

2223 AVENUE K  
GALVESTON, TX 77550


BDFTE No: 00000006216030

**AFFIDAVIT OF NOTICE OF RESCISSION FOR FORECLOSURE SALE**

BEFORE ME, the undersigned authority on this day personally appeared Ryan Bourgeois, known to me, who upon oath administered by me deposed and stated:

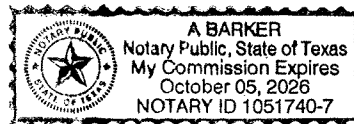
1. "My Name is Ryan Bourgeois, I am over the age of 21 years, fully competent, and duly authorized to make this Affidavit. I am a representative of the law firm Barrett Daffin Frappier Turner & Engel, LLP, ("BDFTE") in connection with the administration of foreclosure of that certain Deed of Trust or Security Instrument ("Deed of Trust") described in the attached Notice of Rescission of Foreclosure Sale.
2. I am making this affidavit based upon certain records maintained within the firm's files in the regular course of its business, which may include images of notices, certified mail forms, Substitute Trustee's Deed, title searches, and other documents and records obtained and maintained in the usual course of business. Together with my general knowledge of mortgage servicer practices for referring foreclosure matters to BDFTE, the statements and information shown in these records form the basis for the following statements made in this affidavit, which to the best of my knowledge and belief are true and correct.
3. The foreclosure sale referenced in the attached Notice of Rescission of Foreclosure Sale was rescinded in accordance with Texas Property Code Section 51.016. On June 05, 2024 BDFTE mailed the attached Notice of Rescission of Foreclosure Sale.

Further Affiant sayeth not.

  
\_\_\_\_\_  
Ryan Bourgeois

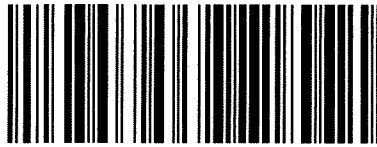
SUBSCRIBED AND SWORN TO BEFORE ME on June 10, 2024 by Ryan Bourgeois.

  
\_\_\_\_\_  
Notary Public – State of Texas



Return to:  
Barrett Daffin Frappier Turner & Engel, LLP  
Attn.: GCG  
4004 BELT LINE ROAD, SUITE 100  
ADDISON, TEXAS 75001

**Barrett Daffin Frappier  
Turner & Engel, LLP**  
4004 Belt Line Road  
Suite 100  
Addison, TX 75001



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GFF TEXAS HOLDINGS, LLC  
12505 MEMORIAL DRIVE, STE 330  
HOUSTON, TEXAS 77024

**IMPORTANT INFORMATION IS CONTAINED  
WITHIN THE ATTACHED NOTICE.**

**PLEASE READ CAREFULLY**

**BARRETT DAFFIN FRAPPIER TURNER & ENGEL, LLP  
IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A  
DEBT. ANY INFORMATION OBTAINED WILL BE USED  
FOR THAT PURPOSE.**

01 02 TX N 02

HP

**BARRETT DAFFIN FRAPPIER  
TURNER & ENGEL, LLP**

A PARTNERSHIP INCLUDING  
PROFESSIONAL CORPORATIONS

ATTORNEYS AND COUNSELORS AT LAW

4004 BELT LINE ROAD, SUITE 100  
ADDISON, TEXAS 75001  
TELEPHONE: (972) 386-5040  
TELECOPIER: (972) 386-7673

**June 5, 2024**

**Re: NOTICE OF RESCISSION OF FORECLOSURE SALE**

Property: 2223 AVENUE K  
GALVESTON, TX 77550  
BDFTE No: 00000006216030  
Mortgage Servicer: NEWREZ LLC d/b/a SHELLPOINT MORTGAGE SERVICING

