

HOME EQUITY POSTING WITH ORDER ATTACHED


20815 EMERALD ROAD  
PRAIRIE VIEW, TX 77446

00000004648465

NOTICE OF SUBSTITUTE TRUSTEE SALE

(See TEX. CONST. art. XVI, § 50a(6) Order attached)

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.

15-016  
02/09/2015 04:36:11 PM Total Pages: 4 Fee: 5.00  
Debbie Hollan, County Clerk - Waller County, TX  


1. Date, Time, and Place of Sale.

Date: March 03, 2015

Time: The sale will begin at 1:00PM or not later than three hours after that time.

Place: THE FOYER AT THE SOUTH ENTRANCE OF THE WALLER COUNTY COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONERS or as designated by the county commissioners.

2. Terms of Sale. Cash.

3. **Instrument to be Foreclosed.** The Instrument to be foreclosed is the Deed of Trust or Contract Lien dated April 16, 2004 and recorded in Document VOLUME 0836, PAGE 502 real property records of WALLER County, Texas, with JOHNNY D. BOYKIN, grantor(s) and NEW CENTURY MORTGAGE CORPORATION, mortgagee.

4. **Obligations Secured.** Deed of Trust or Contract Lien executed by JOHNNY D. BOYKIN, securing the payment of the indebtednesses in the original principal amount of \$50,400.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR MORGAN STANLEY ABS CAPITAL I INC. TRUST 2004-HE7 is the current mortgagee of the note and Deed of Trust or Contract Lien.

5. **Property to Be Sold.** The property to be sold is described as follows:

LOT TWO HUNDRED EIGHTY-SIX (286), BLOCK TWENTY (20), IN SECTION FOUR (4) IN PRAIRIE HILLS A SUBDIVISION IN WALLER COUNTY, TEXAS ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 191, PAGE 592 OF THE DEED RECORDS OF WALLER COUNTY, TEXAS.

6. **Mortgage Servicer Information.** The Mortgage Servicer is authorized to represent the Mortgagee by virtue of a servicing agreement with the Mortgagee. Pursuant to the Servicing Agreement and Texas Property Code § 51.0025, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the lien securing the Property referenced above. JPMORGAN CHASE BANK, NATIONAL ASSOCIATION, as Mortgage Servicer, is representing the current mortgagee, whose address is:

c/o JPMORGAN CHASE BANK, NATIONAL ASSOCIATION  
3415 VISION DRIVE  
COLUMBUS, OH 43219



DEBBY JURASEK, MEGAN L. BENDER OR AMY JURASEK  
Substitute Trustee

c/o  
15000 Surveyor Boulevard, Suite 100  
Addison, Texas 75001

Active Duty Notifications: Special Loans Unit /CHASE Home Lending Attn: SCRA/2210 Enterprise Drive /Florence, SC 29501 /Fax: 843 413 5433/scra.military.orders@chase.com



NOS00000004648465

**COPY**

Cause No. 13-11-22241

In Re: Order of Foreclosure	§	IN THE DISTRICT COURT
Concerning	§	
	§	
20815 EMERALD ROAD,	§	OF WALLER COUNTY, TEXAS
PRAIRIE VIEW, TEXAS 77446	§	
	§	
Under TEX. R. CIV. P. 736	§	506TH JUDICIAL DISTRICT

*AGREED*  
EXPEDITED ORDER UNDER RULE 736

1. On this day, the Court considered Petitioner's application for an expedited order under Rule 736. After reviewing the pleadings, the affidavits and the arguments of counsel, if any, the court finds:

2. The name and last known address of each Respondent subject to this order is Johnny D. Boykin, whose last known address is 20815 Emerald Street, Prairie View, Texas 77484. Each Respondent was properly served with the citation and 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.

*Respondent appeared and filed an answer.*  
*JB*

3. The property that is the subject of this foreclosure proceeding is commonly known as 20815 Emerald Road, Prairie View, Texas 77484 with the following legal description:

LOT TWO HUNDRED EIGHTY-SIX (86), BLOCK TWENTY (20), IN SECTION FOUR (4) IN PRAIRIE HILLS A SUBDIVISION IN WALLER COUNTY, TEXAS ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 191, PAGE 382 OF THE DSED RECORDS OF WALLER COUNTY, TEXAS.

4. The lien to be foreclosed is indexed or recorded at Volume 0836, Page 502 and recorded in the real property records of Waller 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 application for an expedited order under Texas Rules of Civil Procedure 736.6 and 736.8. Petitioner, or its successors or assigns, 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. *Such foreclosure sale shall not occur prior to the first Tuesday of March, 2015.*
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 04 day of December, 2014.

*[Signature]*  
PRESIDING JUDGE

ORDER SUBMITTED BY:

*Approved and Approved  
as to Form & Substance  
Sincerely,*

Joseph M. Vacek  
State Bar No.: 24039948  
15000 Surveyor Blvd., Ste. 100  
Addison, Texas 75001  
(972) 340-7809  
(972) 341-0734 (Facsimile)  
[jmvp@bdfgroup.com](mailto:jmvp@bdfgroup.com)

*for Petitioner*  
SB# 11359200

*Agreed and Approved*  
*[Signature]*  
Johnny D. Boykin

ATTORNEY FOR PETITIONER

## FILED AND RECORDED

**Instrument Number: 15-016**

**Filing and Recording Date: 02/09/2015 04:36:11 PM Pages: 4 Recording Fee: \$5.00**

**I hereby certify that this instrument was FILED on the date and time stamped hereon by me and was duly RECORDED in the OFFICIAL PUBLIC RECORDS of Waller County,**



*Debbie Hollan*

---

Debbie Hollan, County Clerk  
Waller County, Texas

ANY PROVISION CONTAINED IN ANY DOCUMENT WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE REAL PROPERTY DESCRIBED THEREIN BECAUSE OF RACE OR COLOR IS INVALID UNDER FEDERAL LAW AND IS UNENFORCEABLE.

Kim Imhoff, Deputy

Returned To: