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RECEIVED OR FILED
JUSTICE OF THE PEACE 1-2
HARRIS COUNTY, TEXAS
1/25/2023 2:10 PM

231200034403

Cause No. _____

C.C.C.L. #4

WILMINGTON TRUST, NATIONAL
ASSOCIATION, NOT IN ITS INDIVIDUAL
CAPACITY BUT SOLEY AS TRUSTEE OF
MFRA TRUST 2015-2, its successors and/or
assigns,

In the Justice Court

PRECINCT 1-2,

HARRIS COUNTY, TEXAS

Plaintiff,

V.

Trey C Lewis and All Other Occupants of 4730
Ivanhoe St, Houston, TX 77027,

Defendants.

ORIGINAL PETITION FOR FORCIBLE DETAINER

TO THE HONORABLE JUDGE OF SAID COURT:

Comes now, WILMINGTON TRUST, NATIONAL ASSOCIATION, NOT IN ITS INDIVIDUAL CAPACITY BUT SOLEY AS TRUSTEE OF MFRA TRUST 2015-2, its successors and/or assigns, owner of the property, and hereinafter referred to as "*Plaintiff*," hereby complains of Trey C Lewis, hereinafter referred to as "*Defendant*," and All Other Occupants, for eviction of Plaintiff's premises located at 4730 Ivanhoe St, Houston, TX 77027, hereinafter referred to as the "*Subject Property*," and pursuant to Rule 510, et seq., of the Texas Rules of Civil Procedure, and Section 24.002 of the Texas Property Code, brings this Forcible Detainer action and in support thereof, Plaintiff respectfully shows unto the court the following:

I.

Plaintiff is a corporation doing business throughout the State of Texas. Service is requested on Defendant by personal service at the following property address, 4730 Ivanhoe St, Houston, TX 77027, a property located within the boundaries of the Justice of the Peace, Precinct 1-2 Harris County, Texas. Plaintiff states it knows of no other home or work address of Defendant in Harris County. If service cannot be had upon Defendant or an occupant of the property per rule 501.2(b) of the Texas Rules of Civil Procedure, Plaintiff requests that Defendant be served pursuant to Rule 501.2(e) of the Texas Rules of Civil Procedure.

II.

Plaintiff would show unto this Court that it is the owner of the Subject Property by virtue of a Substitute Trustee's Deed. As evidenced by such Substitute Trustee's Deed, Plaintiff, or its authorized servicing agent mortgage company, acquired the property as a result of the foreclosure of the lien created by the deed of trust executed by Defendant. A true and correct copy of the Substitute Trustee's Deed is attached as Exhibit A and incorporated herein as if set forth in full.

///

Original Petition for Forcible Detainer- Eviction
AP- File #: 2065-006A

HARRIS COUNTY CLERK
HARRIS COUNTY, TEXAS

2023 MAR 21 AM 8:00

FILED

III.

Defendant and All Occupants of the Subject Property were residing in said property prior to Plaintiff acquisition and continue to reside in such property to the exclusion of Plaintiff ownership. The Deed of Trust executed by Defendant provided that if the Subject Property was foreclosed on by the lien holder, the Borrower (i.e. Defendant) or any person holding possession of the Property through Borrower shall immediately surrender possession of the Property to the purchaser at that sale. The deed further provided that if possession is not surrendered, Borrower or such person shall be a tenant at sufferance and may be removed by writ of possession. Thus, after acquiring property, as a result, of purchase at a foreclosure sale, Plaintiff, through its counsel, delivered to Defendant a written notice to vacate in accordance with the applicable notice requirements of Section 24.005 or Section 24.006, Texas Property Code. Notice to Vacate was delivered on January 13, 2023, by way of first-class and certified mail with a return receipt request. A true and correct copy of the Notice to Vacate is attached as Exhibit B and incorporated herein by reference for all purposes. Defendant has refused to vacate after notice from Plaintiff. Consequently, Defendant is wrongfully and willfully withholding said Subject Property from Plaintiff and should be adjudged guilty of forcible detainer and Plaintiff should be restored possession of its property.

IV.

