

no. 6370

CAUSE NO. 5741

ESTATE OF
YNASIO G. RENDON
DECEASED

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IN THE COUNTY COURT
OF
LAMB COUNTY, TEXAS

APPLICATION FOR FORECLOSURE OF PREFERRED LIEN PURSUANT TO SECTION 355.155 & 355.156 OF THE TEXAS ESTATES CODE AND FOR AN ORDER ALLOWING FORECLOSURE PURSUANT TO TEX. R. CIV. P. 735

TO THE HONORABLE JUDGE OF SAID COURT:

Now comes Roundpoint Mortgage Servicing Corporation, its successors and assigns ("Claimholder") makes this Application for Foreclosure of Real Property and shows as follows:

1. Claimholder is the note holder and beneficiary according to the Assignments filed in the real property records. (See true and correct copies of the Assignments marked as Exhibit "A" and incorporated herein throughout).

2. This proceeding concerns the real property and improvements commonly known as 501 E Waylon Jennings Blvd, Littlefield, TX 79339 ("Property"), and more particularly described as follows:

**LOT SEVEN (7) AND THE WEST HALF (W/2) OF LOT EIGHT (8),
BLOCK 70, ORIGINAL TOWN OF LITTLEFIELD, CITY OF
LITTLEFIELD, LAMB COUNTY, TEXAS.**

3. Texas Estates Code section 355.155 provides that if a property securing a debt for which a claim is allowed, approved, and fixed is not sold or distributed within six months from the date letters are granted, the representative of the estate must promptly pay all maturities which have accrued on the debt; and if the representative defaults, the court shall authorize foreclosure by the claimholder.

4. Claimholder holds a claim secured by a valid mortgage, which has been allowed and approved as a preferred debt and lien against the Property. (See true and correct copy of the Order Approving Claim marked as Exhibit "B" and incorporated herein throughout).

5. The representative of the estate has defaulted on payment or performance of the terms of the contract securing the Property as established by the Affidavit of Claimholder, attached hereto as Exhibit C. On or about January 15, 2019, Amy Rendon was appointed Guardian of the Person and Estate of Ynasio G. Rendon, deceased. Therefore, it has been more than six months since letters were issued. Claimholder seeks an order authorizing foreclosure of the Property in conformity with Texas Estates Code sections 355.156 through 355.160.

6. In accordance with Texas Estates Code section 355.157, Claimholder requests that the clerk issue citation upon Amy Rendon, Dependent Administrator, by and through her attorney of record Anna J. Ricker, Ricker Law Firm, P.C., 713 Phelps, Littlefield, Texas 79339.

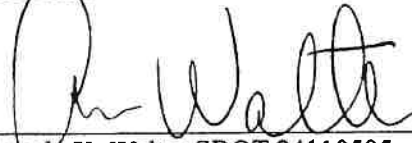
7. Further, pursuant to Texas Estates Code section 355.158, upon hearing and determination by the Court that there is a default in payment or performance under the contract securing the payment of the claim, Claimholder requests that the Court enter an order authorizing foreclosure in conformity with the provisions of the security instrument and Texas Property Code section 51.002(a), (b)(1) and (2), and (c), as such would pass both constitutional and statutory muster as to the method and means to fairly conduct a public sale.

8. Claimholder contends that these proceedings have given constructive notice of the demand to cure, notice of intent to accelerate, and notice of acceleration of the maturity of the debt to all persons legally obligated to receive such notices. Therefore, notice to all persons legally obligated to receive such notices should be given, if at all, in accordance with the security instrument and Texas Property Code section 51.002(b)(1) and (2), and copies mailed to the representative of the estate and the representative's attorney of record.

Claimholder prays that this Court issue an order authorizing foreclosure of the property.

Respectfully submitted,

CODRIS & MOODY, P.C.



