

ASSERT AND PROTECT YOUR RIGHTS AS A MEMBER OF THE ARMED FORCES OF THE UNITED STATES. IF YOU OR YOUR SPOUSE IS SERVING IN ACTIVE MILITARY DUTY, INCLUDING ACTIVE MILITARY DUTY AS A MEMBER OF THE TEXAS NATIONAL GUARD, 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.

NOTICE OF SALE BY SUBSTITUTE TRUSTEE

AT 4:20 FILED O'CLOCK A M

STATE OF TEXAS  
COUNTY OF CORYELL

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§  
§

OCT 09 2020  
KNOW ALL MEN BY THESE PRESENTS:

*Juliana Enriquez*  
COUNTY CLERK, CORYELL CO., TEXAS

**Note:** Adjustable Rate Note dated June 18, 2004 executed and delivered by Santos Enriquez and Carmen Enriquez to Amerigroup Mortgage Corporation

**Security Instrument:** Deed of Trust, dated June 18, 2004, executed and delivered by Santos Enriquez and Carmen Enriquez to Amerigroup Mortgage Corporation, to secure payment of that certain Adjustable Rate Note, recorded as Document Number 172410, in Coryell County, Texas.

**Default and Summary Judgment** Default and Summary Judgment Order entered October 1, 2020 in Cause No. CCL-20-50667; styled *NewRez LLC d/b/a Shellpoint Mortgage Servicing v. The Unknown Heirs at Law of Santos Enriquez, Deceased, The Unknown Heirs at Law of Carmen Enriquez, Deceased, Joseph Daniel Enriquez, Raymond Christopher Enriquez, Santos Antonio Enriquez, The Unkonwn Heirs at Law of Pete Michael Enriquez, Amanda Joy Enriquez, and Michelle Jordan Enriquez*, in the County Court at Law of Coryell County, Texas; See Exhibit B.

**Original Creditor:** Amerigroup Mortgage Corporation

**Current Holder:** New Rez LLC d/b/a Shellpoint Mortgage Servicing

**Current Owner:** NewRez LLC d/b/a Shellpoint Mortgage Servicing

**Mortgage Servicer:** New Rez LLC d/b/a Shellpoint Mortgage Servicing ("Servicer"), 75 Beattie Pl. #300, Greenville, SC 29601

**Appointed Substitute Trustees:** JIM MILLS, SUSAN MILLS, EMILY NORTHERN, GEORGE HAWTHORNE, KORY MORGAN, DENISE MORGAN, ED HENDERSON, DONNA STOCKMAN, BRENDA WIGGS, GUY WIGGS, DAVID STOCKMAN, MICHELLE SCHWARTZ, KATHY ARRINGTON, TED WILLIAMSON  
9065 JOLLYVILLE, SUITE 203A, AUSTIN, TX 78759

*Note: Each substitute trustee is authorized individually, to act alone without the joinder of the*

PROPERTY ADDRESS: 2739 Willow Loop Kempner, TX 76539	RP FILE NO. SHELL02-07	BORROWER: Enriquez, Santos & Carmen
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**other trustees.**

AND

The Substitute Trustees are authorized to sell the Premises at public venue to the highest bidder or bidders, for cash.

DONNA STOCKMAN, BRENDA WIGGS, GUY WIGGS, DAVID STOCKMAN, MICHELLE SCHWARTZ, KATHY ARRINGTON, JANET PINDERDONNA STOCKMAN, BRENDA WIGGS, GUY WIGGS, DAVID STOCKMAN, MICHELLE SCHWARTZ, KATHY ARRINGTON, JANET PINDER SERVICE LINK, 3220 EL CAMINO REAL, IRVINE, CA 92602

AND

MARYNA DANIELIAN, PAMELA THOMAS, JACK BURNS II, KRISTOPHER HOLUB, AARTI PATEL, AMY ORTIZ, GARRETT SANDERS, DYLAN RUIZ, DONNA STOCKMAN, TIM LEWIS, BRENDA WIGGS, DENISE BOERNER, GUY WIGGS, DAVID STOCKMAN, MICHELLE SCHWARTZ, KATHY ARRINGTON AUCTION.COM, 1 MAUCHLY, IRVINE, CA 92618

AND

PATRICIA POSTON, NICK POSTON, DAVID POSTON, ANNA SEWART, KEITH WOLFSHOHL, DAVID BARRY, BYRON SEWART, HELEN HENDERSON OR MELISSA KITCHEN XOME, 750 TX-121, SUITE 100, LEWISVILLE, TX 75067

AND

T. J. RINEY, H. HOOPER, S.G. HARVEY, B.K. PACKARD, M. SANTOYO 5420 LBJ FREEWAY, SUITE 220, DALLAS, TX 75225

**Property to be sold:**

2739 Willow Loop, Kempner, TX 76539, and as further described in Exhibit A attached hereto, along with the improvements on such real property and any after acquired permanent improvements or title to such improvements and/or real property (the "Premises" as described in §9.604 of the Texas Uniform Commercial Code).