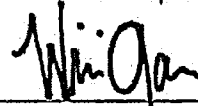
All conditions precedent to Plaintiff's recovery of possession of the property has occurred or been performed.

V.

WHEREFORE, PREMISES CONSIDERED, Plaintiff prays that the Defendant and All Occupants of the Subject Property be cited to appear and answer, and that on the final hearing of this case Plaintiff recover from Defendant a judgment of possession of the Subject Property, issuance of a writ of possession and for such other and further relief as may be just.

Respectfully submitted,

ALDRIDGE | PITE, LLP


William R. Jarrell, SBN 24112625
7220 S. Cimarron Rd, Suite 140
Las Vegas, NV 89113
Tel: (858) 750-7600
Fax: (619) 590-1385
WJarrell@aldridgepite.com
ATTORNEY FOR PLAINTIFF

**CHAPTER 132 DECLARATION
UNSWORN DECLARATION**
(Pursuant to Chapter 132, Texas Civil Practice & Remedies Code)

My name is William R. Jarrell, my date of birth is April 14, 1985, and my address is 4375 Jutland Drive, Suite 200, San Diego, CA 92117. I am the attorney of record for the Plaintiff and have authority on behalf of the Plaintiff to make this declaration. I have personal knowledge of the factual allegations contained within the foregoing Petition for Forcible Detainer, and each of the facts set forth therein are true and correct. I declare under penalty of perjury that the foregoing is true and correct.

Executed in San Diego County, State of California, on the 23rd day of January, 2023.



Declarant
William R. Jarrell

Exhibit A

UNOFFICIAL

Copy

231200034403

T.S. Number: 105733-TX

Substitute Trustee's Deed

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

STATE OF Texas
COUNTY OF Harris

WHEREAS, TREY C. LEWIS, A SINGLE MAN, in order to secure the payment of a Note for the sum set forth in said Note, payable to the order of CITADEL SERVICING CORPORATION, made, executed and delivered to TERRIE HAGERTY, Trustee, a certain Deed of Trust dated 12/18/2018, recorded in Instrument No. RP-2018-566943 of the Real Property Records of Harris County, Texas, to which Deed of Trust and its record reference is here made for a detailed description of said Note, the terms and covenants of said Deed of Trust, and the lands and premises there conveyed; said land being more particularly described as follows:

BEING ALL OF TRACT I AND TRACT II AS RECORDED UNDER HARRIS COUNTY CLERKS FILE NUMBER X332854 AND BEING HEREIN DESCRIBED AS COMPRISING TRACT 1: THE WEST 98.52 FEET OF LOT 4 & THE EAST 30 FEET OF LOT 5 AND TRACT 2: 7373-SQUARE FOOT TRACT OUT OF THE WEST 95 FEET OF LOT 5, BOTH IN BLOCK 3, GREENWOOD ADDITION AS RECORDED IN VOLUME 37, PAGE 58 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS (BASIS OF BEARINGS RECITED HEREIN), SAID 7373-SQUARE FOOT TRACT 2 BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

MORE COMPLETELY DESCRIBED IN EXHIBIT "A"

WHEREAS, said Note together with the liens securing same was transferred and assigned in due course for value before maturity to WILMINGTON TRUST, NATIONAL ASSOCIATION, NOT IN ITS INDIVIDUAL CAPACITY BUT SOLELY AS TRUSTEE OF MFRA TRUST 2015-2, and

WHEREAS, it is provided in said Deed of Trust that failure to make any of the payments in the above described Note as the same became due and payable, or failure to comply with any or all of the covenants and conditions of said Deed of Trust, shall, at the option of WILMINGTON TRUST, NATIONAL ASSOCIATION, NOT IN ITS INDIVIDUAL CAPACITY BUT SOLELY AS TRUSTEE OF MFRA TRUST 2015-2, or the legal or equitable holder thereof, mature the whole of said Note and in such event or events and at the request of the owner or holder of said Note secured by said Deed of Trust, the said Trustee or his successors shall enforce said Deed of Trust by selling the hereinbefore described land and premises according to law, and in accordance with the provisions of said Deed of Trust, all as more fully set out in said Deed of Trust; and,

