintiff to foreclose its lien created under TEX. CONST. art. XVI, § 50(a)(6) in compliance with the Loan Agreement and TEX. PROP. CODE § 51.002.

IT IS FURTHER ORDERED that a copy of this Default Judgment shall be sent to defendants with the notice of the date, time and place of the foreclosure sale.

IT IS FURTHER ORDERED that plaintiff may communicate with the defendants and all third parties reasonably necessary to conduct the foreclosure sale.

IT IS FURTHER ORDERED that if defendants are represented by counsel, the notice of foreclosure sale shall also be mailed to counsel by certified mail.

IT IS FURTHER ORDERED that one of the effects of the non-judicial foreclosure shall be that defendants are divested and the purchaser of the Property at the non-judicial foreclosure sale is vested with all right, title and interest to the Property.

IT IS FURTHER ORDERED that no personal liability or deficiency for the Loan Agreement debt shall be asserted against the defendants or the putative estate of Decedent.

IT IS FURTHER ORDERED that after the non-judicial foreclosure is held, if the property remains occupied after this judgment becomes final and the plaintiff is the purchaser of

the Property at the non-judicial foreclosure sale, a writ of possession shall issue against any occupant of the Property in accordance with TEX. R. CIV. P. 310.

All relief not expressly granted is denied.

This judgment finally disposes of all parties and all claims and is appealable.

SIGNED this 14th day of August, 2018.

J. P. R. Davis
PRESIDING JUDGE

SUBMITTED BY:

Jennifer K. Chacko

Jennifer K. Chacko
State Bar No.: 24082482
4004 Belt Line Road, Ste. 100
Addison, Texas 75001
(972) 341-5321
(972) 341-0734 (Facsimile)
jchacko@bdfgroup.com

ATTORNEY FOR PLAINTIFF

FILED
2018 AUG 14 PM 1:01
CLERK OF DISTRICT COURT
JUSTICE COUNTY, TEXAS

Default Judgment
BDFLE #: 7311194

Page 3

FILED

18 OCT 16 AM 10:19

Carrie Gregor

COUNTY CLERK
JUSTICE COUNTY, TEXAS

2018-63