

## INSTRUMENT STRIKING VOID RELEASE OF LIEN

As Reflected in the **ORDER GRANTING RECEIVER'S MOTION FOR ENFORCEMENT BY CONTEMPT, ORDER OF RESTITUTION AGAINST DEBTORS IN RECEIVERSHIP AND OTHER RELIEF & FINDINGS OF FACT REGARDING DAMAGES PROXIMATELY CAUSED BY THE ERRORS AND OMISSION OF NOTARY, (the Order)**, rendered by the County Civil Court at Law No. One (1) of Harris County, Texas on August 20, 2019, in Cause No. 1092965, the Court found that an attempted release of lien purportedly executed by Debtor In Receivership Alan Whitelaw on behalf of Debtor in Receivership Hempstead Homes, LLC, was in all respects, **VOID**. Further, the Void release was filed while both debtors, Alan Whitelaw and Hempstead Home, LLC were in a post-judgment receivership, and the Benefits and Security Interest in the Deed of Trust which debtors attempted to release *were in custodia legis*.

The Court rendered an Original Order Granting Turnover & Appointing Receiver on March 27, 2018. The Court Substituted Jon Malone in place of the existing Receiver November 15, 2018.

The **Order** authorizes Receiver to take all actions and to file all necessary corrective documents in the Harris County Real Property Records to **Void the Fraudulent Release**.

**THE RELEASE OF LIEN** bearing recorders file stamp number **RP 2016-268170**, is **NULL AND VOID**, and, **STRICKEN** from the Real Property Records of Harris County Texas, upon the filing of this instrument by Jon Malone, Court Receiver

The all benefits under the Deed of Trust, including the secured real estate, is an asset of the Receivership *held in custodia legis*, under the administration of the Receiver and the Appointing Court. The lien is fully enforceable *only by the Receiver*.

The Deed of Trust Creating the Lien bears recorders number RP-2016-325235, and is was filed in the Harris County Real Property Records on July 26, 2016. It is further described as follows:

**The Grantor:** Adelakum Martin,  
607 Beechbend Drive  
Missouri City, Texas 77489

**Principal Due;** \$1,000,000.00.

**Substitute Trustee:** Jon Malone,  
Solely in the Capacity as Court Appointed Receiver

**LEGAL DESCRIPTION:** Tract 5A, Abstract 51 L Moore  
commonly known as 5105 Griggs Road, Houston,  
Harris County, Texas 77021

EXECUTED on this the 3<sup>rd</sup> Day of September 2019.

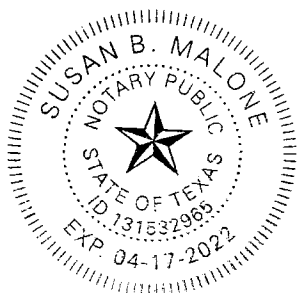


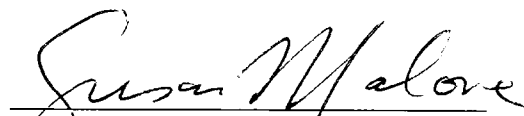
Jon Malone  
Solely in the Capacity of Court Appointed Receiver

State of Texas §  
County of Harris §

“Before me, the undersigned Notary Public, on this day personally appeared Jon Malone, solely in the capacity as Court Appointed Receiver, known to me to be the person whose name is subscribed to the foregoing instrument and, under oath, he acknowledged to me that he executed the same for the purposes and consideration therein expressed”

“Given under my hand and seal of office this 3 day of Sept, 2019.”



  
Notary Public, State of Texas

RP-2019-391380

UNOFFICIAL COPY

RP-2019-391380  
# Pages 3  
09/04/2019 11:42 AM  
e-Filed & e-Recorded in the  
Official Public Records of  
HARRIS COUNTY  
DIANE TRAUTMAN  
COUNTY CLERK  
Fees \$20.00

UNOFFICIAL COPY

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

RP-2019-391380