RP-2022-586546

UNRECORDED COPY

TS #: 105733-TX

WHEREAS, Default was made in the payment of said Note according to the terms, tenor and effect thereof, and the legal or equitable owner or holder of said Note, after all required notices were given, evidenced by Declaration or affidavit of Notice to Debtors and Declaration or affidavit of Military Status, attached hereto and made a part hereof; declared the whole note immediately due and payable and the Trustee named in said Deed of Trust having been removed, the owner and holder of said indebtedness appointed the undersigned as Substitute Trustee, and requested the undersigned to sell said land and premises according to law and in accordance with the provisions of said Deed of Trust, in satisfaction of the indebtedness secured by said Deed of Trust; and;

WHEREAS, the holder of the debt, by certified mail, has given written notice to the debtors at their last known address that the debtor was in default under the terms of the Deed of Trust and giving the debtor at least twenty days to cure the default (or thirty days if the above referenced Deed of Trust so states) prior to the entire debt being accelerated and the Notice of Trustee Sale given; and;

WHEREAS, the said land above described was advertised for sale, and written notices of sale were posted in accordance with the terms of said Deed of Trust and in accordance with the laws of the State of Texas pertaining to the foreclosure under the Deed of Trust, at least 21 days preceding the date of sale at the Courthouse Door of Harris County, Texas; and,

WHEREAS, the holder of the debt requested the Substitute Trustee and by this instrument the Substitute Trustee swears, deposes and states under oath that from the Declaration or affidavit of Notice to Debtors and Declaration or affidavit of Military Status attached hereto there was served written notice of the proposed sale by certified mail at least twenty-one (21) days preceding the date of sale on each debtor obligated to pay such debt according to the records of such holder by deposit of the Notice, enclosed in a postpaid wrapper, properly addressed to each debtor at the most recent address shown by the records of the holder of the debt, in a post office or official depository under the care and custody of the United States Postal Service; and a copy of such Notice of Sale was filed with the County Clerk of such County preceding the date of this sale; and that the Mortgagor(s), is/are alive and was/were not in the military service 1 year prior to the day of sale; and,

WHEREAS, I, the said Substitute Trustee, after all prerequisites required by law and/or by said Deed of Trust have been duly satisfied by the holder of the Note, and by said Substitute Trustee, did conduct the sale on 12/6/2022, said sale beginning no earlier than 10:00 AM o'clock and being concluded within 3 hours of such starting time on the date for which said sale was advertised, offering the said land and premises for sale and conducting said sale in the area of the Courthouse designated by the Commissioner's Court, pursuant to Section 51.002 of the Texas Property Code as the place where foreclosure sales are to take place and if no place was designated by the Commissioner's Court, the sale was conducted at the place where the Notice of Trustee's Sale was posted in the County Courthouse; and,

WHEREAS, WILMINGTON TRUST, NATIONAL ASSOCIATION, NOT IN ITS INDIVIDUAL CAPACITY BUT SOLELY AS TRUSTEE OF MFRA TRUST 2015-2 at the said sale, (hereinafter "Grantee"), whose address is 9726 Old Bailes Road, Suite 200 Fort Mill, South Carolina 29707-7882 bid for said land and premises the sum of \$939,658.51, which was the highest and best bid offered

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RP-2022-586546

TS #: 105733-TX

for said land and premises, whereupon said land and premises were knocked off and sold for said sum to the said Grantee in accordance with the terms and provisions of said Deed of Trust.

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS: that I, the said Substitute Trustee, named and appointed under the terms of said Deed of Trust, acting herein under and by virtue of the power conferred upon me by the said Deed of Trust, and in accordance with the laws of the State of Texas, for and in consideration of the sum bid as aforesaid, which amount has been applied in accordance with the terms of said Deed of Trust on the indebtedness secured by it, subject to any matters of record, do hereby bargain, sell and convey unto the said Grantee the said hereinbefore described land and premises "as is" without any expressed or implied warranties, except as to warranties of title, and at the purchaser's own risk pursuant to Texas Property Code sections 51.002 and 51.009, together with all and singular the rights and appurtenances to the same in anywise belonging.

