

CAUSE NO. 202229916

IN RE: ORDER FOR FORECLOSURE	§	IN THE DISTRICT COURT OF
CONCERNING	§	
2222 POTOMAC DR C	§	
HOUSTON, TX 77057	§	
	§	
UNDER TEX. R. CIV. PROC. 736	§	HARRIS COUNTY, TEXAS
	§	
PETITIONER:	§	
	§	
NEWREZ LLC D/B/A SHELLPOINT	§	
MORTGAGE SERVICING	§	
	§	
RESPONDENT(S):	§	
	§	
MARIANNE PALMER	§	127 <sup>th</sup> JUDICIAL DISTRICT

**ORDER GRANTING PETITIONER'S APPLICATION FOR EXPEDITED FORECLOSURE UNDER TEX. R. CIV. PROC. 736**

Came on for consideration the application of NewRez LLC d/b/a Shellpoint Mortgage Servicing its Successors and Assigns (hereinafter Petitioner), for Order for Foreclosure pursuant to Rule 736 of the Texas Rules of Civil Procedure. The Court is of the opinion that said application should be GRANTED.

The court finds this is an *in rem* proceeding; that the Application filed by Petitioner complies with TEX. R. CIV. PROC. 735 and 736; that specifically:

1. **Rule 736.8 (b) (1)** - The material facts establishing Respondent's default are alleged in Petitioner's application and the supporting affidavit. Those facts are adopted by the court and incorporated by reference in this order.
2. **Rule 736.8 (b) (2)** - The property to be foreclosed is commonly known as 2222 POTOMAC DR C, HOUSTON, TX 77057. The legal description of the Property is:

FIELD NOTES FOR 1800 SQUARE FEET, OF 0.0413 ACRE OF LAND KNOWN AS TRACT "C", POTOMAC TOWNHOUSES, AN UNRECORDED SUBDIVISION OUT OF LOT 32, BLOCK 3, WESTHAVEN ESTATES, SECTION 1, RECORDED IN VOLUME 29, PAGE 47, HARRIS COUNTY MAP RECORDS, HARRIS COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES

3. **Rule 736.8 (b) (3)** – Respondent is Marianne Palmer whose last known address is:

MARIANNE PALMER 2222 POTOMAC DR C HOUSTON, TX 77057

Each Respondent was properly served with the citation, but none filed a response within the time required by law. The return of service of each Respondent has been on file with the court for at least ten days.

4. **Rule 736.8 (b) (4)** - Texas Home Equity Security Instrument was duly recorded in the Official Real Property Records of HARRIS County, Texas under Clerk's file number 20090031918.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Petitioner may proceed with foreclosure under the Security Instrument and under TEX. PROP. CODE § 51.002 of the property located at 2222 POTOMAC DR C, HOUSTON, TX, 77057 and described as follows:

FIELD NOTES FOR 1800 SQUARE FEET, OF 0.0413 ACRE OF LAND KNOWN AS TRACT "C", POTOMAC TOWNHOUSES, AN UNRECORDED SUBDIVISION OUT OF LOT 32, BLOCK 3, WESTHAVEN ESTATES, SECTION 1, RECORDED IN VOLUME 29, PAGE 47, HARRIS COUNTY MAP RECORDS, HARRIS COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES

IT IS FURTHER ORDERED that this order is not subject to a motion for rehearing, a new trial, a bill of review, or an appeal. Any challenge to this order must be made in a separate, original proceeding filed in accordance with Texas Rule of Civil Procedure 736.11.

SIGNED this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

Signed:  
8/10/2022



\_\_\_\_\_  
JUDGE PRESIDING

**APPROVED AS TO FORM AND ENTRY REQUESTED:**

**CODILIS & MOODY, P.C.**

By: /s/ Kelly M. Doherty  
Danya F. Gladney SBOT 24059786  
Nicole Bartee SBOT 24001674  
Aaron Demuth SBOT 24111076  
Kelly M. Doherty SBOT 24118059  
Lisa Collins SBOT 24115338  
400 N. Sam Houston Pkwy E, Suite 900A  
Houston, TX 77060  
Telephone: (281) 925-5200  
Email: [Homeequity@tx.cslegal.com](mailto:Homeequity@tx.cslegal.com)  
**ATTORNEYS FOR PETITIONER**

**Exhibit "A"**

The land referred to in this policy is situated in the STATE OF TEXAS, COUNTY OF HARRIS, CITY OF HOUSTON, and described as follows:

FIELD NOTES FOR 1800 SQUARE FEET, OF 0.0413 ACRE OF LAND KNOWN AS TRACT "C", POTOMAC TOWNHOUSES, AN UNRECORDED SUBDIVISION OUT OF LOT 32, BLOCK 3, WESTHAVEN ESTATES, SECTION 1, RECORDED IN VOLUME 29, PAGE 47, HARRIS COUNTY MAP RECORDS, HARRIS COUNTY, TEXAS, BEING THAT SAME TRACT OF LAND AS DESCRIBED BY DEED RECORDED IN H.C.C.F. NUMBER M-796957 AND FURTHER DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 32, BLOCK 3, WESTHAVEN ESTATES, SECTION 1, IN THE WEST LINE OF POTOMAC DRIVE 60 FEET WIDE;

THENCE, SOUTH 89° 50' 00" WEST, ALONG THE NORTH LINE OF LOT 32, AT 3.00 FEET PASS A 5/8" IRON ROD MARKING THE NORTHEAST CORNER OF TRACT "A", IN ALL 99.52 FEET TO A FENCE POST FOR THE POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 89° 50' 00" WEST, ALONG THE NORTH LINE OF LOT 32, SAME BEING THE SOUTH LINE OF LOT 33 AS DESCRIBED BY DEED RECORDED IN H.C.C.F. NUMBER P-555829, 42.31 FEET TO A POINT FOR CORNER;

THENCE, SOUTH 00° 10' 00" EAST, ALONG THE EAST LINE OF THAT CALLED 1815 SQUARE FOOT TRACT OF LAND AS DESCRIBED BY DEED RECORDED IN H.C.C.F. NUMBER L-216877, 45.60 FEET TO A POINT IN A BUILDING FOR CORNER;

THENCE, NORTH 89° 50' 00" EAST, ALONG THE NORTH LINE OF A COMMON AREA TRACT, 20.80 FEET TO A BUILDING CORNER FOR CORNER;

THENCE, NORTH 00° 10' 00" WEST, ALONG THE NORTH LINE OF A COMMON AREA TRACT, 6.00 FEET TO A BUILDING CORNER FOR CORNER;

THENCE, NORTH 89° 50' 00" EAST, ALONG THE NORTH LINE OF A COMMON ARE TRACT, 21.51 FEET TO A POINT FOR CORNER;

THENCE, NORTH 00° 10' 00" WEST, ALONG THE WEST LINE OF THAT CALLED 1800 SQUARE FOOT TRACT OF LAND AS DESCRIBED BY DEED RECORDED IN H.C.C.F. NUMBER P-276075, 39.60 FEET TO THE POINT OF BEGINNING.

APN # 076-179-009-0036