

TRUSTEE'S DEED

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

WHEREAS, Moises Reynoso and Esmeralda Garcia are the Owners of the property commonly known as 3703 Chadwell Glen Lane, Houston, Texas 77082 (the "Property"), more particularly described as:

Lot Thirty-One (31), in Block Four (4), of Parkridge Section One (1), a subdivision in Harris County, Texas, according to the map or plat thereof, recorded in Volume 275, Page 39 of the Map Records of Harris County, Texas.

WHEREAS, the Property is located within the jurisdiction of Parkridge Community Association, Inc. (hereinafter referred to as the "Association");

WHEREAS, the Property is subject to the following deed restrictions: Restrictions recorded in the Real Property Records of Harris County, Texas, under Clerk's File No. F795098, along with any amendments and supplements thereto, which expressly reserve the subject lien. This lien dates back to the filing of the said Restrictions.

WHEREAS, the referenced deed restrictions and/or the Texas Property Code provide that the sums assessed by Parkridge Community Association, Inc. (the "Association") that remain unpaid constitute a lien against the Property;

WHEREAS, default occurred in the payment of sums assessed by the Association against the Property and a Power of Sale exists in favor of the Association for the purpose of foreclosing upon the said lien; and

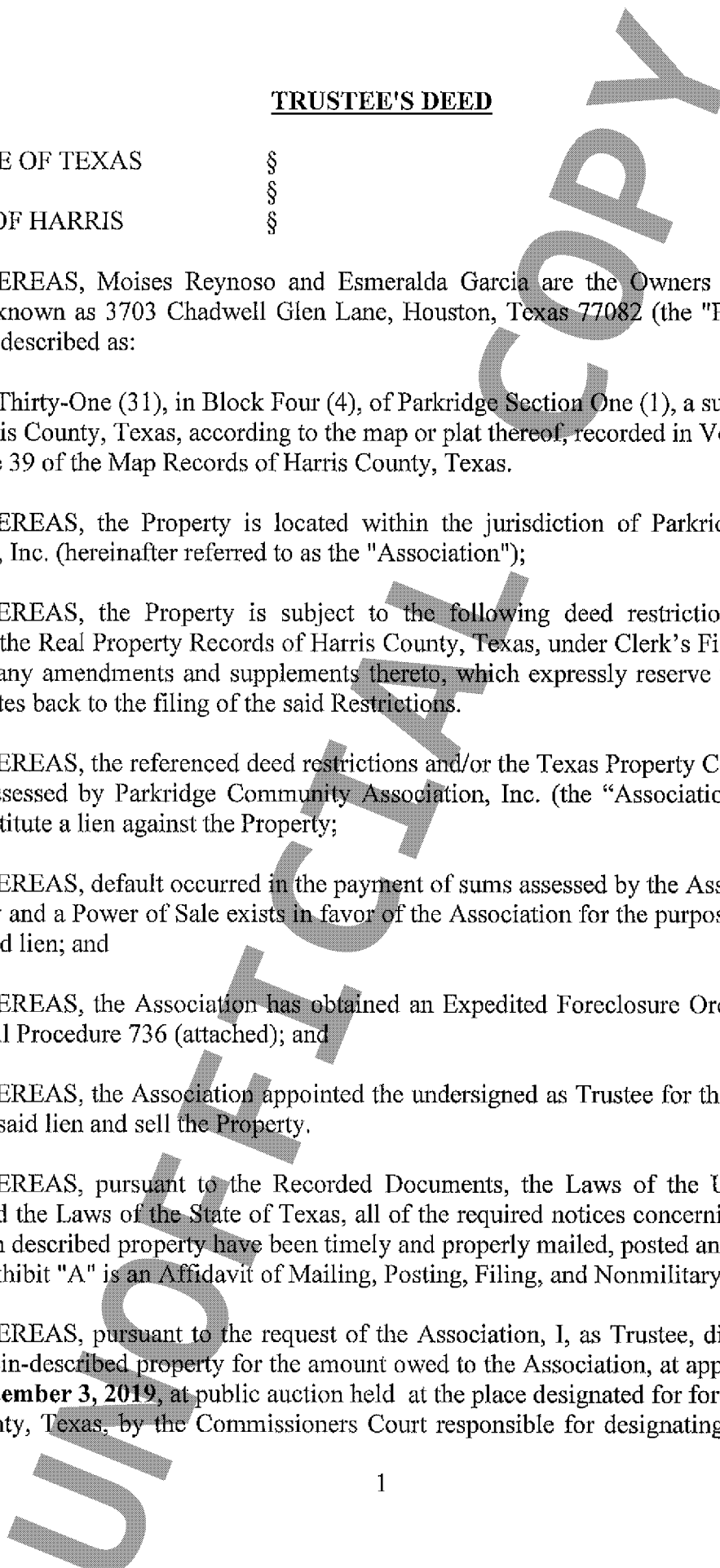
WHEREAS, the Association has obtained an Expedited Foreclosure Order under Texas Rule of Civil Procedure 736 (attached); and

