

Cause No. 202007942

|                              |   |                                    |
|------------------------------|---|------------------------------------|
| IN RE: ORDER FOR FORECLOSURE | § | IN THE DISTRICT COURT FOR          |
| CONCERNING                   | § |                                    |
| 8824 BISSONNET STREET        | § |                                    |
| HOUSTON, TEXAS 77074         | § |                                    |
|                              | § | HARRIS COUNTY, TEXAS               |
| PETITIONER:                  | § |                                    |
|                              | § |                                    |
| BRAEBURN PLAZA, INC.         | § |                                    |
|                              | § |                                    |
| RESPONDENT(S):               | § |                                    |
|                              | § |                                    |
| GUSTAVO GILES-FLORES         | § | 55 <sup>TH</sup> JUDICIAL DISTRICT |

~~DEFAULT ORDER~~

1. On this day, the Court considered Petitioner's Motion for a ~~Default~~ Order granting Petitioner's Application for an Expedited Order Under Rule 736 on a property owners association assessment ("Application"). 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 Gustavo Giles-Flores, 8824 Bissonnet Street, Houston, Texas 77074. 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 8824 Bissonnet Street, Houston, Texas 77074 with the following legal description:

Lot 22, Block 1, BRAEBURN PLAZA TOWNHOUSES, according to the map or plat thereof recorded in Volume 161, Page 77, of the Map Records of Harris County, Texas (collectively the "Property").

4. The type of lien sought to be foreclosed is a property owners' association assessment lien under section 209.0092 of the Property Code and Rule 735 and 736 of the Texas Rules of Civil

Procedure. The lien and the power of sale are created by that certain Declaration of Covenants, Conditions and Restrictions recorded under Document No. D149930 in the Official Public Records of Harris County, Texas, Amendment to Declaration of Covenants, Conditions and Restrictions recorded under Document No. D157553 I the Official Public Records of Harris County, Texas, Amendment to Declaration of Covenants, Conditions and Restrictions Braeburn Plaza Townhouse Subdivision recorded under Document No. J995325 of the Official Public Records of Harris County, Texas, and Amendment to Declarations of Covenants, Conditions and Restrictions Braeburn Plaza Townhouse Subdivision recorded under Document No. R681847 in the Official Public Records of Harris County, Texas (the "Declaration").

5. The material facts establishing Respondents' default are alleged in Petitioner's application and the supporting affidavit(s) and the affidavit attached to the Motion for Entry of Default and for Order Authorizing Foreclosure. Those facts are adopted by the court and incorporated by reference in this order.

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 Application for Expedited 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 lien 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 Rules of Civil Procedure 736.11.

SIGNED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

Signed:  
9/27/2021



JUDGE PRESIDING

APPROVED AS TO FORM:



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Gregory P. Crinion

State Bar No. 05079740

ATTORNEY FOR PETITIONER

Unofficial Copy Office of Marilyn Burgess District Clerk