

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

FORECLOSURE SALE DEED

(With attached Affidavit and Notice of Foreclosure Sale for recording as one document)

Deed of Trust Date: October 20, 2006

Grantor(s): GILBERTO A. ACUNA AND ETTA R. ACUNA

Original Mortgagee: ACCESS REVERSE MORTGAGE OF HOUSTON

Current Mortgagee: Reverse Mortgage Funding LLC

Recording Information: Recorded 10/27/2006 in Document 20060155296 of the real property records of Harris County, Texas.

Property Legal Description: SEE EXHIBIT A

Date of Sale: 10/04/2022 **Time of Sale:** 1:25 PM

Place of Sale: 11,681 Square Feet area of covered concrete, being a 13,979 Square Feet area of covered concrete under the Bayou City Event Center Pavilion, save and except a 2,298 Square Feet Concession and Restroom area under said Pavilion, or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner's Court

Buyer: REVERSE MORTGAGE FUNDING LLC
Buyer's Mailing Address: C/O REVERSE MORTGAGE FUNDING, LLC
3900 CAPITAL CITY BLVD.
LANSING, MI 48906

Amount of Sale: \$161,922.69

By Deed of Trust, Grantor conveyed to TOMMY BASTIAN, as Trustee, certain property for the purpose of securing and enforcing payment of the indebtedness and obligations therein described, including but not limited to the Note and all renewals and extensions of the note. AVT TITLE SERVICES, LLC was appointed Substitute Trustees per the terms of the Deed of Trust and Texas Property Code Sections 51.0075 and 51.0076 and was requested to enforce the trust Reverse Mortgage Funding LLC, the current mortgagee of the Deed of Trust, who requested AVT TITLE SERVICES, LLC, as Substitute Trustee, to enforce the trust of the Deed of Trust.

Pursuant to the requirements of the Deed of Trust and the laws of the state of Texas, Reverse Mortgage Funding LLC obtained an Order from the 270th District Court of Harris County on 08/15/2022 under Cause No. 202233293. A copy of the Order is attached hereto. Thereafter, written notice of the time, place, date, and terms of the public foreclosure sale of the Property was posted at the courthouse of Harris County, Texas, the county in which the Property is situated, and a copy of the notice was also filed with the county clerk of Harris County, Texas, each notice having been posted and filed for at least twenty-one days preceding the date of the foreclosure sale. Written notice of the time, date, place, and terms of the foreclosure sale was served on behalf of the current Mortgagee by certified mail on each debtor who, according to the records of the

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current Mortgagee, is obligated to pay any of the indebtedness and obligations. The certified-mail notices were timely sent by depositing the notices in the United States mail, postage prepaid in proper amount, and addressed to each debtor at the debtor's last known address as shown by the records of the current Mortgagee at least twenty-one days preceding the date of the foreclosure. Written notice of default and of the opportunity to cure the default to avoid acceleration of the maturity of the note was served on behalf of the current Mortgagee by certified mail on each debtor who, according to the records of the current Mortgagee, is obligated to pay any of the indebtedness and obligations. The certified-mail notices were timely sent by depositing the notices in the United States mail, postage prepaid in proper amount, and addressed to each debtor at the debtor's last known address as shown by the records of the current Mortgagee at least thirty days preceding the date of the acceleration of the maturity of the note and the posting of the mortgaged Property for foreclosure.

In consideration of the premises and of the bid and payment of the amount of \$161,922.69, the highest bid by Buyer, I, as Substitute Trustee, by virtue of the authority conferred on me in the Deed of Trust, have GRANTED, SOLD, and CONVEYED all of the Property to Buyer and Buyer's heirs and assigns, to have and to hold the Property, together with the rights, privileges, and appurtenances thereto belonging unto Buyer and Buyer's heirs and assigns forever. I, as the Substitute Trustee, do hereby bind Grantor and Grantor's heirs and assigns to WARRANT and FOREVER DEFEND the Property to Buyer and Buyer's heirs and assigns forever, against the claim or claims of all persons claiming the same or any part thereof.

Executed on 6th day of October, 2022.