WHEREAS, the Association appointed the undersigned as Trustee for the Association to enforce the said lien and sell the Property.

WHEREAS, pursuant to the Recorded Documents, the Laws of the United States of America and the Laws of the State of Texas, all of the required notices concerning a public sale of the herein described property have been timely and properly mailed, posted and filed (attached hereto as Exhibit "A" is an Affidavit of Mailing, Posting, Filing, and Nonmilitary Service); and

WHEREAS, pursuant to the request of the Association, I, as Trustee, did strike off and sell the herein-described property for the amount owed to the Association, at approximately 3:25 p.m. on **December 3, 2019**, at public auction held at the place designated for foreclosure sales in Harris County, Texas, by the Commissioners Court responsible for designating the location of 21801844

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such sales or, if no location has been designated by the Commissioners Court, at the Courthouse door nearest to the location where the Notice of Foreclosure that corresponds with this foreclosure sale was posted, to **COBLIN, LLC**, whose address is: **6046 FM 2920, #505, Spring, Texas 77379**, (hereinafter collectively referred to as "**Grantee**"), said Grantee being the highest bidder, the sales price being **\$19,000.00**.

NOW, THEREFORE, in consideration of the payment to me by Grantee in the amount owed to the Association, as Trustee, by virtue of the authority conferred upon me in the Recorded Documents and the Appointment of Trustee, have, subject to the matters hereinafter stated, GRANTED, SOLD and CONVEYED and do hereby GRANT, SELL and CONVEY unto Grantee the above-described property.

This conveyance is expressly made and accepted subject to the redemption right of Chapter 209 of the Texas Property Code, as well as all valid and subsisting easements, liens, restrictions, reservations, covenants, conditions and royalty and mineral interests relating to the Property to the extent that the same are valid and enforceable against the Property as the same are shown by instruments filed for record in the Office of the County Clerk of Harris County, Texas, and to the extent that the same are valid and enforceable and have not been cleared from the record as a result of the foreclosure described herein.

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto and in anywise belonging, unto Grantee, Grantee's heirs, personal representatives, successors and assigns forever; and I do hereby bind Grantor and Grantor's heirs, legal representatives and successors to warrant and forever defend, all and singular, the Property unto Grantee, Grantee's heirs, personal representatives, successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, subject to the provisions stated above, by, through, or under Grantor, but not otherwise; however, without covenants or warranties, expressed or implied, or any liabilities whatsoever on me personally.

EXECUTED this the 17th day of December, 2019.

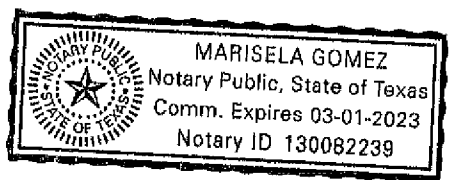
By: [Signature]
LUKE P. TOLLETT, TRUSTEE, PARKRIDGE COMMUNITY ASSOCIATION, INC.

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

This instrument was acknowledged before me on the 17th day of December, 2019, by Luke P. Tollett.