**Date of Sale:**

**Tuesday, November 3, 2020.**

**Time of Sale:**

The sale will begin no earlier than **10:00 AM** and no later than three (3) hours thereafter.

**Location of Sale:**

At the **County Courthouse in Coryell County**, Texas, at the North door of the courthouse, unless the location of the sale has been otherwise designated to a specific location by the Commissioner's Court of Coryell County, or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner's Court.

<b>PROPERTY ADDRESS:</b> 2739 Willow Loop Kempner, TX 76539	<b>RP FILE NO. SHELL02-07</b>	<b>BORROWER:</b> Enriquez, Santos & Carmen
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**Terms of 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.

Those desiring to purchase the property will need to demonstrate their ability to pay their bid immediately in cash if their bid is accepted.

The sale will be made expressly subject to any title matters set forth in the Security Instrument, but prospective bidders are reminded that by law the sale will necessarily be made subject to all prior 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 Security Instrument. The sale shall not cover any part of the property that has been released of public record from the lien of the Security Instrument. 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 Security Instrument, 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 section 51.009 of 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. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the property.

Pursuant to section 51.0075 of 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.

**Type of Sale:**

The sale is a non-judicial sale being conducted pursuant to the power of sale granted by the Security Instrument executed by Santos Enriquez and Carmen Enriquez.

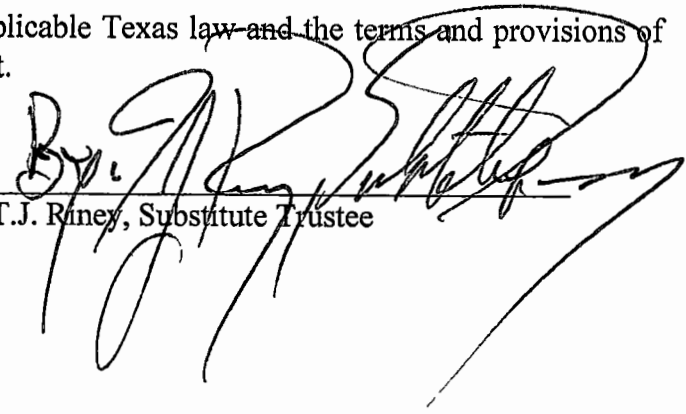
**Default and Notice:**

Default has been made in payment of the Note and Security Instrument and the Note is now unpaid, delinquent and in default. All required notices have been given to Santos Enriquez and Carmen Enriquez and any and all other necessary parties with regard to the defaulted indebtedness. Servicer has requested the undersigned, substitute trustee, to post, file and give notice of foreclosure of the Security Instrument and the lien thereof

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in accordance with applicable Texas law and the terms and provisions of  
the Security Instrument.

Dated: October 2, 2020.

  
T.J. Riney, Substitute Trustee

**AFTER RECORDING, PLEASE RETURN TO:**

Riney Packard, PLLC  
Attn: T.J. Riney  
Two Lincoln Centre  
5420 LBJ Freeway, Suite 220  
Dallas, Texas 75240

**PROPERTY ADDRESS:**  
2739 Willow Loop  
Kempner, TX 76539

**RP FILE NO. SHELL02-07**

**BORROWER: Enriquez, Santos & Carmen**

**EXHIBIT "A"**

**Tract Sixty-two (62), WILLOW SPRINGS UNIT ONE, Coryell County, Texas, as per plat of record in Volume J, page 29, Plat Records of Coryell County, Texas.**

<b>PROPERTY ADDRESS:</b> 2739 Willow Loop Kempner, TX 76539	<b>RP FILE NO. SHELL02-07</b>	<b>BORROWER:</b> Enriquez, Santos & Carmen
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3. Defendant, Raymond Christopher Enriquez was served with process and defendant has not filed an answer or any pleading constituting an answer and has not entered an appearance in this lawsuit. The last known address for defendant, Raymond Christopher Enriquez is as follows: 302 W. Blancas Dr., Copperas Cove, Texas 76522.