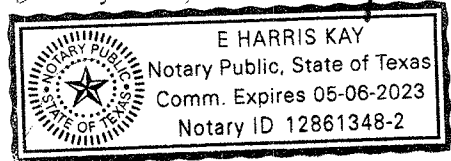
NAME: Keller Mackie
AUTHORIZED AGENT FOR AVT TITLE SERVICES, LLC

STATE OF TEXAS §
COUNTY OF DALLAS §

BEFORE ME, the undersigned authority, on this day personally appeared Keller Mackie, as authorized agent for the Substitute Trustee, known to me to be the person whose name is subscribed to the foregoing instrument, and who acknowledged to me that he/she executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

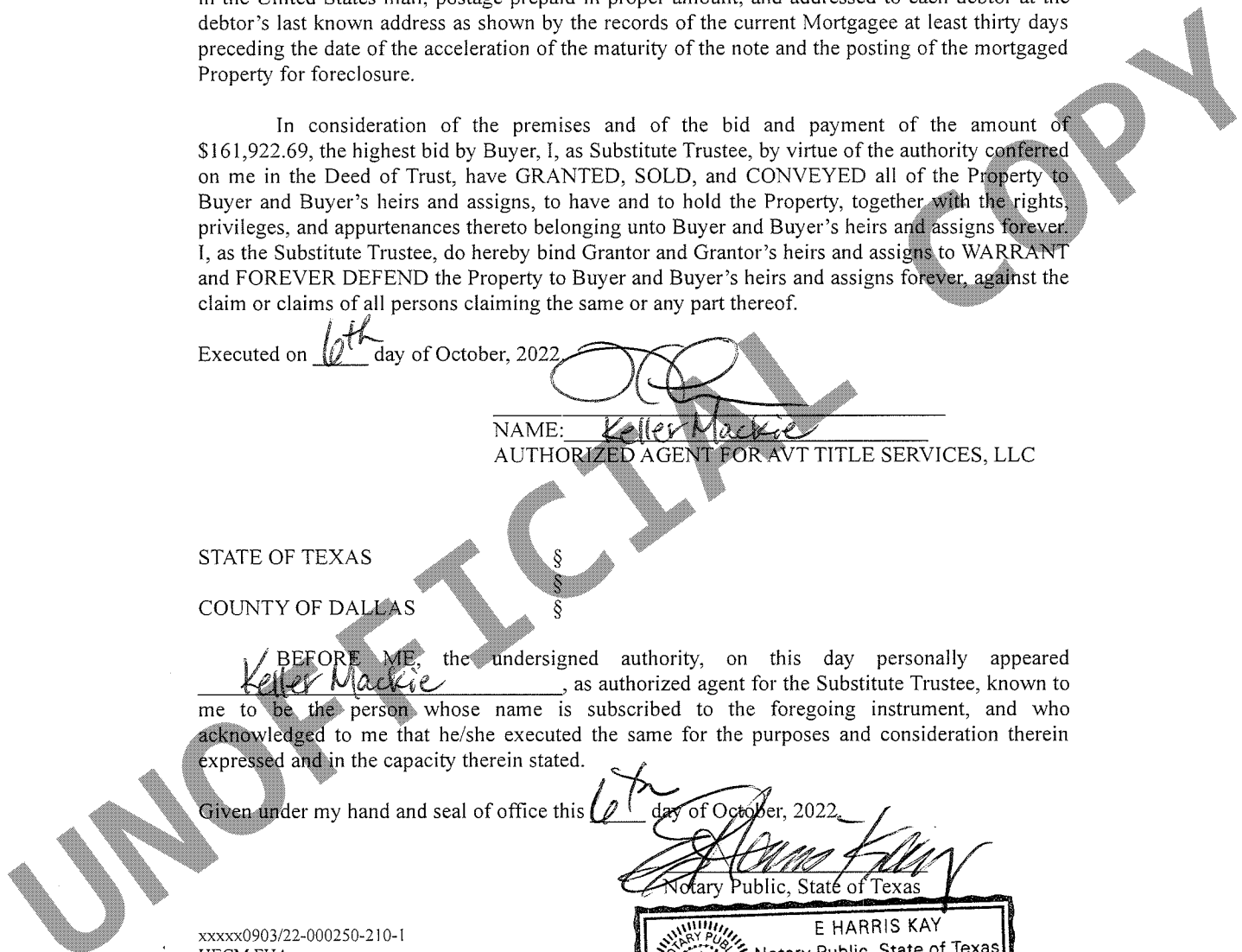
Given under my hand and seal of office this 6th day of October, 2022.