[Signature]
Notary Public, State of Texas

21801844



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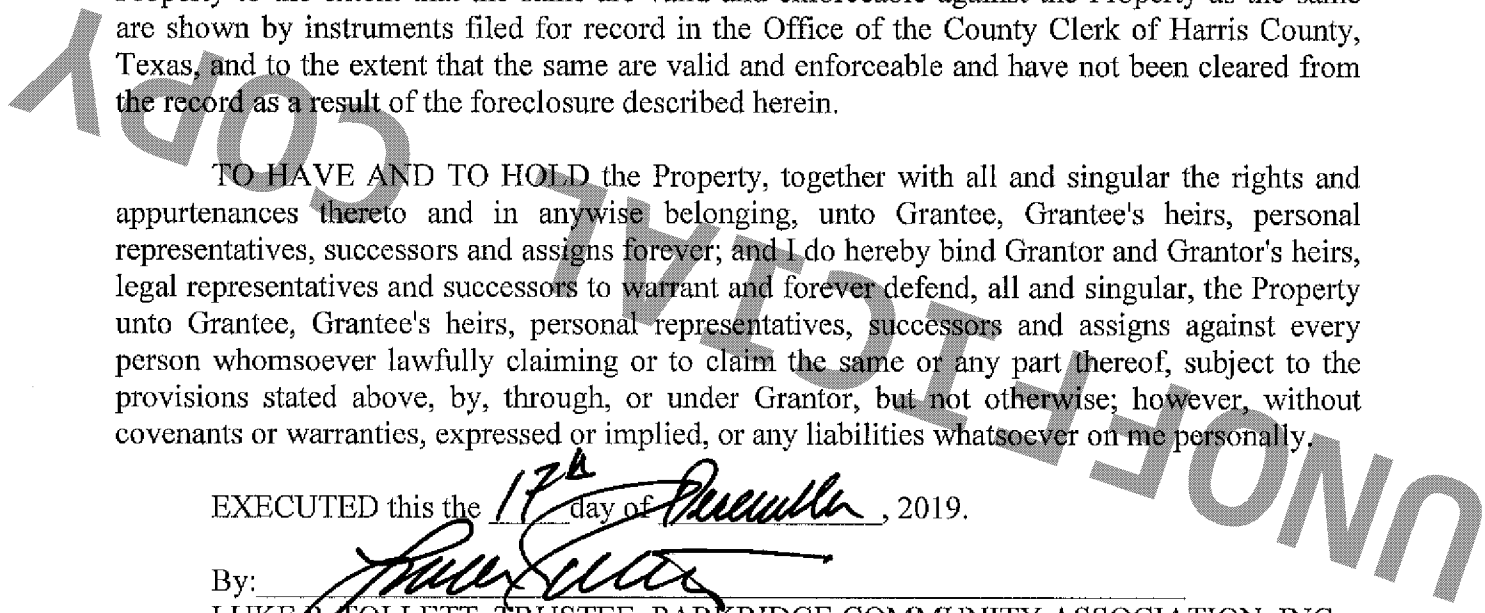


EXHIBIT "A"

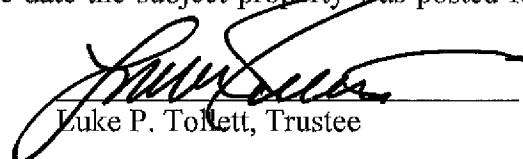
THE STATE OF TEXAS §
 §
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AFFIDAVIT OF POSTING, FILING, MAILING AND NONMILITARY SERVICE


The undersigned, being a credible person over the age of twenty-one (21) and having personal knowledge of the facts stated herein, after being duly sworn, deposes and states under oath the following:

I, Luke P. Tollett, Trustee, appointed pursuant to the Restrictions recorded in the Real Property Records of Harris County, Texas, under Clerk's File No. F795098, along with any amendments and supplements thereto; (hereinafter referred to as the "Recorded Documents"), and by Appointment of Trustee filed of record in the Harris County Real Property Records under Clerk's File Number RP-2019-504667, caused: (i) written and timely notice to be served by certified mail, return receipt requested, on all debtors in default under the Recorded Documents as they relate to the property described in the attached Trustee's Deed stating that default existed under the Recorded Documents; (ii) written notice of the proposed foreclosure sale (hereinafter referred to as "Notice of Foreclosure") to be timely posted at the location in Harris County, Texas, that is designated by the Commissioner's Court for posting foreclosure notices or, if no such location has been designated by the Commissioner's Court, at the courthouse door nearest to the location where the Notice of Foreclosure was posted; (iii) to be timely filed a copy of the said Notice of Foreclosure in the Office of the County Clerk of Harris County, Texas; and (iv) written and timely notice of the proposed foreclosure sale to be served by certified mail, return receipt requested, on each debtor obligated to pay said debt due under the Recorded Documents by depositing a copy of the said Notice of Foreclosure, enclosed in a postage-paid wrapper, properly addressed to each such debtor at the debtor(s)' most recent address as shown by the records of Parkridge Community Association, Inc., in a post office or official depository under the care and custody of the United States Postal Service.

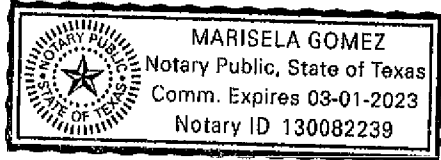
To the best of my knowledge and belief Moises Reynoso and Esmeralda Garcia are presently alive and not in the military service at any time between the date of the subject foreclosure sale and ninety (90) days prior to the date the subject property was posted for foreclosure.


Luke P. Tollett, Trustee

17th day of December 2019 SUBSCRIBED AND SWORN TO BEFORE ME by the said Luke P. Tollett on the day of December 2019 to certify which witness my hand and seal of office.