**PLEASE BE ADVISED THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE**

Barrett Daffin Frappier Turner & Engel, LLP. (“BDFTE”) represents NEWREZ LLC d/b/a SHELLPOINT MORTGAGE SERVICING which is the Mortgage Servicer for US BANK TRUST NATIONAL ASSOCIATION, NOT IN ITS INDIVIDUAL CAPACITY BUT SOLELY AS OWNER TRUSTEE FOR VRMTG ASSET TRUST the Mortgagee in connection with the administration of foreclosure of that certain Deed of Trust or Security Instrument (“Deed of Trust”) dated January 09, 2004, recorded in CLERK'S FILE NO. 2004003218, Real Property Records, GALVESTON County, TEXAS, executed by DONNA LEE KEATON, SINGLE (“Grantor”) with respect to the following described property (the “Property”):

**LOT TWO (2), IN BLOCK EIGHTY-TWO (82), IN THE CITY AND COUNTY OF GALVESTON, TEXAS**

The Property was posted for foreclosure sale to occur on June 04, 2024, and the Substitute Trustee at the instruction and on behalf of the Mortgage Servicer conducted a foreclosure sale whereby the Property was sold to GFF TEXAS HOLDINGS, LLC (“Buyer”).

This letter is formal notice that the above referenced foreclosure sale is being rescinded in accordance with Texas Property Code Section 51.016. The sale is being rescinded as

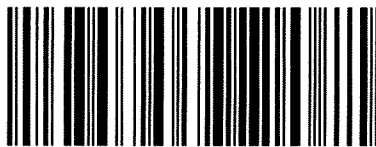
**at the time of the sale, a court-ordered or automatic stay of the sale imposed**

**in a bankruptcy case filed by a person with an interest in the property was in effect.**

A substitute trustee's deed has not been recorded in relation to the subject foreclosure sale. Please contact our office should you have any questions.

/s/ Israel Saucedo  
**Israel Saucedo**

**Barrett Daffin Frappier  
Turner & Engel, LLP**  
4004 Belt Line Road  
Suite 100  
Addison, TX 75001



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DONNA LEE KEATON  
C/O JOHN ERNEST SMITH  
C/O JOHN E SMITH & ASSOCIATES  
907 S FRIENDSWOOD DR STE 204  
FRIENDSWOOD, TEXAS 77546

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4004 BELT LINE ROAD, SUITE 100  
ADDISON, TEXAS 75001  
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**June 5, 2024**

Re: **NOTICE OF RESCISSION OF FORECLOSURE SALE**

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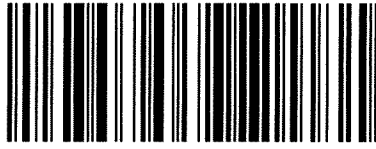
This letter is formal notice that the above referenced foreclosure sale is being rescinded in accordance with Texas Property Code Section 51.016. The sale is being rescinded as

**at the time of the sale, a court-ordered or automatic stay of the sale imposed in a bankruptcy case filed by a person with an interest in the property was in effect.**

A substitute trustee's deed has not been recorded in relation to the subject foreclosure sale. Please contact our office should you have any questions.

/s/ Israel Saucedo  
**Israel Saucedo**

**Barrett Daffin Frappier  
Turner & Engel, LLP**  
4004 Belt Line Road  
Suite 100  
Addison, TX 75001



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00000006216030 06/05/2024

DONNA LEE KEATON  
C/O ROBERT C. VILT, VILT LAW, P.C.  
5177 RICHMOND AVE., STE. 1142  
HOUSTON, TEXAS 77056

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HP



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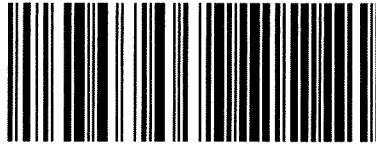
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A substitute trustee's deed has not been recorded in relation to the subject foreclosure sale. Please contact our office should you have any questions.