E Harris Kay
Notary Public, State of Texas



xxxxx0903/22-000250-210-1
HECM FHA
AFTER RECORDATION RETURN TO:
Mackie Wolf Zientz & Mann, P.C.
Parkway Office Center, Suite 900
14160 Dallas Parkway
Dallas, Texas 75254

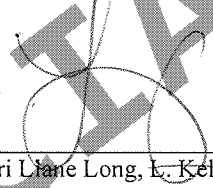
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AFFIDAVIT

BEFORE ME, the undersigned on this day personally appeared Lori Liane Long, ~~L. Keller Mackie, Brandon Wolf, Chelsea Schneider, Ester Gonzales, Karla Balli~~ and after being duly sworn, deposed and states under oath, as follows:

1. I am over the age of eighteen (18), have not been convicted of a crime of moral turpitude and have personal knowledge of the facts contained in this affidavit.
2. All notices required pursuant to the terms of the Deed of Trust and Texas Property Code Section 51.002(b) and (d) were provided to the debtors.
3. In accordance with Texas Property Code Section 51.002, the Notice of Sale was posted at least twenty-one (21) days prior to the date of sale at the proper location designated by the County Commissioner's Court. Additionally, a copy of the Notice of Sale was filed at least twenty-one (21) days prior to the date of sale in the office of the County Clerk of the county in which the sale occurred.
4. At this time of the Foreclosure Sale and twelve (12) months prior to the sale, the debtors were not in the armed services of the United States of America.
5. At the time of the Foreclosure Sale the debtor, GILBERTO A. ACUNA, was deceased on or about 7/3/2020; and the debtor, ETTA R. ACUNA, was alive, was not protected by any stay under the United States Bankruptcy Code and were not involved in any divorce proceedings where a receiver had been appointed.

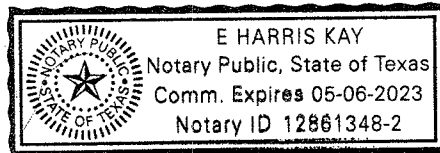

Lori Liane Long, ~~L. Keller Mackie, Brandon Wolf, Chelsea Schneider, Ester Gonzales, Karla Balli~~

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

SUBSCRIBED AND SWORN TO before me by Lori Liane Long, ~~L. Keller Mackie, Brandon Wolf, Chelsea Schneider, Ester Gonzales, Karla Balli~~ on this 7th day of October, 2022.


Notary Public, State of Texas

MWZM#: 22-000250-210-1
Property Address: 4605 SIEGEL ST, HOUSTON, TX 77009



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EXHIBIT A

LOT FOURTEEN (14), BLOCK SEVENTY-SEVEN (77), OF IRVINGTON
ADDITION TO THE CITY OF HOUSTON, HARRIS COUNTY, TEXAS, AS
PER MAP OR PLAT THEREOF RECORDED IN VOLUME 56, PAGE 53, OF
THE DEED RECORDS OF HARRIS COUNTY, TEXAS.

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7/27/2022 2:30:26 PM
Marilyn Burgess - District Clerk
Harris County
Envelope No: 66726183
By: PENA, RACHEL
Filed: 7/27/2022 2:30:26 PM

Pgs-2

CAUSE NO. 202233293

**IN RE: ORDER FOR FORECLOSURE
CONCERNING 4605 SIEGEL ST
HOUSTON, TX 77009 UNDER TEX. R. CIV.
PROC. 736**

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IN THE DISTRICT COURT OF

5E

PETITIONER:

REVERSE MORTGAGE FUNDING LLC

HARRIS COUNTY, TEXAS

RESPONDENT(S):

GILBERTO A. ACUNA AND ETTA R. ACUNA

270th JUDICIAL DISTRICT__

DEFAULT ORDER

1. On this date the Court considered Petitioner's Motion for Default Order granting its application for an expedited order under Rule 736. Petitioner's application complies with the requirements of Texas Rule of Civil Procedure 736.1.

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

**GILBERTO A. ACUNA
4605 SIEGEL ST
HOUSTON, TX 77009**

**ETTA R. ACUNA
4605 SIEGEL ST
HOUSTON, TX 77009**

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

3. The Property that is the subject of this foreclosure proceeding is commonly known as 4605 SIEGEL ST, HOUSTON, TX 77009 with the following legal description:

**LOT FOURTEEN (14), BLOCK SEVENTY-SEVEN (77), OF IRVINGTON
ADDITION TO THE CITY OF HOUSTON, HARRIS COUNTY, TEXAS, AS PER
MAP OR PLAT THEREOF RECORDED IN VOLUME 56, PAGE 53, OF THE
DEED RECORDS OF HARRIS COUNTY, TEXAS.**

4. The lien sought to be foreclosed is indexed or recorded at Document 20060155296 and recorded in the real property records of Harris County, Texas.