Notary Public, State of Texas

21801844



RP-2019-558321

No. 2019-04184

SALPX
5E

IN RE: ORDER FOR FORECLOSURE
CONCERNING

3703 Chadwell Glen Lane
Houston, Texas 77082

UNDER TEX. R. CIV. P. 736

MOISES REYNOSO AND
ESMERALDA GARCIA

AND

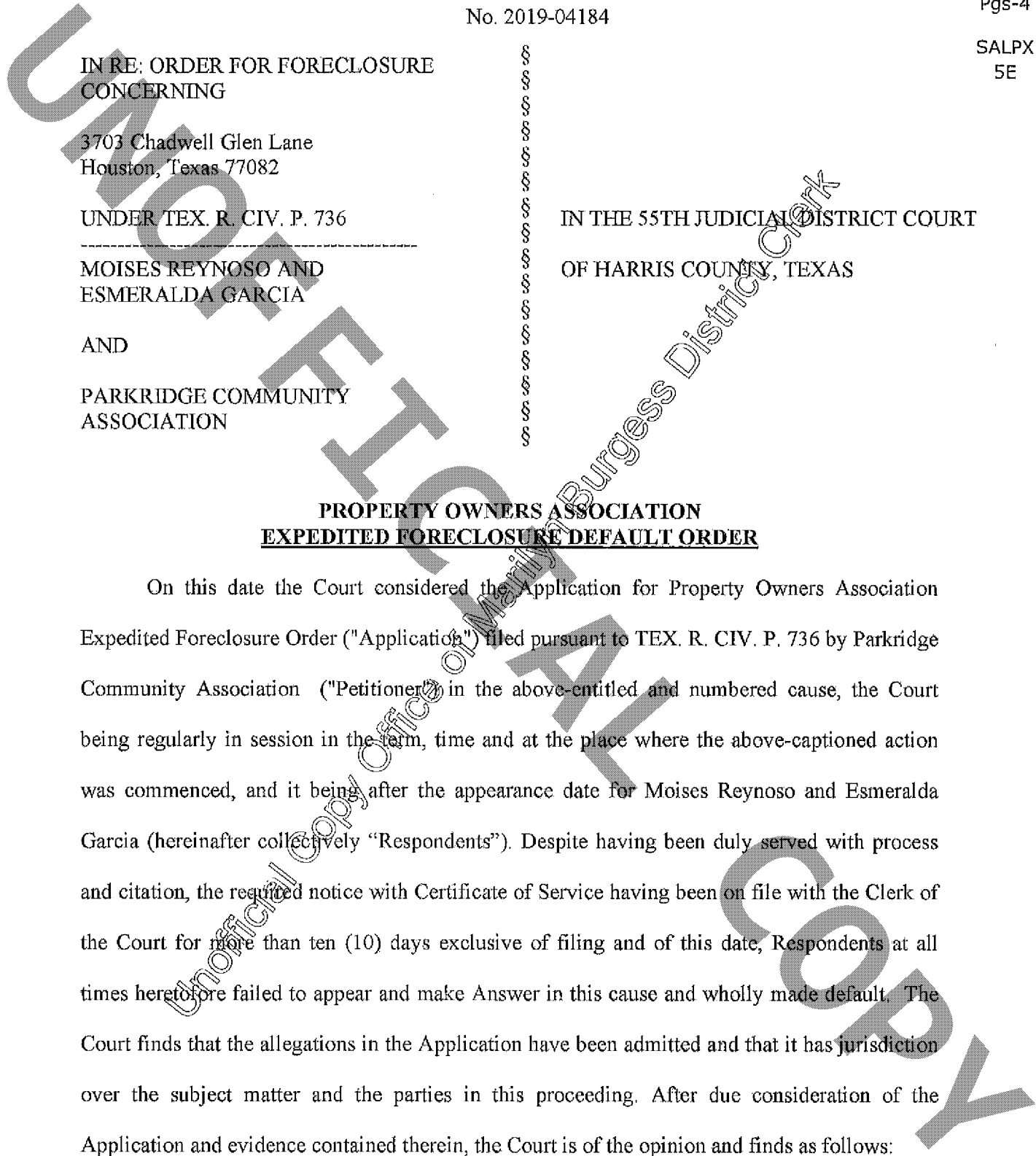
PARKRIDGE COMMUNITY
ASSOCIATION

IN THE 55TH JUDICIAL DISTRICT COURT
OF HARRIS COUNTY, TEXAS

**PROPERTY OWNERS ASSOCIATION
EXPEDITED FORECLOSURE DEFAULT ORDER**

On this date the Court considered the Application for Property Owners Association Expedited Foreclosure Order ("Application") filed pursuant to TEX. R. CIV. P. 736 by Parkridge Community Association ("Petitioner") in the above-entitled and numbered cause, the Court being regularly in session in the term, time and at the place where the above-captioned action was commenced, and it being after the appearance date for Moises Reynoso and Esmeralda Garcia (hereinafter collectively "Respondents"). Despite having been duly served with process and citation, the required notice with Certificate of Service having been on file with the Clerk of the Court for more than ten (10) days exclusive of filing and of this date, Respondents at all times heretofore failed to appear and make Answer in this cause and wholly made default. The Court finds that the allegations in the Application have been admitted and that it has jurisdiction over the subject matter and the parties in this proceeding. After due consideration of the Application and evidence contained therein, the Court is of the opinion and finds as follows:

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1. The commonly known mailing address of the real property and improvements sought to be foreclosed is 3703 Chadwell Glen Lane, Houston, Texas 77082 ("Property"), and more particularly described as:

Lot Thirty-One (31), in Block Four (4), of Parkridge Section One (1), a subdivision in Harris County, Texas, according to the map or plat thereof, recorded in Volume 275, Page 39 of the Map Records of Harris County, Texas.

2. The name and last known address of each Respondent subject to this Order is:

Moises Reynoso
3703 Chadwell Glen Lane
Houston, Texas 77082

Esmeralda Garcia
3703 Chadwell Glen Lane
Houston, Texas 77082

3. Recording or indexing information for the lien ("Deed Restrictions") to be foreclosed is:

Restrictions recorded in the Real Property Records of Harris County, Texas, under Clerk's File No. F795098, along with any amendments and supplements thereto, which expressly reserve the subject lien. This lien dates back to the filing of the said Restrictions.

