

#15

NOTICE OF ACCELERATION AND NOTICE OF TRUSTEE'S SALE

DEED OF TRUST INFORMATION:

Date: 08/25/2011
Grantor(s): ANTHONY L. RATTEI AND SPOUSE, THELMA B. RATTEI
Original Mortgagee: ROYAL UNITED MORTGAGE LLC
Original Principal: \$375,000.00
Recording Information: Instrument 2011-4558
Property County: Gaines
Property:

A TRACT OF LAND OUT OF THE NORTH PART OF LOT TWENTY-SIX (26), AND ALL OF LOT TWENTY-SEVEN (27), BLOCK SIXTEEN (16), WESTERN HILLS ADDITION, INSTALLMENT NO. THREE (3), CITY OF SEMINOLE, GAINES COUNTY, TEXAS AND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 27 FOR THE NORTHWEST CORNER OF THIS TRACT;

THENCE S 5 DEGREES 39' 52" W., AT 80.0 FEET PASS THE SOUTHWEST CORNER OF SAID LOT 27, AND THE NORTHWEST CORNER OF LOT 26, IN ALL 105.00 FEET TO A POINT FOR THE SOUTHWEST CORNER OF THIS TRACT, FROM WHICH THE SOUTHWEST CORNER OF SAID LOT 26 BEARS S 5 DEGREES 39' 52" W. 55.00 FEET,

THENCE EAST 152.10 FEET TO A POINT IN THE EAST LINE OF SAID LOT 26 FOR THE SOUTHEAST CORNER OF THIS TRACT, FROM WHICH THE SOUTHEAST CORNER OF SAID LOT 26 BEARS S 8 DEGREES 08' 51" W., 55.29 FEET;

THENCE N 8 DEGREES 08' 51" E., AT 25.13 FEET PASS THE NORTHEAST CORNER OF SAID LOT 26, AND THE SOUTHEAST CORNER OF SAID LOT 27, IN ALL 105.55 FEET TO THE NORTHEAST CORNER OF SAID LOT 27, FOR THE NORTHEAST CORNER OF THIS TRACT;

THENCE WEST 156.7 FEET TO THE PLACE OF BEGINNING; SAVE & EXCEPT ALL OIL, GAS AND OTHER MINERALS.

Reported Address: 201 SW 22ND STREET, SEMINOLE, TX 79360

MORTGAGE SERVICING INFORMATION:

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

Current Mortgagee: Urban Financial of America, LLC
Mortgage Servicer: Reverse Mortgage Solutions
Current Beneficiary: Urban Financial of America, LLC
Mortgage Servicer Address: 2727 Spring Creek Drive, Spring, TX 77373

SALE INFORMATION:

Date of Sale: Tuesday, the 4th day of November, 2014
Time of Sale: 1:00PM or within three hours thereafter.

Place of Sale: IN THE AREA BOUNDED BY THE WEST BY THE WEST EDGE OF THE WEST PORCH OF THE COURTHOUSE AND ON THE EAST BY THE MIDDLE LANDING OF THE INSIDE STAIRS LEADING INTO THE COURTHOUSE FROM THE WEST DOOR in Gaines County, Texas, or, if the preceding area is no longer the designated area, at the area most recently designated by the Gaines County Commissioner's Court.

Substitute Trustee(s): Lanelle Lynch or Shelley Nail or Kristina McCrary, Cristina Camarata, Sammy Hooda, Michael Burns, Alexander Wolfe, Suzanne Suarez or Adam Womack, any to act
Substitute Trustee Address: 14841 Dallas Parkway, Suite 425, Dallas, TX 75254

WHEREAS, the above-named Grantor previously conveyed the above described property in trust to secure payment of the Note set forth in the above-described Deed of Trust; and

WHEREAS, a default under the Note and Deed of Trust was declared; such default was reported to not have been cured; and all sums secured by such Deed of Trust were declared to be immediately due and payable; and

WHEREAS, the original Trustee and any previously appointed Substitute Trustee has been removed and Lanelle Lynch or Shelley Nail or Kristina McCrary, Cristina Camarata, Sammy Hooda, Michael Burns, Alexander Wolfe, Suzanne Suarez or Adam Womack, any to act, have been appointed as Substitute Trustees and requested to sell the Property to satisfy the indebtedness; and

WHEREAS, the undersigned law firm has been requested to provide these notices on behalf of the Current Mortgagee, Mortgage Servicer and Substitute Trustees;

NOW, THEREFORE, NOTICE IS HEREBY GIVEN of the foregoing matters and that:

1. The maturity of the Note has been accelerated and all sums secured by the Deed of Trust have been declared to be immediately due and payable.
2. Lanelle Lynch or Shelley Nail or Kristina McCrary, Cristina Camarata, Sammy Hooda, Michael Burns, Alexander Wolfe, Suzanne Suarez or Adam Womack, any to act, as Substitute Trustee will sell the Property to the highest bidder for cash on the date, at the place, and no earlier than the time set forth above in the Sale Information section of this notice. The sale will begin within three hours after that time.
3. This sale shall be subject to any legal impediments to the sale of the Property and to any exceptions referenced in the Deed of Trust or appearing of record to the extent the same are still in effect and shall not cover any property that has been released from the lien of the Deed of Trust.
4. No warranties, express or implied, including but not limited to the implied warranties of merchantability and fitness for a particular purpose shall be conveyed at the sale, save and except the Grantor's warranties specifically authorized by the Grantor in the Deed of Trust. The property shall be offered "AS-IS", purchasers will buy the property "at the purchaser's own risk" and "at his peril", and no representation is made concerning the quality or nature of title to be acquired.