A declaration of notice to debtors and military status is attached hereto as Exhibit 1.

EXECUTED on 12/13/22

[Signature]
Substitute Trustee Jeff Leva

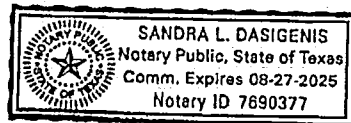
THE STATE OF TEXAS
COUNTY OF HARRIS

§
§
§

Before me Sandra L. Dasigenis on this day personally appeared JEFF LEVA, known to me (or proved to me on the oath of _____ or through _____ to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed.

(Seal)

Given under my hand and seal of office this 13TH day of DECEMBER, 2022



[Signature]
Signature of Notary Public

NOTE: This Substitute Trustee was appointed as such in the Notice of Sale, pursuant to the Texas Property Code, Chapter 51, Section 51.0076. Therefore, the Notice of Sale, which has been filed with the County Clerk, contains the appointment of this Substitute Trustee.

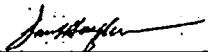
RP-2022-586546

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TS #: 105733-TX

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Harris County, State of Texas, on 12/7/2022.


Declarant- Paul A. Hoefker

RETURN TO:

ALDRIDGE PITE, LLP
4375 Jutland Drive, Suite 200
P.O. Box 17935
San Diego, CA 92177-0935
Attn: Paul A. Hoefker
Fax #: 619-590-1385

RP-2022-586546

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RP-2022-586546
Pages 7
12/14/2022 01:45 PM
e-Filed & e-Recorded in the
Official Public Records of
HARRIS COUNTY
TENESHIA HUDSPETH
COUNTY CLERK
Fees \$38.00

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.



Teneshia Hudspeth
COUNTY CLERK
HARRIS COUNTY, TEXAS

RP-2022-586546

Exhibit B

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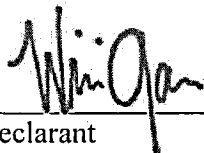
CHAPTER 132 DECLARATION

UNSWORN DECLARATION

(Pursuant to Chapter 132, Texas Civil Practice & Remedies Code)

My name is William R. Jarrell, my date of birth is April 14, 1985, and my address is 4375 Jutland Drive, Suite 200, San Diego, CA 92117. I am the attorney of record for the Plaintiff and have authority on behalf of the Plaintiff to make this declaration. I have personal knowledge of the factual allegations contained within the foregoing Petition for Forcible Detainer, and each of the facts set forth therein are true and correct. I declare under penalty of perjury that the foregoing is true and correct.

Executed in San Diego County, State of California, on the 23rd day of January, 2023.



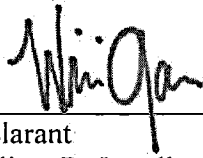
Declarant
William R. Jarrell

UNSWORN DECLARATION

(Pursuant to Chapter 132, Texas Civil Practice & Remedies Code)

My name is William R. Jarrell, my date of birth is April 14, 1985, and my address is 4375 Jutland Drive, Suite 200, San Diego, CA 92117. I am the attorney of record for the Plaintiff and have authority on behalf of the Plaintiff to make this declaration. I have personal knowledge of the factual allegations contained within the foregoing Plaintiff's Declaration, and each of the facts set forth therein are true and correct. I declare under penalty of perjury that the foregoing is true and correct.

Executed in San Diego County, State of California, on the 23rd day of January, 2023.



Declarant
William R. Jarrell

231200034403

Exhibit 1

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COPY



Welcome to the Official Servicemembers Civil Relief Act (SCRA) Website



- [Home](#)
- [Single Record Request](#)
- [Multiple Record Requests](#)
- [User's Guide](#)
- [FAQs](#)
- [News](#)
- [Contact Us](#)
- [My Account](#)

ECA Single Record Request 231200034403

Use this page to request a Certificate verifying Active Duty Status for an individual on a specified date.