/s/ Israel Saucedo  
**Israel Saucedo**

**Barrett Daffin Frappier  
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4004 Belt Line Road  
Suite 100  
Addison, TX 75001



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00000006216030 06/05/2024

DONNA LEE KEATON  
173 THORNTREE PASS  
POWDER SPGS, GEORGIA 30127

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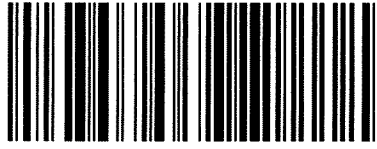
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/s/ Israel Saucedo

**Israel Saucedo**

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/s/ Israel Saucedo  
**Israel Saucedo**



**AFFIDAVIT OF RETURN OF FORECLOSURE BID FUNDS FOR RESCINDED  
NON-JUDICIAL FORECLOSURE SALE**

BEFORE ME, the undersigned authority on this day personally appeared Melissa McQuillen, known to me, who upon oath administered by me deposed and stated:

1. "My Name is Melissa McQuillen. I am over the age of 21 years, fully competent, and duly authorized to make this Affidavit. I am a representative of the law firm Barrett Daffin Frappier Turner & Engel, LLP, LLP ("BDFTE") in connection with the administration of foreclosure of that certain Deed of Trust or Security Instrument ("Deed of Trust") dated January 09, 2004, recorded in CLERK'S FILE NO. 2004003218, Real Property Records, GALVESTON County, TEXAS, executed by DONNA LEE KEATON, SINGLE ("Grantor") with respect to the following described property (the "Property"):

**LOT TWO (2), IN BLOCK EIGHTY-TWO (82), IN THE CITY AND COUNTY OF  
GALVESTON, TEXAS**

2. I am making this affidavit based upon certain records maintained within the firm's files in the regular course of its business, which may include images of notices, certified mail forms, Substitute Trustee's Deed, title searches, and other documents and records obtained and maintained in the usual course of business. Together with my general knowledge of mortgage servicer practices for referring foreclosure matters to BDFTE, the statements and information shown in these records form the basis for the following statements made in this affidavit, which to the best of my knowledge and belief are true and correct.
3. BDFTE represents NEWREZ LLC d/b/a SHELLPOINT MORTGAGE SERVICING which is the Mortgage Servicer for US BANK TRUST NATIONAL ASSOCIATION, NOT IN ITS INDIVIDUAL CAPACITY BUT SOLELY AS OWNER TRUSTEE FOR VRMTG ASSET TRUST the Mortgagee concerning the debt evidenced by the Deed of Trust.
4. The Mortgagee through its Mortgage Servicer declared that the Grantor defaulted in performing the obligations of the Deed of Trust, the Property was posted for foreclosure sale to occur on June 04, 2024, and CHRIS POSTON, a Substitute Trustee, at the instruction and on behalf of the Mortgage Servicer conducted a foreclosure sale whereby the Property was sold to GFF TEXAS HOLDINGS, LLC ("Buyer").

5. The above referenced foreclosure sale was rescinded in accordance with Texas Property Code Section 51.016. On June 07, 2024, at the request of the Mortgagee, Trustee or Substitute Trustee, BDFTE returned the bid amount and any additional amounts still in our possession of \$380,000.00 to the Buyer via:

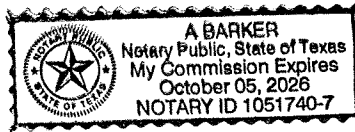
FedEx #7767 6071 5916

Further Affiant sayeth not.

Melissa McQuillen  
Melissa McQuillen

SUBSCRIBED AND SWORN TO BEFORE ME on this 10<sup>th</sup> day of June, 2024, by Melissa McQuillen.

A Barker  
Notary Public - State of Texas



Return to:  
Barrett Daffin Frappier Turner & Engel, LLP  
Attn.: GCG  
4004 BELT LINE ROAD, SUITE 100  
ADDISON, TEXAS 75001

## FILED AND RECORDED

Instrument Number: 2024026265

Recording Fee: 93.00

Number Of Pages: 19

Filing and Recording Date: 06/12/2024 8:57AM

I hereby certify that this instrument was FILED on the date and time stamped hereon and RECORDED in the OFFICIAL PUBLIC RECORDS of Galveston County, Texas.



A handwritten signature in black ink that reads "Dwight D. Sullivan". The signature is written in a cursive style and is positioned above a horizontal line.

Dwight D. Sullivan, County Clerk  
Galveston County, Texas

NOTICE: It is a crime to intentionally or knowingly file a fraudulent court record or instrument with the clerk.

**DO NOT DESTROY** - *Warning, this document is part of the Official Public Record.*