

**NOTICE OF RESCISSION OF FORECLOSURE SALE  
PURSUANT TO TEXAS PROPERTY CODE 51.016**

<b>Deed of Trust Date:</b> December 18, 2003	<b>Foreclosure Sale Date:</b> October 02, 2018
<b>Original Grantor(s)/Mortgagor(s):</b> JAMES L. PEREIRA AND MIRIAM PEREIRA	<b>Sale Amount:</b> \$105,000.00
<b>Original Beneficiary/Mortgagee:</b> BANK OF AMERICA, N.A.	<b>Grantee Buyer:</b> ANA RIVERA 4915 BANTAM BROOK LN. HOUSTON, TX 77066
<b>Current Beneficiary/Mortgagee:</b> DITECH FINANCIAL LLC	
<b>Mortgage Servicer:</b> N/A	
<b>Property County:</b> HARRIS	<b>Trustee's Deed Dated:</b> N/A
<b>Recorded in:</b> Harris County Records <b>Volume:</b> N/A <b>Page:</b> N/A <b>Instrument No:</b> X283623	<b>Trustee's Deed Recording Information:</b> <b>Recorded:</b> N/A <b>Instrument No.:</b> N/A <b>Volume:</b> N/A <b>Page:</b> N/A

**Property Address/Mailing Address:** 910 VISTA BEND DR. HOUSTON, TX 77073

**Legal Description of Property:**

**LOT 23, IN BLOCK 3, OF NORTHVIEW PARK, SECTION FOUR (4), A SUBDIVISION IN HARRIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED AT FILM CODE NO. 516034 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS.**

**Pursuant to Texas Property Code Section 51.016:** The above-referenced foreclosure sale has been rescinded due to one of the following factors: (1) the statutory requirements for the sale were not satisfied, (2) the default leading to the sale was cured before the sale, (3) a receivership or dependent probate administration involving the property was pending at the time of the sale, (4) a condition specified in the conditions of sale prescribed by the trustee or the substitute trustee before the sale and made available in writing to prospective bidders at the sale was not met, (5) the mortgagee or mortgage servicer and the debtor agreed before the sale to cancel the sale based on an enforceable written agreement by the debtor to cure the default, or (6) 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.

By: DITECH FINANCIAL LLC by and through  
RAS Crane, LLC attorney for DITECH FINANCIAL LLC.



William Attmore



RP-2018-469360

COPY

ACKNOWLEDGMENT

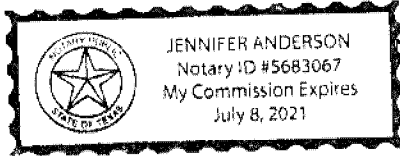
THE STATE OF TEXAS

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COUNTY OF TARRANT

Before me, the undersigned authority, on this day personally appeared William Attmore, who is a duly authorized employee of RAS Crane, LLC, on behalf of DITECH FINANCIAL LLC, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein expressed.

Given under my hand and seal of office this 12<sup>th</sup> day of OCTOBER, 2018.



*Jennifer Anderson*  
\_\_\_\_\_  
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

RP-2018-469360

UNOFFICIAL COPY

910 VISTA BEND DR  
HOUSTON, TX 77073

RAS Crane No: 18-195588 - JeA

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

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

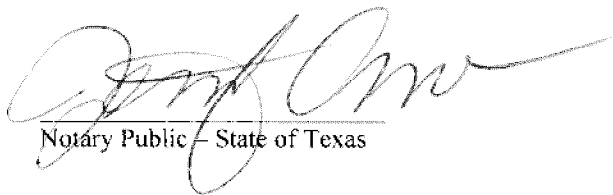
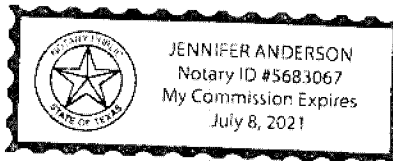
1. "My name is William Attmore. I am over the age of 21 years, fully competent, and duly authorized to make this affidavit. I am a representative of the law firm RAS Crane, LLC, in connection with the administration of foreclosure of that certain Deed of Trust or Security Instrument ("Deed of Trust") 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 or 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 RAS Crane, LLC, 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(b)(6). On OCTOBER 12, 2018, RAS Crane, LLC mailed the attached Notice of Rescission of Foreclosure Sale to JAMES PEREIRA and MIRIAM PEREIRA, mortgagors, and to the purchaser at the foreclosure sale, ANA RIVERA, at all known addresses for those parties.