Purchasers will receive whatever interest Grantor and Grantor's assigns have in the property, subject to any liens or interests of any kind that may survive the sale. Interested persons are encouraged to consult counsel of their choice prior to participating in the sale of the property.

Very truly yours,

Buckley Madole, P.C.



FILED
10-14-14 - 2:35 P m
Vicki Phillips, County Clerk
Gaines County, Texas
Michelle Cain

COPY

CAUSE NO. 14-06-16837

IN RE: ORDER FOR FORECLOSURE
CONCERNING: 201 SW 22ND STREET,
SEMINOLE, TX 79360
UNDER TEX. R. CIV. PROC. 736

IN THE DISTRICT COURT

PETITIONER:
URBAN FINANCIAL OF AMERICA,
LLC

GAINES COUNTY, TEXAS

RESPONDENTS:
ANTHONY L. RATTEI AND
THELMA B. RATTEI

106TH DISTRICT COURT

DEFAULT ORDER ALLOWING FORECLOSURE

1. On this day, the Court considered Petitioner's motion for a default order granting its application for an expedited order under Rule 736. 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

Anthony Rattei, whose last known address is
201 SW 22ND Street, Seminole, TX 79360

Thelma Rattei, whose last known address is
201 SW 22ND Street, Seminole, TX 79360

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 201 SW 22nd Street, Seminole, TX 79360 with the following legal description:

Filed for Record
20th Day of July A.D.
2014 at 12:00 o'clock M
Sharon Taylor District Clerk
Gaines County Texas
Sharon Taylor

A TRACT OF LAND OUT OF THE NORTH PART OF LOT TWENTY-SIX (26), AND ALL OF LOT TWENTY-SEVEN (27), BLOCK SIXTEEN (16), WESTERN HILLS ADDITION, INSTALLMENT NO. THREE (3), CITY OF SEMINOLE, GAINES COUNTY, TEXAS AND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 27 FOR THE NORTHWEST CORNER OF THIS TRACT;

THENCE S 5 DEGREES 39'52" W., AT 80.0 FEET PASS THE SOUTHWEST CORNER OF SAID LOT 27, AND THE NORTHWEST CORNER OF LOT 26, IN ALL 105.00 FEET TO A POINT FOR THE SOUTHWEST CORNER OF THIS TRACT, FROM WHICH THE SOUTHWEST CORNER OF SAID LOT 26 BEARS S 5 DEGREES 39'52" W. 55.00 FEET;

THENCE EAST 152.10 FEET TO A POINT IN THE EAST LINE OF SAID LOT 26 FOR THE SOUTHEAST CORNER OF THIS TRACT, FROM WHICH THE SOUTHEAST CORNER OF SAID LOT 26 BEARS S 8 DEGREES 08'51" W., 55.29 FEET;

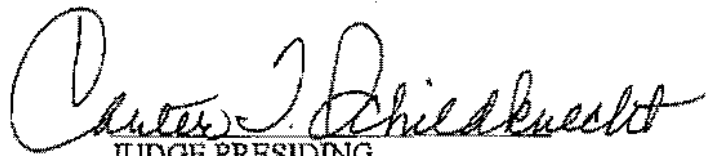
THENCE N 8 DEGREES 08'51" E., AT 25.13 FEET PASS THE NORTHEAST CORNER OF SAID LOT 26, AND THE SOUTHEAST CORNER OF SAID LOT 27, IN ALL 105.55 FEET TO THE NORTHEAST CORNER OF SAID LOT 27, FOR THE NORTHEAST CORNER OF THIS TRACT;

THENCE WEST 156.7 FEET TO THE PLACE OF BEGINNING; SAVE & EXCEPT ALL OIL, GAS AND OTHER MINERALS.

4. The lien to be foreclosed is indexed or recorded at Instrument Number: 2011-4558 and recorded in the real property records of Gaines County, Texas.
5. The material facts establishing Respondent's default are alleged in Petitioner's application and the supporting affidavit. 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 motion for a default 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 loan agreement, contract, or 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 Rule of Civil Procedure 736.11.

SIGNED this 29 day of July, 2014.


JUDGE PRESIDING

Return to:

Buckley Madole, P.C.
Attn: Home Equity Department
14841 Dallas Parkway, Suite 425
Dallas, TX 75254