*SSN is NOT required. Unless you are a financial institution or otherwise required to collect SSNs, you should not require individuals to provide you with their SSN for the sole purpose of conducting a query on this website. Searches can be conducted using Name and Date of Birth alone. Providing additional details such as First Name, Middle Name, or SSN, if already known, will increase the accuracy of the match.

SSN

Repeat SSN

Birth Date
MM/DD/YYYY (e.g. 09/16/2012)

Last Name

First Name

Middle Name

Active Duty Status Date
MM/DD/YYYY (The default will be set to today's date)

Tips & Notes

- Without a Social Security Number, DMDC cannot authoritatively assert that this is the same individual that your query refers to. Name and date of birth alone do not uniquely identify an individual.
- Check your data entry before submitting it.
- Response may take up to 15 seconds after clicking "Submit".

Resources

- [Download Adobe Reader](#)
- [Unexpected Results?](#)

Terms of Use Agreement

Permissible Uses: Access to this website is restricted to financial institutions, collection agencies, and others with financial and legal transactions with eligible service members for the sole purpose of ensuring that those service members receive Servicemembers Civil Relief Act (SCRA) protections in accordance with 50 U.S.C. Chapter 50. All other use is strictly prohibited.

VIOLATIONS OF THESE TERMS OF USE MAY RESULT IN IMMEDIATE TERMINATION OF ACCESS TO THE SERVICES OF THIS WEBSITE WITHOUT PRIOR NOTICE.

UNAUTHORIZED ACCESS MAY SUBJECT YOU TO CRIMINAL PENALTIES INCLUDING POTENTIAL FINES AND IMPRISONMENT IF YOU MAKE A FALSE REPRESENTATION TO GAIN ACCESS TO THE SERVICES OFFERED ON THIS WEBSITE OR OBTAIN INFORMATION UNDER FALSE PRETENSES. 18 U.S.C. § 1001

By clicking the box marked "I Accept," you indicate that you have read and agree to the Terms of Use and that you certify, under penalty of perjury, that you are only using this website for the permissible uses identified in this Agreement.

I Accept

231200034403



Status Report
Pursuant to Servicemembers Civil Relief Act

SSN:
Birth Date:
Last Name: LEWIS
First Name: TREY
Middle Name: C
Start Date: Jan-23-2023
Contract ID: 1J4VJQNVGPHNKLJ

NA	NA	No	NA
----	----	----	----

NA	NA	No	NA
----	----	----	----

NA	NA	No	NA
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This report reflects information reported for active duty.

Michael V. Sorrento

Michael V. Sorrento, Director
Department of Defense - Manpower Data Center
9000 ...
...

COPY

The Defense Manpower Data Center (DMDC) is an organization of the Department of Defense (DoD) that maintains the Defense Enrollment and Eligibility Reporting System (DEERS) database which is the official source of data on eligibility for military medical care and other eligibility systems.

The DoD strongly supports the enforcement of the Servicemembers Civil Relief Act (50 USC App. § 3901 et seq, as amended) (SCRA) (formerly known as the Soldiers' and Sailors' Civil Relief Act of 1940). DMDC has issued hundreds of thousands of "does not possess any information indicating that the individual is currently on active duty" responses, and has experienced only a small error rate. In the event the individual referenced above, or any family member, friend, or representative asserts in any manner that the individual was on active duty for the active duty status date, or is otherwise entitled to the protections of the SCRA, you are strongly encouraged to obtain further verification of the person's status by contacting that person's Service. Service contact information can be found on the SCRA website's FAQ page (Q35) via this URL: <https://scra.dmdc.osd.mil/scra/#/faqs>. If you have evidence the person was on active duty for the active duty status date and you fail to obtain this additional Service verification, punitive provisions of the SCRA may be invoked against you. See 50 USC App. § 3921(c).

This response reflects the following information: (1) The individual's Active Duty status on the Active Duty Status Date (2) Whether the individual left Active Duty status within 367 days preceding the Active Duty Status Date (3) Whether the individual or his/her unit received early notification to report for active duty on the Active Duty Status Date.

