

LLC;

- (c) Party(s) obligated to pay the lien: DAVID A HUMMEL,
 - (d) Party(s) who is(are) a mortgagor(s) of the lien sought to be foreclosed but is(are) not a maker or assumer of the underlying debt: DIANA L HUMMEL,
 - (e) At the time of filing this Application, the loan agreement was due for the 02/01/2013 payment and as of 12/13/2013 was 11 months in default. As of 12/13/2013, the amount owed to cure the default was \$8,959.60, and the amount owed to pay off the lien was \$129,516.76;
 - (f) The requisite notices to cure the default and accelerate the maturity of the debt under the security instrument, *Tex. Prop. Code § 51 002*, and applicable law have been given to each person, and the opportunity to cure has expired; and
 - (g) Prior to filing this Application, all actions required by applicable law and the lien sought to be foreclosed have been performed
3. The mailing address of the property sought to be foreclosed is 22314 SMOKEY HILL DRIVE, KATY, TX 77450 ("Property") and is more particularly described, to-wit:

LOT 23, IN BLOCK 10, OF CIMARRON, SECTION THREE (3), A SUBDIVISION IN HARRIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 238, PAGE 17 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS.

4. Respondent(s) DAVID A. HUMMEL AND DIANA L. HUMMEL are subject to this Order, and their last known address is:

DAVID A. HUMMEL 22314 SMOKEY HILL DRIVE KATY, TX 77450	DIANA L. HUMMEL 22314 SMOKEY HILL DRIVE KATY, TX 77450
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5. The security instrument encumbering the Property is recorded in the official real property of HARRIS County, Texas at Document 20070163089 where all or part of the Property is located.

The Court further finds that the Application complies with *Tex. R. Civ. P. 736*, that the Application has been properly served in accordance with *Tex. R. Civ. P. 736.3*, that in accordance with *Tex. R. Civ. P. 736.7(c)*, the required 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 Petitioner has proved the elements of *Tex. R. Civ. P. 736.1(d)*, that Petitioner has appointed ANTHONY D. CARIDI, GREGORY CARIDI, CRYSTAL ARSIAGA, GILBERT ARSIAGA, MICHAEL ZIENTZ, KENDRA WILEY OR WES WEBB or their successor, as the substitute trustee to conduct the foreclosure contemplated by this proceeding, and that Petitioner may proceed with foreclosure of the secured Property according to the terms of the security instrument, *Tex*

Prop. Code § 51.002 and applicable law in accordance with Tex R Civ P 736.9

IT IS THEREFORE ORDERED that the Petitioner may proceed with a foreclosure sale under the terms of the security instrument, *Tex Prop. Code § 51.002* and applicable law with respect to the secured Property made the subject of this proceeding.

IT IS FURTHER ORDERED that a copy of this Order shall be sent to DAVID A HUMMEL AND DIANA L. HUMMEL ("Respondent(s)") with the notice of the date, time and place of the foreclosure sale; and

IT IS FURTHER ORDERED that Petitioner may communicate with the Respondent(s) and all third parties reasonably necessary to conduct the foreclosure sale; and

IT IS FURTHER ORDERED that if Respondent is represented by counsel, the notice of foreclosure sale shall also be mailed to counsel by certified mail.

This Order is not appealable pursuant to *Tex R. Civ. P. 736.8(c)*.

SIGNED this _____ day of **APR - 3 2014** 2014



JUDGE PRESIDING

Approved and Entry Requested:


MACKIE WOLF ZIENTZ & MANN, P.C.

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