4. The material facts establishing the basis for foreclosure are:

- a. Tex. R. Civ. P. 736.1(d)(3)(A): Petitioner is a Property Owners Association as defined in Tex. Prop. Code § 209.002(7) and the holder of a property owners' association assessment lien under Section 209.0092 of the Tex. Prop. Code as referenced by Tex. R. Civ. P. 735.1(c).
- b. Tex. R. Civ. P. 736.1(d)(3)(B): Petitioner is the Property Owners Association entitled to enforce collection of the amounts due, which amounts are secured by a continuing lien on Respondents' Property for which a power of sale is granted in favor of Petitioner.
- c. Tex. R. Civ. P. 736.1(d)(3)(C): The Respondents Moises Reynoso and Esmeralda Garcia represent each and every person obligated to pay the sums secured by the lien sought to be foreclosed.
- d. Tex. R. Civ. P. 736.1(d)(3)(D): There are no mortgagors or other persons or

entities that are subject to the lien sought to be foreclosed that are not owners and named as a Respondent herein.

e. Tex. R. Civ. P. 736.1(d)(3)(E): A monetary default exists under the Deed Restrictions. As of August 31, 2018:

(i) the number of remaining unpaid scheduled payments for annual assessments is 2 (*there are lienable charges that are not scheduled; the scheduled payments consist of annual assessments only*);

(ii) the amount required to cure the default is \$2,996.05; and

(iii) the total amount required to pay off the lien is \$2,996.05.

f. Tex. R. Civ. P. 736.1(d)(3)(F): All conditions precedent related to Petitioner administering this foreclosure proceeding have been accomplished in accordance with the applicable law and Deed Restrictions. The charges contained in Plaintiff's exhibits are lawful with all payments being applied in accordance with applicable law. All required notices have been mailed to each Respondent and all other persons required by the law or Deed Restrictions. The opportunity to cure the default has expired.

g. Tex. R. Civ. P. 736.1(d)(3)(G): Before the Application was filed, all other actions required under the applicable law and Deed Restrictions and lien sought to be foreclosed were performed.

h. Based on the affidavit of Petitioner, no Respondent subject to this order is protected from foreclosure by the Service Members Civil Relief Act, 50 U.S.C. App. § 501 et seq.

5. The Court further finds that this is an *in rem* proceeding; that the Application complies with TEX. R. CIV. P. 735 and 736; that in accordance with Rule 736.3(b)(1) and (2), a copy of the required Citation and Return of Service has been on file with the Clerk of the Court for at least (10) days, exclusive of the date of filing; that the Petitioner has proved the elements of Rule 736.1(d); that the Petitioner may proceed with foreclosure of the secured Property in accordance with the terms of the Deed Restrictions, Tex. Prop. Code §51.002 and applicable law; and that this Order is granted in accordance with TEX. R. CIV. P. 736.8.

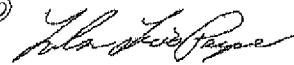
IT IS THEREFORE ORDERED that:

The Petitioner may proceed with a foreclosure sale under the terms of the Deed Restrictions, Tex. Prop. Code §51.002 and applicable law with respect to the secured Property made the subject of this proceeding.

This Order is not appealable pursuant to Rule 736.8(c).

SIGNED this _____ day of _____, 2019.

Signed
4/25/2019



JUDGE PRESIDING

Unofficial Copy Office of Marilyn Burgess District Clerk

UNOFFICIAL COPY

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Pages 8
12/18/2019 12:21 PM
e-Filed & e-Recorded in the
Official Public Records of
HARRIS COUNTY
DIANE TRAUTMAN
COUNTY CLERK
Fees \$40.00

RECORDERS MEMORANDUM

This instrument was received and recorded electronically and any blackouts, additions or changes were present at the time the instrument was filed and recorded.

Any provision herein which restricts the sale, rental, or use of the described real property because of color or race is invalid and unenforceable under federal law.

THE STATE OF TEXAS
COUNTY OF HARRIS

I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me; and was duly RECORDED in the Official Public Records of Real Property of Harris County, Texas.



Diane Trautman

COUNTY CLERK
HARRIS COUNTY, TEXAS

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