More information on "Active Duty Status"

Active duty status as reported in this certificate is defined in accordance with 10 USC § 101(d) (1). Prior to 2010 only some of the active duty periods less than 30 consecutive days in length were available. In the case of a member of the National Guard, this includes service under a call to active service authorized by the President or the Secretary of Defense under 32 USC § 502(f) for purposes of responding to a national emergency declared by the President and supported by Federal funds. All Active Guard Reserve (AGR) members must be assigned against an authorized mobilization position in the unit they support. This includes Navy Training and Administration of the Reserves (TARs), Marine Corps Active Reserve (ARs) and Coast Guard Reserve Program Administrator (RPAs). Active Duty status also applies to a Uniformed Service member who is an active duty commissioned officer of the U.S. Public Health Service or the National Oceanic and Atmospheric Administration (NOAA Commissioned Corps).

Coverage Under the SCRA is Broader in Some Cases

Coverage under the SCRA is broader in some cases and includes some categories of persons on active duty for purposes of the SCRA who would not be reported as on Active Duty under this certificate. SCRA protections are for Title 10 and Title 14 active duty records for all the Uniformed Services periods. Title 32 periods of Active Duty are not covered by SCRA, as defined in accordance with 10 USC § 101(d)(1).

Many times orders are amended to extend the period of active duty, which would extend SCRA protections. Persons seeking to rely on this website certification should check to make sure the orders on which SCRA protections are based have not been amended to extend the inclusive dates of service. Furthermore, some protections of the SCRA may extend to persons who have received orders to report for active duty or to be inducted, but who have not actually begun active duty or actually reported for induction. The Last Date on Active Duty entry is important because a number of protections of the SCRA extend beyond the last dates of active duty.

Those who could rely on this certificate are urged to seek qualified legal counsel to ensure that all rights guaranteed to Service members under the SCRA are protected.

WARNING: This certificate was provided based on a last name, SSN/date of birth, and active duty status date provided by the requester. Providing erroneous information will cause an erroneous certificate to be provided.

231200034403

Cause No. _____

WILMINGTON TRUST, NATIONAL
ASSOCIATION, NOT IN ITS INDIVIDUAL
CAPACITY BUT SOLELY AS TRUSTEE OF
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V.

Trey C Lewis and All Other Occupants of 4730
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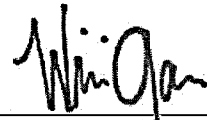
In the Justice Court

PRECINCT 1-2,

HARRIS COUNTY, TEXAS

CERTIFICATE OF LAST KNOWN ADDRESS

I, William R. Jarrell, attorney of record for Plaintiff herein, certify that the last known mailing address for Defendant Trey C Lewis is 4730 Ivanhoe St, Houston, TX 77027.



William R. Jarrell, SBN 24112625
7220 S. Cimarron Rd, Suite 140
Las Vegas, NV 89113
Tel: (858) 750-7600
Fax: (619) 590-1385
WJarrell@aldridgepate.com
ATTORNEY FOR PLAINTIFF

ALDRIDGE | PITE
LLP

Alabama · Alaska · Arizona · California · Florida · Georgia · Hawaii · Idaho · Nevada · New Mexico · New York
· Oregon · Tennessee · Texas · Utah · Washington

3 DAY NOTICE TO VACATE AND DEMAND FOR POSSESSION

January 13, 2023

THIS NOTICE IS GIVEN TO:

TREY C LEWIS & All Occupants, Tenants or Subtenants
4730 Ivanhoe St, Houston, TX 77027
Our File Number: 2065-006A

NOTICE IS HEREBY GIVEN the property located at **4730 Ivanhoe St, Houston, TX 77027** ("*Subject Property*"), which you are currently residing in, sold at a Trustee's Sale. This firm represents the foreclosure sale purchaser, who acquired the property at a regularly conducted sale and thereafter "duly perfected" the title. Consequently, by virtue of the mortgage or deed of trust you (or your landlord) executed, you are a tenant at sufferance and will be removed by a Writ of Possession.

NOTICE IS GIVEN in accordance to, Sections 24.002(b) and 24.005 of the Texas Property Code, our client terminates your tenancy at sufferance.