5. 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.

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6. Based on the affidavit of Petitioner, no Respondent subject to this order is protected from foreclosure by the Servicemembers Civil Relief Act, 50 U.S.C. App § 501 et seq.
7. Therefore, the Court grants Petitioner's motion for a default order under Texas Rules of Civil Procedure 736.7 and 736.8. Petitioner may proceed with foreclosure of the property described above in accordance with applicable law and the loan agreement sought to be foreclosed.
8. 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: _____
8/15/2022
12:21 PM
JUDGE PRESIDING

Approved and Entry Requested:

/s/ Ester Gonzales
MACKIE WOLF ZIENTZ & MANN, P.C.
Ester Gonzales
Attorney, State Bar No. 24012708
egonzales@mwzmlaw.com
Parkway Office Center, Suite 900
14160 Dallas Parkway
Dallas, TX 75254
(214) 635-2650 (Phone)
(214) 635-2686 (Fax)

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TENESHIA HUDSPETH, COUNTY CLERK, HARRIS COUNTY, TEXAS

FRCL-2022-4301

FILED 8/25/2022 10:39:37 AM

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 FOURTEEN (14), BLOCK SEVENTY-SEVEN (77), OF IRVINGTON ADDITION TO THE CITY OF HOUSTON, HARRIS COUNTY, TEXAS, AS PER MAP OR PLAT THEREOF RECORDED IN VOLUME 56, PAGE 31, OF THE DEED RECORDS OF HARRIS COUNTY, TEXAS.

2. Instrument to be Foreclosed. The instrument to be foreclosed is the Deed of Trust dated 10/20/2006 and recorded in Document 20060155296 real property records of Harris County, Texas.

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

Date: 10/04/2022
Time: 12:00 PM
Place: Harris County, Texas at the following location: 11,681 Square Feet area of covered concrete, being a 13,979 Square Feet area of covered concrete under the Bayou City Event Center Pavilion, save and except a 2,294 Square Feet Concession and Restroom area under said Pavilion, or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner's Court 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 GILBERTO A. ACUNA AND ETTA R. ACUNA, provides that it secures the payment of the indebtedness in the original principal amount of \$198,000.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. Reverse Mortgage Funding LLC is the current mortgagee of the note and deed of trust and REVERSE MORTGAGE FUNDING, LLC is mortgage servicer. A servicing agreement between the mortgagee, whose address is Reverse Mortgage Funding LLC c/o REVERSE MORTGAGE FUNDING, LLC, 3900 Capital City Blvd., Lansing, MI 48906 and the mortgage servicer and Texas Property Code § 51.0025 authorizes the mortgage servicer to collect the debt.

6. Order to Foreclose. Reverse Mortgage Funding LLC obtained a Order from the 270th District Court of Harris County on 08/15/2022 under Cause No. 202233293. The mortgagee has requested a Substitute Trustee conduct this sale pursuant to the Court's Order.

7. 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 AVT Title Services, LLC, located at 5177 Rickmond Avenue Suite 1230, Houston, TX 77056, 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
Michael Zientz, Attorney at Law
Vori Liene Long, Attorney at Law
Chelsea Schneider, Attorney at Law
Ester Gonzalez, Attorney at Law
Karia Balli, Attorney at Law
Parkway Office Center, Suite 900
14160 Dallas Parkway
Dallas, TX 75254

Certificate of Posting

I am SANDY DASIGENIS whose address is c/o AVT Title Services, LLC, 5177 Richmond Avenue, Suite 1230, Houston, TX 77056. I declare under penalty of perjury that on 8/25/22 I filed this Notice of Foreclosure Sale at the office of the Harris County Clerk and caused it to be posted at the location directed by the Harris County Commissioners Court.

22-030259-210-1 // 4605 STEGEL ST, HOUSTON, TX 771
4758097

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Pages 8
10/12/2022 08:48 AM
e-Filed & e-Recorded in the
Official Public Records of
HARRIS COUNTY
TENESHIA HUDSPETH
COUNTY CLERK
Fees \$42.00

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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

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