Angela K. Walter SBOT 24110505

Danya F. Gladney SBOT 24059786

Nicole M. Bartee SBOT 24001674

Aaron J. Demuth SBOT 24111076

400 N. Sam Houston Parkway East, Suite 900A

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Telephone: (281) 925-5200

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Email: angela.walter@tx.cslegal.com

**ATTORNEY FOR ROUNDPOINT
MORTGAGE SERVICING CORPORATION**



2019-00001064 7/8/2019 10:12 AM
 Volume 779 Page 244
 FILED and certified as RECORDED in the
 Official Public Records of Lamb County
 Tonya Ritchie, County Clerk \$26.00



ASSIGNMENT

44-19-1402
 Rendon, Ynasio
 RoundPoint Mortgage Servicing Corporation
 Conventional
 501 E WAYLON JENNINGS BLVD
 LITTLEFIELD, TX 79339
 MIN: 100053601315670660
 MERS PHONE: (888) 679-MERS. MERS ADDRESS: PO BOX 2026; FLINT, MI 48501-2026

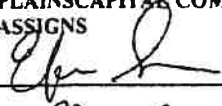
NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

FOR VALUE RECEIVED, the undersigned Mortgage Electronic Registration Systems, Inc. as Nominee for PrimeLending, a PlainsCapital Company, its successors and assigns, hereby grants, conveys, assigns and transfers to RoundPoint Mortgage Servicing Corporation, 5016 Parkway Plaza Blvd Buildings 6 & 8 Charlotte, NC 28217 that certain Deed of Trust, dated January 03, 2017, executed by Ynasio Rendon a married man joined by his wife Amy Rendon, Grantor, to Allan B. Polunsky, Trustee, and recorded in Volume 750, Page 136, or Clerk's File No. 00000012, real property records of LAMB County, State of Texas, described land therein as:

LOT SEVEN (7) AND THE WEST HALF (W/2) OF LOT EIGHT (8), BLOCK 70, ORIGINAL TOWN OF LITTLEFIELD, CITY OF LITTLEFIELD, LAMB COUNTY, TEXAS.

As set forth in said Deed of Trust and incorporated by reference herein.

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. AS NOMINEE FOR PRIMELENDING, A PLAINSCAPITAL COMPANY, ITS SUCCESSORS AND ASSIGNS



By: Efrén Sanchez

Its: Assistant Secretary

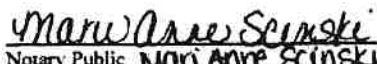
Date: 6/21/2019

STATE OF North Carolina

COUNTY OF Mecklenburg

On this 27th day of JUNE, 2019, before me, the undersigned, a Notary Public, duly commissioned and sworn personally appeared Efrén Sanchez, who acknowledged himself/herself to be Assistant Secretary of the above named entity, and that he/she, as such officer, executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said entity, for the uses and purposes therein mentioned, and on oath stated that he/she is authorized to execute the said instrument.

Witness my hand and official seal hereto affixed the day and year first written.


 Notary Public MARI ANNE SCINSKI

RETURN TO:
 CODILIS & MOODY, P.C.
 400 N. Sam Houston Pkwy E, Suite 900A
 Houston, TX 77060



C&M# 44-19-1402
 Rendon, Ynasio



CAUSE NO. 5741

ESTATE OF
YNASIO G. RENDON
DECEASED

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IN THE COUNTY COURT
OF
LAMB COUNTY, TEXAS

ORDER APPROVING CLAIM AGAINST ESTATE

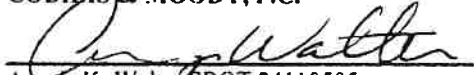
The above and foregoing Claim of Roundpoint Mortgage Servicing Corporation, its successors and assigns, having been duly presented to and allowed by the representative of this Estate and entered unto the Claim's docket for a period of at least ten (10) days, has been examined by the Court. Being satisfied that the Claim is just, the Court hereby approves the Claim in full, as a preferred debt and lien against the specific property.

SIGNED: 13 August, 2019.

/s/ James DeLoach
JUDGE PRESIDING

APPROVED AND ENTRY REQUESTED:

CODILIS & MOODY, P.C.