YOU ARE FURTHER NOTIFIED to remove yourself and your personal belongs from the Subject Property and deliver up possession **3 DAYS** after the date on which this notice is delivered. Should you fail to comply; legal proceedings will be bought against you for recovery of possession and/or rents and damages for the period of unlawful detention.

IF YOU ARE A BONA FIDE TENANT of the former owner of the Property (and you are not a child, spouse, or parent of the former owner of the property), under the Protecting Tenants at Foreclosure Act of 2009 ("PTFA"), you may be entitled to certain rights, including the right to remain in the Property for NINETY (90) days from the date of this Notice. In order to determine what rights you may have under the PTFA, please immediately provide us with the following:

- a) A copy of your written lease. (If your lease is not in writing, provide a summary of the lease terms including the beginning date and end date of the lease, monthly rental amount, and all other relevant lease terms);

2 | Page

- b) Proof of your alleged monthly rental amount. (Proof may be shown in your written lease provided it contains the rent amount. If your lease is not in writing, proof may be shown by copies of your cancelled checks or money orders);
- c) Proof that all monthly rental payments due under the lease have been paid and are current. (Proof may be shown by copies of cancelled checks, money orders, or a signed statement from your landlord stating that you are current on all rental payments due pursuant to the lease);
- d) The names of all occupants of the Property who are over 18 years of age;
- e) Proof of your residency at the Property (proof may be in the form of an electric bill, cable bill, phone bill, etc.); and
- f) A current telephone number where you can be reached.

If you have a Section 8 voucher, you may have additional rights and should provide a copy of this notice to your Section 8 worker.

If it is determined by the new owner that you are a bona fide tenant and authorized to remain in the property for NINETY (90) days from the delivery date of this notice, you are hereby notified of the following:

- a) That your rental agreement is terminated on the delivery date of this notice;
- b) That your occupancy is terminated NINETY (90) days following the delivery date of this notice; and
- c) That demand is hereby made for possession on or before NINETY (90) days from the delivery date of this notice.

If you do not surrender possession of the Property on or before that date, the new owner will seek an order from the court allowing it to remove you and your belongings from the Property.

If you believe you are a bona fide tenant pursuant to the criteria above, please contact our firm, within **THREE (3) BUSINESS DAYS** of receiving this Notice, to advise us of your lease, provide a copy, and request that your lease be assumed.

IMPORTANT NOTICE TO SERVICEMEMBERS AND THEIR DEPENDENTS:

PROTECTIONS UNDER THE SERVICEMEMBERS CIVIL RELIEF ACT

Servicemembers on "active duty" or "active service," or a dependent of such a servicemember may be entitled to certain legal protections, including eviction protection, pursuant to the Servicemembers Civil Relief Act (50 App. USCA §3901, et seq.), as amended, (the "SCRA") and, possibly, certain related state statutes.

Who may be entitled to Legal Protections under the SCRA:

3 | Page

- Active duty members of the Army, Navy, Air Force, Marine Corps, Coast Guard and active service National Guard;
- Active service members of the commissioned corps of the National Oceanic and Atmospheric Administration;
- Active service members of the commissioned corps of the Public Health Service;
- United States citizens servicing with the armed forces of a nation with which the United States is allied in the prosecution of a war or military action; and their spouses.

Servicemembers and dependents with questions about the SCRA should contact their unit's Judge Advocate, or their installation's Legal Assistance Officer. A military legal assistance office locator for all branches of the Armed Forces is available at <http://legalassistance.law.af.mil/content/locator.php>. "Military OneSource" is the U.S. Department of Defense's information resource.

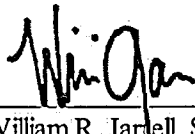
If you are listed as entitled to legal protections under the SCRA, please go to www.militaryonesource.com/scra or call 1(800) 342-9647 (toll free from the United States) for more information. Dialing instructions for areas outside the United States are provided at the website.

If you are a protected servicemember, or a dependent of a protected servicemember, please contact our firm immediately to discuss your status under the SCRA, at the following phone number (858) 750-7600.

For all other questions, please contact our firm at (858) 750-7600.

Respectfully,

Aldridge Pite, LLP



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