

4. Petitioner alleges:

- A. The type of lien sought to be foreclosed is a home equity lien under Texas Constitution Article XVI, Section 50(a)(6). The lien is indexed at Instrument Number: [REDACTED] and recorded on in the real property records of Dallas County, Texas.
- B. Petitioner has authority to seek foreclosure of the lien because:
- (i). Petitioner is the current mortgagee and/or mortgage servicer of a Texas Home Equity Note (the "Note") secured by the Property.
- C. The name of each Respondent obligated to pay the underlying debt or obligation evidenced by the loan agreement, contract, or lien encumbering the property sought to be foreclosed is Reagan [REDACTED]
- D. The name of each Respondent who is a mortgagor of the lien instrument sought to be foreclosed, but who is not a maker or assumer of the underlying debt, is Neila [REDACTED] Reagan [REDACTED]
- E. As of July 17, 2017:
- (i). 69 monthly payments have not been paid. As of July 17, 2017 the amount required to cure the default is \$193,523.43. According to Petitioner's records, all lawful offsets, payments, and credits have been applied to the account in Default.
- (ii). As of July 28, 2017 the total amount to payoff the loan agreement, contract, or lien is \$552,350.63.
- F. Notice to cure the default has been sent by certified mail to each Respondent who is obligated to pay the underlying debt or obligation. The opportunity to cure has expired.

- G. Before this application was filed, any other action required to initiate a foreclosure proceeding by Texas law or the loan agreement, contract, or lien sought to be foreclosed was performed.
5. **Legal action is not being sought against the occupant of the property unless the occupant is named as a Respondent in this application.**
6. **If Petitioner obtains a court order, Petitioner will proceed with foreclosure of the property in accordance with applicable law and the terms of the loan agreement, contract, or lien sought to be foreclosed.**
7. The following documents are attached to this application:
- A. An affidavit or declaration of material facts describing the basis for foreclosure.
 - B. The note, original recorded lien, or other documentation establishing the lien.
 - C. The current assignment of the lien recorded in the real property records of the county where the property is located or other documentation.
 - D. A copy of each default notice required to be mailed to any Respondent under Texas law and the loan agreement, contract, or lien sought to be foreclosed.
8. **Assert and protect your rights as a member of the armed forces of the United States. If you 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 Petitioner or Petitioner's attorney immediately.**

9. *Prayer for Relief.* Petitioner seeks an expedited order under Rule 736 so that it may proceed with foreclosure in accordance with applicable law and terms of the loan agreement, contract, or lien sought to be foreclosed.

Respectfully submitted,

Buckley Madole, P.C.

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