Angela K. Walter SBOT 24110505
Danya F. Gladney SBOT 24059786
Annarose M. Harding SBOT 24071438
Nicole M. Bartee SBOT 24001674
Lisa L. Cockrell SBOT 24036379
Aaron J. Demuth SBOT 24111076
400 N. Sam Houston Parkway East, Suite 900A
Houston, Texas 77060
Telephone: (281) 925-5200
Facsimile: (281) 925-5300
Email: Danya.Gladney@tx.cslegal.com
Email: Angela.Walter@tx.cslegal.com
**ATTORNEYS FOR CLAIMANT,
ROUNDPOINT MORTGAGE SERVICING
CORPORATION, ITS SUCCESSORS AND ASSIGNS**



CAUSE NO. 5741

ESTATE OF YNASIO G. RENDON DECEASED § § § § § IN THE COUNTY COURT OF LAMB COUNTY, TEXAS

CLAIMHOLDER'S AFFIDAVIT

STATE OF North Carolina) COUNTY OF Mecklenburg)

Hannah Harvey appeared in person before me today and stated under oath:

"My name is Hannah Harvey. I am over the age of eighteen and competent to make this affidavit. If called upon to appear as a witness, I could and would testify competently to the statements made in this affidavit. I am a duly authorized representative of Roundpoint Mortgage Servicing Corporation ("Claimholder"), Claimholder in the above-styled and -numbered matter. I am duly authorized to make this affidavit. I have personal knowledge of the facts stated herein, and they are all true and correct.

"Claimholder has filed an Application for Foreclosure of Real Property in the above-styled and -numbered matter. The real property Claimholder seeks to be sold by non-judicial foreclosure is secured by Claimholder's lien on real property. The property is located in Lamb County, Texas, and is further described as:

LOT SEVEN (7) AND THE WEST HALF (W/2) OF LOT EIGHT (8), BLOCK 70, ORIGINAL TOWN OF LITTLEFIELD, CITY OF LITTLEFIELD, LAMB COUNTY, TEXAS

which also has a mailing address of 1501 E Waylon Jennings Blvd, Littlefield, TX 79339, Lamb County, Texas ("Property").

"According to the terms of the contract, which secures the preferred debt and lien held by Claimholder, the total amount due as of September 23, 2019 is \$25,639.74. A true and correct copy of the payoff is attached hereto as Exhibit C-1.

"Claimholder has no knowledge of the existence of any other liens secured by the Property.

"On behalf of Claimholder, I therefore request that the Court grant Claimholder the right to proceed with the foreclosure sale of the real property described in this affidavit and in Claimholder's Application for Foreclosure of Real Property."

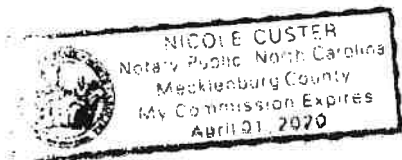


SIGNED on 9/11/19

Hannah Harvey
Hannah Harvey
Affiant Default lit Mgr
ROUNDPOINT MORTGAGE SERVICING CORPORATION

SUBSCRIBED AND SWORN TO before me on 11 by September 2019

Nicole Custer
Notary Public, State of North Carolina



PAY [REDACTED] 08.26.2019_CD
AS-OF 09/23/19 PAYOFF CALCULATION TOTALS 08/23/19 09:17:52
NAME EG RENDON CONTACT NAME AMY RENDON

PRINCIPAL BALANCE	24,281.67			-----	RATE CHANGES	-----
INTEREST 09/23/19	620.11	CALC	INT FROM	RATE	AMOUNT	
PRO RATA MIP/PMI	8.87		01/01/19	3.50000	620.11	
ESCROW ADVANCE	.00		09/24/19			
ESCROW BALANCE	55.99-					
SUSPENSE BALANCE	.00					
HUD BALANCE	.00					
REPLACEMENT RESERVE	.00					
RESTRICTED ESCROW	.00					
TOTAL-FEES	.00	W 1				
ACCUM LATE CHARGES	40.08					
ACCUM NSF CHARGES	.00					
OTHER FEES DUE	.00					
PENALTY INTEREST	.00					
FLAT/OTHER PENALTY FEE	.00			TOTAL INTEREST	620.11	
CR LIFE/ORIG FEE RBATE	.00			TOTAL TO PAYOFF	25,639.74	
RECOVERABLE BALANCE	745.00					

PAY3 [REDACTED] AS-OF 09/23/19

-----	1ST MORT PERDIEM INTEREST	-
FROM	RATE	AMOUNT
09/24/19	03.50000	2.33

