

Loan No. 1034332

NOTICE OF SALE
(Substitute Trustee)

STATE OF TEXAS

§

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF ARANSAS

§

§

WHEREAS, Dahlia Dominguez (the "Mortgagor") executed and delivered to Sid Ridlehuber, Trustee for Charter Bank, a Texas Home Equity Deed of Trust dated November 12, 2013, which instrument was filed of record November 18, 2013, under Clerk's File No. 332603 of the Official Public Records of Aransas County, Texas, covering the hereinafter described property; and

WHEREAS, Charter Bank is the present owner and holder of said note and lien.

WHEREAS, the undersigned, whose address is 615 N. Upper Broadway, Suite 1100, Corpus Christi, Texas 78401-0748, has been duly appointed as Substitute Trustee under the said Deed of Trust;

WHEREAS, default has occurred in the payment of the indebtedness secured by the above-mentioned Deed of Trust, and Charter Bank, the present Beneficiary, has instructed the undersigned Substitute Trustee to enforce the provisions of said instrument;

WHEREAS, orders authorizing Charter Bank to proceed with foreclosure of the home equity lien were signed by the state district court on February 24, 2015. Copies of the Orders of the state district court are attached hereto as Exhibit "A;"

NOW, THEREFORE, NOTICE IS HEREBY GIVEN THAT after the posting of this Notice in accordance with the above-mentioned Deed of Trust and the law, and after giving such other notices as required by law, the undersigned Substitute Trustee, or any successor Substitute Trustee, will sell to the highest bidder for cash, or to the Beneficiary or any other holder of said indebtedness for credit, in accordance with the terms of said Deed of Trust the hereinafter described property at the County Courthouse of Aransas County, Texas, on Tuesday, the 7th day of April, 2015, the same being the first Tuesday in such month, to-wit:

West 1/2 of Lot 16, Block 244, SMITH AND WOOD DIVISION, Aransas County,
Texas (1112 N. Pearl St., Rockport, Texas 78382).

The earliest time at which the sale will occur will be 10:00 a.m., and the sale will be conducted not later than three hours after that time, such hours being between 10:00 a.m. and 1:00 p.m. Further, the sale will be held at the area at the Courthouse designated by the Commissioners Court of such County where sales are to take place pursuant to Section 51.002 of the Texas Property Code.

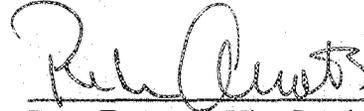
This sale shall be subject to those reservations, matters and exceptions, if any, set forth in the said Deed of Trust to the extent such are still in force and effect.

ASSERT AND PROTECT YOUR RIGHTS AS A MEMBER OF THE ARMED FORCES OF THE UNITED STATES. IF YOU ARE 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.

EXECUTED this 17th day of March, 2015.

F-T SERVICE CORP.
Substitute Trustee
615 N. Upper Broadway, Suite 1100
Corpus Christi, Texas 78401-0748

By:



Peter E. Avots, Vice President

CAUSE NO. A-14-0283-CV-B

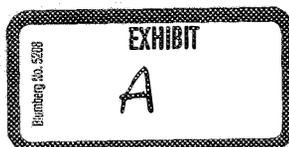
In re: Order for Foreclosure Concerning	§	IN THE DISTRICT COURT
	§	
DAHLIA DOMINGUEZ and	§	OF ARANSAS COUNTY, TEXAS
1112 N. Pearl Street, Rockport, Texas	§	
78382, under Tex. R. Civ. P. 736	§	<u>156th</u> JUDICIAL DISTRICT

**ORDER TO PROCEED WITH EXPEDITED
FORECLOSURE UNDER TEXAS RULE OF CIVIL PROCEDURE 736**

Came on to be considered the Application of Charter Bank for Expedited Foreclosure Proceeding Pursuant to Rule 736 of the Texas Rules of Civil Procedure relative to Dahlia Dominguez, Respondent, and that certain real property more particularly described as follows:

West 1/2 of Lot 16, Block 244, SMITH AND WOOD DIVISION, Aransas County, Texas, which is locally known as 1112 N. Pearl Street, Rockport, Texas 78382.