Further affiant sayeth not.



William Attmore

SUBSCRIBED AND SWORN TO BEFORE ME on this 12<sup>th</sup> day of OCTOBER, 2018, by William Attmore.

  
Notary Public - State of Texas

RP-2018-469360

910 VISTA BEND DR  
HOUSTON, TX 77073

RAS Crane No: 18-195588 - JeA

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

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

1. My name is Jennifer Anderson. 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 RAS Crane, LLC in connection with the administration of the foreclosure of that certain Deed of Trust or Security Instrument ("Deed of Trust") dated December 18, 2003, recorded in recorded in CLERK'S FILE NO. X283623, Real Property Records, Harris County, Texas, executed by JAMES PEREIRA and MIRIAM PEREIRA ("Grantors") with respect to the following described property (the "Property") located at 910 VISTA BEND DR, HOUSTON, TX 77073.

LEGALLY DESCRIBED AS:

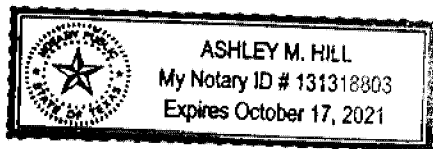
**LOT 23, IN BLOCK 3, OF NORTHVIEW PARK, SECTION FOUR (4), A SUBDIVISION IN HARRIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED AT FILM CODE NO. 516034 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS.**

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 foreclosures matters to RAS Crane, LLC, the statements and information shown in these records from the basis for the following statements made in this affidavit, which to the best of my knowledge and belief are true and correct.
3. RAS Crane, LLC represents DITECH FINANCIAL LLC, who is the Mortgagee concerning the debt evidenced by the Deed of Trust.
4. The Mortgagee declared that Grantor defaulted in performing the obligations of the Deed of Trust, the Property was posted for Foreclosure sale to occur on October 02, 2018, and WAYNE WHEAT, a Substitute Trustee, at the instruction and on behalf of the Mortgagee conducted a foreclosure sale whereby the Property was sold to ANA RIVERA ("Buyer").
5. The above referenced foreclosure sale was rescinded in accordance with Texas Property Code Section 51.016(b)(6). On OCTOBER 5, 2018, at the request of the Mortgagee, Trustee or Substitute Trustee, RAS Crane, LLC returned the bid amount of \$105,000.00 to the Buyer ("ANA RIVERA"), via UPS Tracking Number: 1Z 2Y4 F28 01 9836 7636.

Further Affiant sayeth not.

*Jennifer Anderson*  
Jennifer Anderson

SUBSCRIBED AND SWORN TO BEFORE ME on this 12<sup>th</sup> day of OCTOBER, 2018, by JENNIFER ANDERSON.



*Ashley Hill*  
Notary Public - State of TEXAS

NOTICE OF RESCISSION OF FORECLOSURE SALE  
PURSUANT TO TEXAS PROPERTY CODE 51.016  
18-195588 - JeA

RP-2018-469360

RP-2018-469360  
# Pages 5  
10/15/2018 10:10 AM  
e-Filed & e-Recorded in the  
Official Public Records of  
HARRIS COUNTY  
STAN STANART  
COUNTY CLERK  
Fees \$28.00

COPY UNOFFICIAL

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.



*Stan Stanart*

COUNTY CLERK  
HARRIS COUNTY, TEXAS

RP-2018-469360