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2024 APR 16 PM 12:41

NOTICE OF ASSESSMENT LIEN SALE

JOHN F. WARREN
COUNTY CLERK
DALLAS COUNTY
BY _____ DEPUTY

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

WHEREAS, on or about October 11, 2021, a Notice of Lien was filed in the Deed Records of Dallas County, Texas, covering the real property herein described concerning default in the payment of the indebtedness owing by Tyariel Pree and Tayloria Green, the present owners of said real property, to P Bluffs Homeowners Association, Inc. (the "Association"); and

WHEREAS, the said Tyariel Pree and Tayloria Green have continued to default in the payment of their indebtedness to the Association and the same is now wholly due, and the Association, acting by and through its duly authorized agent, intends to sell the herein described property to satisfy the present indebtedness of said owners to the Association;

NOW, THEREFORE, notice is hereby given that on Tuesday, May 7, 2024, between 10 o'clock a.m. and 4 o'clock p.m., the Association will sell said real estate Outside on the north side of the George Allen Courts Building facing Commerce Street below the overhang, Dallas County, Texas, Dallas County, Texas, to the highest bidder for cash, subject to all superior liens and encumbrances of record. The earliest time at which said sale will begin will be 12:00 o'clock noon, and the sale will take place not later than three (3) hours after that time.

Said real estate is described as follows:

Lot 157, Block 0, Pioneer Bluffs Phase One & Two, an Addition to the City of Balch Springs, Dallas County, Texas, according to Map or Plat thereof recorded in Volume 2004112, Page (S) 276, of the Map and/or Plat Records of Dallas County, Texas (2540 Cumberland Trail)

WITNESS my hand this 11th day of April, 2024

P BLUFFS HOMEOWNERS ASSOCIATION, INC.

By: [Signature]
Jason R. Reed, Substitute Trustee
Riddle & Williams, P.C.
3811 Turtle Creek Blvd, Suite 500
Dallas, Texas 75219

The within notice was posted by me on the 14 day of April, 2024, at the Dallas County Courthouse in Dallas, Texas.

[Signature]

CAUSE NO. DC-23-19544

IN RE: ORDER FOR FORECLOSURE
CONCERNING

2540 Cumberland Trail
Balch Springs, TX 75181

UNDER TEX. R. CIV. PROC. 736

AND TYARIEL PREE AND TAYLORIA
GREEN

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IN THE DISTRICT COURT OF

DALLAS COUNTY, TEXAS

193RD JUDICIAL DISTRICT

ORDER FOR FORECLOSURE

On November 15, 2023, the Application for Foreclosure under Tex. R. Civ. Proc. 736 in the above-entitled cause of action was presented to the Court. **P Bluffs Homeowners Association, Inc.** (the "Association"), Petitioner herein, seeks an order pursuant to Tex. R. Civ. Proc. 736 to foreclose the Association's assessment lien against 2540 Cumberland Trail, Balch Springs, Texas 75181, and further described as follows:

Lot 157, Block 0, Pioneer Bluffs Phase One & Two, an Addition to the City of Balch Springs, Dallas County, Texas, according to Map or Plat thereof recorded in Volume 2004112, Page (S) 276, of the Map and/or Plat Records of Dallas County, Texas (2540 Cumberland Trail) (hereinafter the "Property").

The Court finds that the Association's Application for Foreclosure complies with Rule 736.1 of the Tex. R. Civ. Proc. and was properly served in accordance with Rule 736.4 of the Tex. R. Civ. Proc. The Court further finds that Respondent(s) have not previously filed a response, and the return of service has been on file with the clerk of the Court for at least 10 days before the date of this Order. The Court finds that the name and last known address of each respondent is as follows:

Tyariel Pree
2540 Cumberland Trail
Balch Springs, Texas 75181

Tayloria Green
2540 Cumberland Trail
Balch Springs, Texas 75181

Pursuant to Rule 736.7 of the Tex. R. Civ. Proc., all facts alleged in the Application for Foreclosure and supported by the affidavit of material facts constitute prima facie evidence of the truth of the matters alleged. The Court further finds as follows:

1. This proceeding is brought in the county in which all or part of the real property encumbered by the lien sought to be foreclosed is located.
2. The Association is governed by the Declaration (the "Declaration"), as corrected and supplemented from time to time.
3. The Property is subject to and governed by the Declaration.
4. By virtue of Respondent's acquisition of the Property, Respondent agreed to and became obligated by the Declaration to pay to the Association all assessments for the expense of administration, maintenance, upkeep and repair of the Community as assessed in accordance with the Declaration, as more particularly shown in IV of the Declaration.
5. Article IV, Section 4.1 of the Declaration creates an assessment lien against the Property to secure payment of assessments and other charges pursuant to Tex. R. Civ. Proc. 735.1(c) and Tex. Prop. Code 209.0092.
6. Article IV, Section 4.7 C. & D. of the Declaration further provides that the Association may foreclose its assessment lien by appropriate judicial or non-judicial proceedings.
7. During the period of Respondent's ownership, Respondent has been assessed maintenance fees in a non-discriminatory manner based on Respondent's

ownership of the Property.

8. Article IV, Section 4.7 of the Declaration and Texas Property Code 5.006 provide for recovery of attorney's fees and expenses incurred in the collection of delinquent assessments.
9. As of November 13, 2023, Respondent is 48 months in default in his/her obligations to the Association for a total of Three Thousand Three Hundred and Three Dollars and Ninety Two Cents (\$3,303.92).
10. Respondent has been notified of the amounts due and unpaid attributed to Respondent's failure to pay the assessments and other charges by notice letter dated November 13, 2020.
11. A Notice of Lien was filed on or about October 11, 2021 at 202100302683 in the office of the County Clerk of DALLAS, Texas, and Respondent was notified of same by letter dated October 7, 2021.
12. The Association afforded Respondent thirty (30) days to cure the default pursuant to the October 7, 2021 letter, and such opportunity to cure the default has expired.
13. Prior to filing this Application, the Association performed all actions required under applicable law and the terms of the Declaration required prior to foreclosing the Association's assessment lien against the Property.

THE COURT THEREFORE GRANTS the Association's Application for Foreclosure under Tex. R. Civ. Proc. 736.

IT IS THEREFORE ORDERED that the Association may proceed with a foreclosure of its assessment lien on the Property under the terms of the Association's Declaration and Texas Property Code Section 51.002; and

IT IS FURTHER ORDERED that the Association shall send Respondent(s) a copy of this Order with the notice of foreclosure sale sent to Respondent(s); and

IT IS FURTHER ORDERED that the Association may communicate with Respondent(s) and all third parties as may be reasonably necessary to conduct the foreclosure sale of the Property.

SIGNED ON 3/18/2024 11:52:18 AM.



JUDGE PRESIDING

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Victoria Frost on behalf of Jason Reed

Bar No. 24043887

vfrost@riddleandwilliams.com

Envelope ID: 84005212

Filing Code Description: Non-Signed Proposed Order/Judgment

Filing Description: PROPOSED ORDER DEFAULT JUDGMENT

Status as of 1/31/2024 3:18 PM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Jason Reed	24043887	jreed@riddleandwilliams.com	1/31/2024 3:10:31 PM	SENT

NOTICE OF TRUSTEE'S SALE

DEED OF TRUST INFORMATION:

Grantor(s)	Ronald Bruce Townes	Deed of Trust Date	April 5, 2010
Original Mortgagee	MetLife Home Loans, a Division of MetLife Bank, N.A.	Original Principal	\$123,000.00
Recording Information	Instrument #: 201000085192 in Dallas County, Texas	Original Trustee	Robert K. Fowler
Property Address	4212 Central Lane, Balch Springs, TX 75180	Property County	Dallas

MORTGAGE SERVICER INFORMATION:

Current Mortgagee	Mortgage Assets Management, LLC	Mortgage Servicer	PHH Mortgage Corporation
Current Beneficiary	Mortgage Assets Management, LLC	Mortgage Servicer Address	1661 Worthington Road, Suite 100, West Palm Beach, FL 33409

SALE INFORMATION:

Date of Sale	05/07/2024
Time of Sale	01:00 PM or no later than 3 hours thereafter
Place of Sale	The outside area on the north side of the George Allen Courts Building facing Commerce Street below the overhang in Dallas County, Texas, or if the preceding area is no longer the designated area, at the area most recently designated by the Dallas County Commissioner's Court.
Substitute Trustees	John Beazley, Bob Dickerson, Aaron Parker, Logan Thomas, Phillip Pierceall, Terry Waters, Douglas Rodgers, Clay Golden, Craig Muirhead, Doak Lambert, Wendy Lambert, Cary Corenblum, Matthew Hansen, Joshua Sanders, Shawn Schiller, Auction.com, Shelley Ortolani, Michele Hreha, Mary Mancuso, Francesca Ortolani, Carol Dunmon, Jane Kline, Payton Hreha, Chasity Lewallen, Scott Crist, Jeremiah Hayes, Selim Taherzadeh, or Michael Linke, any to act
Substitute Trustees' Address	15851 N. Dallas Parkway, Suite 410, Addison, TX 75001

PROPERTY INFORMATION:

<p>Legal Description as per the Deed of Trust: LOT 10, BLOCK 2, OF REVISED PLAT OF THE OAKS ADDITION, AN ADDITION TO THE CITY OF BALCH SPRINGS, DALLAS COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 70060, PAGE 63, OF THE MAP RECORDS OF DALLAS COUNTY, TEXAS.</p>

The Mortgage Servicer, if not the Current Mortgagee, is representing the Current Mortgagee pursuant to a Mortgage Servicing Agreement.

Default has occurred under the Deed of Trust and all sums secured by the Deed of Trust were declared immediately due and payable. The Beneficiary has, or caused another to, removed the Original Trustee and appointed Substitute Trustees. On behalf of the Mortgagee, Mortgage Servicer, and Substitute Trustees, the undersigned is providing this Notice of Trustee's Sale.

The sale will be conducted as a public auction to the highest bidder for cash, subject to the provisions of the Deed of Trust permitting the Beneficiary thereunder to have the bid credited to the Note up to the amount of the unpaid debt secured by the Deed of Trust at the time of sale.

The sale will be made expressly subject to any title matters set forth in the Deed of Trust, but prospective bidders are reminded that by law the sale will necessarily be made subject to all other matters of record affecting the property, if any, to the extent that they remain in force and effect and have not been subordinated to the Deed of Trust. The sale

NOTICE OF TRUSTEE'S SALE

shall not cover any part of the property that has been released from the lien of the Deed of Trust. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

Pursuant to the Deed of Trust, the Beneficiary has the right to direct the Trustee to sell the property in one or more parcels and/or to sell all or only part of the property.

Pursuant to the Texas Property Code, the property will be sold in "as is, where is" condition, without any express or implied warranties, except as to the warranties of title (if any) provided for under the Deed of Trust. Purchasers will buy the property "at the purchaser's own risk" and "at his/her peril", and no representation is made concerning the quality of title to be acquired. Purchasers will receive whatever interest Grantor and Grantor's assigns have in the property.

Pursuant to the Texas Property Code, the Trustee reserves the right to set further reasonable conditions for conducting the Sale. Any such further conditions shall be announced before bidding is opened for the first Sale of the day held by the Trustee or any Substitute Trustee.

The Deed of Trust permits the Beneficiary to postpone, withdraw, or reschedule the sale for another day. In that case, the Trustee, or any subsequently appointed Trustee, need not appear at the date, time, and place of a scheduled sale to announce the postponement, withdrawal, or rescheduling. Notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Texas Property Code. The reposting or refiled may be after the date originally scheduled for this sale.

Interested parties are encouraged to consult counsel of their choice prior to participating in the sale of the property.

Assert and protect your rights as a member of the armed forces of the United States. If you or your spouse is serving on active military duty, including active military duty as a member of the Texas National Guard or the National Guard of another state or as a member of a reserve component of the armed forces of the United States, please send written notice of the active duty military service to the sender of this notice immediately.

THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE(S) IDENTIFIED TO SELL THE PROPERTY DESCRIBED IN THE SECURITY INSTRUMENT IDENTIFIED IN THIS NOTICE OF SALE THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY OR AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.

Dated April 4, 2024.

/s/ Selim H. Taherzadeh
Selim H. Taherzadeh
15851 N. Dallas Parkway, Suite 410
Addison, TX 75001
(469) 729-6800

Return to: **TAHERZADEH, PLLC**
15851 N. Dallas Parkway, Suite 410, Addison, TX 75001