WHEREAS, a debt exists under the Texas Home Equity Note and Texas Home Equity Deed of Trust executed by Respondent. The debt is secured by a lien created under Texas Constitution Article XVI section 50(a)(6) that encumbers the property and which has been filed for record on November 18, 2013, under Clerk's File No. 332603, Official Public Records of Aransas County, Texas. A default under the Texas Home Equity security instrument exists. Petitioner has given Respondent the requisite notices to cure the default and accelerate the maturity of the debt under the Texas Home Equity Deed of Trust and Texas Property Code § 51.002, and applicable law. Petitioner has given Respondent the requisite notice of this proceeding under Rule 736 of the Texas Rules of Civil Procedure, all as reflected in Petitioner's Application for Expedited Foreclosure and the Affidavits and Exhibits attached thereto (collectively "Application") which are by this reference incorporated herein for all purposes, and Petitioner has established the basis for expedited foreclosure order requested.



It is, therefore, ORDERED that Petitioner, Charter Bank, is authorized to proceed with foreclosure under the Texas Home Equity Deed of Trust executed by Respondent.

It is further ORDERED that the name and address of the Respondent subject to this Order are:

Dahlia Dominguez
1112 N. Pearl Street
Rockport, Texas 78382

It is further ORDERED that Petitioner may communicate with Respondent and all third parties reasonably necessary to conduct the foreclosure sale of the property.

SIGNED this 24th day of February, 2015. *PH*

PH

JUDGE PRESIDING

SUBMITTED BY:

WOOD, BOYKIN & WOLTER
A Professional Corporation
615 North Upper Broadway, Suite 1100
Corpus Christi, Texas 78401-0748
(361) 888-9201
(361) 888-8353 (facsimile)
pea@wbwpc.com

By: *Peter E. Avots*

Peter E. Avots
Texas Bar No. 01456450
ATTORNEYS FOR CHARTER BANK

STATE OF TEXAS
COUNTY OF ARANSAS

Pam Heard District Clerk of Aransas County, Texas do here
by certify that the foregoing is a true, correct and complete
copy of the instrument herewith as it appears of record in the
District Clerk's office of Aransas
County, Texas, this 2nd day of Mar 20 15

PAM HEARD, DISTRICT CLERK
Aransas County, Texas

By  Deputy

CAUSE NO. A-14-0283-CV-B

In re: Order for Foreclosure Concerning	§	IN THE DISTRICT COURT
	§	
DAHLIA DOMINGUEZ and	§	OF ARANSAS COUNTY, TEXAS
1112 N. Pearl Street, Rockport, Texas	§	
78382, under Tex. R. Civ. P. 736	§	156th JUDICIAL DISTRICT

**DEFAULT ORDER TO PROCEED WITH
EXPEDITED FORECLOSURE UNDER TEXAS RULE OF CIVIL PROCEDURE 736**

1. On this day, the court considered Petitioner's Motion for 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 are Dahlia Dominguez, 1112 N. Pearl St., Rockport, Texas 78382 and Dahlia Dominguez, 2321 N. Main Avenue, San Antonio, Texas 78212. Respondent was properly served with the Citation, but no response was filed within the time required by law. The Return of Service for each Respondent has been on file with the court for at least ten (10) days.

3. The property that is the subject of this foreclosure proceeding is commonly known as 1112 N. Pearl Street, Rockport, Aransas County, Texas 78382, with the following legal description:

West 1/2 of Lot 16, Block 244, SMITH AND WOOD DIVISION, Aransas County, Texas.

4. The lien to be foreclosed is indexed or recorded at Clerk's File No. 332603, Official Public Records of Aransas County, Texas.

5. The material facts establishing Respondent's default are alleged in Petitioner's Application and the supporting Affidavits in the court's file. Those facts are adopted by the court and incorporated by reference in this Order.

6. Based on the Affidavits attached to Petitioner's application, 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 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 24th day of February, 2015.



JUDGE PRESIDING

SUBMITTED BY:

WOOD, BOYKIN & WOLTER
A Professional Corporation
615 North Upper Broadway, Suite 1100
Corpus Christi, Texas 78401-0748
(361) 888-9201
(361) 888-8353 (facsimile)
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By: 
Peter E. Avots
Texas Bar No. 01456450
ATTORNEYS FOR CHARTER BANK

STATE OF TEXAS
COUNTY OF ARANSAS

Pam Heard District Clerk of Aransas County, Texas do here
by certify that the foregoing is a true, correct and complete
copy of the instrument herewith as it appears of record in the
District Clerk's office of Aransas
County, Texas, this 2nd day of Mar, 2015

PAM HEARD, DISTRICT CLERK

Aransas County, Texas

By [Signature], Deputy

FILED

AT 3:11 P. M.

MAR 17 2015

VALERIE K. AMASON
COUNTY CLERK, ARANSAS CO., TEXAS