

CAUSE NO. 202368878

IN RE: ORDER FOR FORECLOSURE	§	IN THE DISTRICT COURT OF
CONCERNING	§	
	§	
15739 GRANITE MOUNTAIN TRAIL,	§	
HOUSTON, TEXAS 77049	§	
	§	
UNDER TEX. R. CIV. P. 736	§	HARRIS COUNTY, TEXAS
	§	
PETITIONER:	§	
CARPENTERS LANDING	§	
HOMEOWNERS ASSOCIATION, INC.	§	
	§	
RESPONDENT(S):	§	
ADINA L. AHRLETT	§	157 th JUDICIAL DISTRICT

PROPERTY OWNERS ASSOCIATION AGREED ORDER ON APPLICATION FOR EXPEDITED FORECLOSURE

On this date, the Court considered the Application for Property Owners Association Expedited Foreclosure Order ("Application") filed pursuant to Tex. R. Civ. P. 736 by CARPENTERS LANDING HOMEOWNERS ASSOCIATION, INC. ("Petitioner") in the above-entitled and numbered cause, and it having been demonstrated to the Court that Agreement has been reached between Petitioner and Respondent, ADINA L. AHRLETT, on the total amount due of \$7,077.52, whereby Respondent has agreed to make a down payment of \$3,400.00 by November 2, 2023 and monthly payments in the amount of \$612.92 by the 2nd day of each month beginning December 2, 2023 (the "Payment Plan"). If Respondent fails to pay the balance owed, the Petitioner will proceed with foreclosure proceedings. Thus, the Court is of the opinion and finds as follows:

1. The commonly known mailing address of the real property and improvements sought to be foreclosed is 15739 GRANITE MOUNTAIN TRAIL, HOUSTON, TEXAS 77049 ("Property"), and more particularly described as:

LOT 10, BLOCK "1", CARPENTERS LANDING, SECTION 1, A SUBDIVISION IN HARRIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED UNDER FILM CODE NO. 600167, OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS (the "Property").

2. The name and last known address of the Respondent subject to this Order is:

ADINA L. AHRLETT
15739 GRANITE MOUNTAIN TRAIL
HOUSTON, TEXAS 77049

3. The recording or indexing information for the lien to be foreclosed is:

Declaration of Covenants, Conditions and Restrictions recorded under File Clerk's No. Z336291 in the Official Public Records of Harris County, Texas, along with any amendments or supplements thereto.

4. The material facts establishing the basis for foreclosure are:

- a. Tex. R. Civ. P. 736.1(d)(3)(A): Petitioner is a Property Owners Association as defined in Tex. Prop. Code §209.002(7) and is the holder of a property owners association assessment lien under §209.0092 of the Tex. Prop. Code as reference by Tex. R. Civ. P. 735.1(c).
- b. Tex. R. Civ. P. 736.1(d)(3)(B): Petitioner is the Property Owners Association entitled to enforce collection of the amounts due, which amounts are secured by a continuing lien on Respondent's Property for which a power of sale is granted in favor of Petitioner.
- c. Tex. R. Civ. P. 736.1(d)(3)(C): The Respondent, ADINA L. AHRLETT, represents each and every person/entity obligated to pay the sums secured by the lien sought to be foreclosed.
- d. Tex. R. Civ. P. 736.1(d)(3)(D): There are no mortgagors or other persons or entities that are subject to the lien sought to be foreclosed that are not owners and named as Respondent herein.
- e. Tex. R. Civ. P. 736.1(d)(3)(E): A monetary default exists under the lien. As of October 27, 2023:
 - i. Respondent's account is 2 years in arrears (2022-2023), the number of remaining unpaid scheduled payments for annual assessments is 2 (*there are lienable charges that are not scheduled; the scheduled payments consist of annual assessments only*);
 - ii. The current amount owed to cure the default is \$7,077.52, plus future assessments, late charges, finance charges, related charges, and reasonable attorney's fees; and
 - iii. The total amount required to pay off the lien is \$7,077.52, plus future assessments, late charges, finance charges, related charges, and reasonable attorney's fees.
- f. Tex. R. Civ. P. 736.1(d)(3)(F): All conditions precedent related to Petitioner administering this foreclosure proceeding have been accomplished in accordance with the applicable law and lien. All required notices have been mailed to each Respondent and all other persons required by the law or lien. The opportunity to cure the default has expired.
- g. Tex. R. Civ. P. 736.1(d)(3)(G): Before the Application was filed, all other actions required under the applicable law and lien sought to be foreclosed were performed.

5. The Court further finds that this is an *in rem* proceeding; that the Application complies with Tex. R. Civ. P. 735 and 736; that in accordance with Rule 736.3(b)(1) and (2), a copy of the required Citation and 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 the Petitioner has proved the elements of Rule 736.1(d); that the Petitioner may proceed with foreclosure of the secured Property in accordance with the terms of the lien, Tex. Prop. Code §51.002 and applicable law; and that this Order is granted in accordance with Tex. R. Civ. P. 736.8.

IT IS THEREFORE ORDERED THAT:

The Petitioner may proceed with a foreclosure sale under the terms of the lien, Tex. Prop. Code §51.002, and applicable law with respect to the secured Property made the subject of this proceeding.

This Order is not appealable pursuant to Rule 736.8(c).

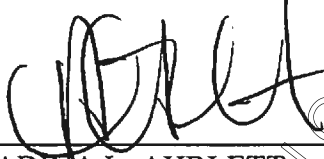
SIGNED this _____ day of _____ 2023.

Signed:
3/26/2024



JUDGE PRESIDING

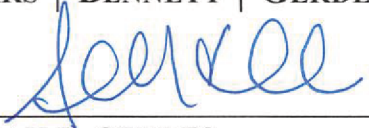
AGREED TO AS TO FORM AND CONTENT:



ADINA L. AHRLETT
15739 GRANITE MOUNTAIN TRAIL
HOUSTON, TEXAS 77049
Respondent

RESPECTFULLY SUBMITTED

SEARS | BENNETT | GERDES | LLP



SARAH B. GERDES

Texas State Bar No. 24067923

6548 Greatwood Pkwy.

Sugar Land, Texas 77479

Telephone: 713.782.1788

Facsimile: 713.782.1787

E-mail: Sarah@searsfirm.com

Attorney for Petitioner

Unofficial Copy Office of Marilyn Burgess District Clerk