4. Defendant, Santos Antonio Enriquez was served with process and defendant has not filed an answer or any pleading constituting an answer and has not entered an appearance in this lawsuit. The last known address for defendant, Santos Antonio Enriquez is as follows: 1201 S. Amy Lane, Apt. C, Harker Heights, Texas 76548.

5. Defendant, Amanda Joy Enriquez was served with process and defendant has not filed an answer or any pleading constituting an answer and has not entered an appearance in this lawsuit. The last known address for defendant, Amanda Joy Enriquez is as follows: 3901 Cedar Ridge Dr., Bedford, Texas 76021.

6. Defendant, Michelle Jordan Enriquez was served with process and defendant has not filed an answer or any pleading constituting an answer and has not entered an appearance in this lawsuit. The last known address for Michelle Jordan Enriquez is as follows: 3901 Cedar Ridge Dr., Bedford, Texas 76021.

7. None of the defendants who were personally served are in active military service.

8. Brittany Darby was appointed as attorney ad litem according to TEX. R. CIV. P. 244 for defendants, the unknown heirs-at-law of Santos Enriquez, deceased, the unknown heirs-at-law of Carmen Enriquez, deceased, and the unknown heirs at law of Pete Michael Enriquez, deceased, who were served by publication.

9. The Loan Agreement between Santos Enriquez and Carmen Enriquez and the plaintiff is in default and the plaintiff is the beneficiary of that agreement on the property made the basis of this lawsuit.

10. Plaintiff is entitled to the relief sought in plaintiff's original petition.

**IT IS THEREFORE ORDERED** that:

All of Santos Enriquez, Carmen Enriquez, and Pete Michael Enriquez's ("Decedents") heirs-at-law have been made defendants to this suit and were immediately vested with all of Decedents' right, title and interest in the real property and improvements commonly known as 2739 Willow Loop, Kempner, TX 76539, (the "Property") and more particularly described as:

**Tract Sixty-two (62), WILLOW SPRINGS UNIT ONE, Coryell County, Texas, as per plat of record in Volume 3, page 29, Plat Records of Coryell County, Texas.**

**FURTHER ORDERED** that plaintiff has a valid lien on the Property by way of a Deed of Trust dated June 18, 2004 and filed under Document No. 172410 of the Official Public Records of Coryell County, Texas.

**FURTHER ORDERED** that this Judgment serves as an Order authorizing plaintiff to foreclose its lien in compliance with the Loan Agreement and TEX. PROP. CODE § 51.002.

**FURTHER ORDERED** that a copy of this Judgment shall be sent to defendants with the notice of the date, time, and place of the foreclosure sale.

**FURTHER ORDERED** that plaintiff may communicate with the defendants and all third parties reasonably necessary to conduct the foreclosure sale.

**FURTHER ORDERED** that if defendants are represented by counsel, the notice of foreclosure sale also be mailed to counsel by certified mail.



**FURTHER ORDERED** that one of the effects of non-judicial foreclosure shall be that defendants are divested and the purchaser of the Property at the non-judicial foreclosure sale is vested with all right, title and interest to the Property.

**FURTHER ORDERED** that no personal liability or deficiency for the Loan agreement debt shall be asserted against the defendants or the putative estates of Decedents.

**FURTHER ORDERED** that after the non-judicial foreclosure is held, if the property remains occupied after this judgment becomes final and the plaintiff is the purchaser of the Property at the non-judicial foreclosure sale, a writ of possession shall issue against any occupant of the Property in accordance with TEX. R. CIV. P. § 310.

**FURTHER ORDERED** that as part of the costs of court, and payable by plaintiff, Brittany Darby, the Attorney Ad Litem, is granted the sum of \$937.50 and discharged as Ad Litem in this cause.

**FURTHER ORDERED** that all other costs of court are taxed against the party incurring same.

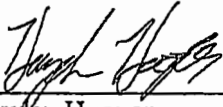
All relief not expressly granted is denied.

This judgment is final and disposes of all parties and all claims and is appealable.

SIGNED this 1 day of October, 2020.

  
JUDGE PRESIDING


APPROVED AS TO FORM & SUBSTANCE:



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Hayden Hooper  
State Bar No. 24066517  
**RINEY PACKARD, PLLC**  
Two Lincoln Centre  
5420 LBJ Freeway, Suite 220  
Dallas, TX 75240  
214-461-1200  
214-461-1210 (Facsimile)  
hhooper@rineypackard.com  
ATTORNEY FOR PLAINTIFF

APPROVED AS TO FORM ONLY:



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Brittany Darby  
State Bar No. 24076337  
2106 Bird Creek Drive  
Temple, TX 76502  
214-432-7058

ATTORNEY AD LITEM