

1-7 F23

NOTICE OF ASSESSMENT LIEN SALE

STATE OF TEXAS §
 §
COUNTY OF HUNT §

WHEREAS, on or about October 10, 2023, a Notice of Lien was filed in the Deed Records of Hunt County, Texas, covering the real property herein described concerning default in the payment of the indebtedness owing by Daryl Starr Meeks, Jr., the present owner of said real property, to Caddo Downs Residential Community, Inc. (the "Association"); and

WHEREAS, the said Daryl Starr Meeks, Jr. has continued to default in the payment of her indebtedness to the Association and the same is now wholly due, and the Association, acting by and through its duly authorized agent, intends to sell the herein described property to satisfy the present indebtedness of said owners to the Association;

NOW, THEREFORE, notice is hereby given that on Tuesday, January 7, 2025, between 10 o'clock a.m. and 4 o'clock p.m., the Association will sell said real estate the common area at the base of the Central stairway on the 2nd floor inside the Courthouse, or the base of the North steps outside of the Courthouse; in the event the Courthouse is closed on the first Tuesday of the month, Hunt County, Texas, to the highest bidder for cash, subject to all superior liens and encumbrances of record. The earliest time at which said sale will begin will be 1:00 o'clock p.m., and the sale will take place not later than three (3) hours after that time.

Said real estate is described as follows:

Lot 71, Block B, of Caddo Downs, Phase 2, an addition to the City of Caddo Mills, Hunt County, Texas, according to the Map or Plat thereof recorded in Cabinet I, Slide 373-376 and Document No. 2021-04039, of the Plat Records of Hunt County, Texas (111 Smarty Jones Street)

WITNESS my hand this 5th day of December, 2024

2024 DEC 17 PM 1:34
BY [Signature]
DEPUTY

CADDO DOWNS RESIDENTIAL COMMUNITY,
INC.

By: [Signature]

Jason R. Reed, Substitute Trustee
Riddle & Williams, P.C.
3811 Turtle Creek Blvd, Suite 500
Dallas, Texas 75219

The within notice was posted by me on the ____ day of _____, 2024, at the Hunt County Courthouse in Hunt, Texas.

RIDDLE & WILLIAMS, P.C.

ATTORNEYS & COUNSELORS

3811 TURTLE CREEK BLVD, STE 500
DALLAS, TEXAS 75219
TELEPHONE (214) 760-6767
FACSIMILE (214) 760-6765

December 5, 2024

Daryl Starr Meeks, Jr.
111 Smarty Jones Street
Caddo Mills, Texas 75135

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED
AND VIA FIRST CLASS MAIL

Re: 111 Smarty Jones Street, Caddo Mills, Texas 75135
Caddo Downs Residential Community, Inc.

Dear Owner:

Enclosed please find a copy of a Notice of Assessment Lien Sale for the above referenced property. The property has been posted for sale pursuant to the deed restrictions for Caddo Downs Residential Community, Inc. and will be sold at public auction on January 7, 2025.

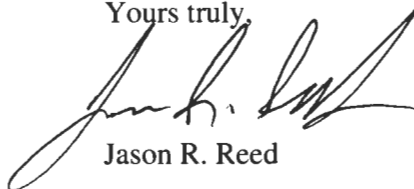
If you wish to avoid having your property sold, please remit the assessments and costs due and owing, currently totaling \$1,315.00 for assessments and related charges and \$2,893.88 for attorney's fees, for a total of \$4,208.88 to this office. These monies should be in the form of cashier's check, money order or cash. Cashier's checks or money orders should be made payable to Caddo Downs Residential Community, Inc. Any other form of payment will not be accepted. Please note this total does not include any charges that may accrue after December 3, 2024.

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.

This letter is from an attorney debt collector and is an attempt to collect a debt, and any further information obtained will be used for that purpose.

We suggest you give this matter your most urgent attention. **You may contact your Assessment Recovery Manager, Lindsay LaMothe via telephone at 469-364-6638, or via e-mail at llamothe@riddleandwilliams.com.**

Yours truly,



Jason R. Reed

· Daryl Starr Meeks, Jr.
December 5, 2024
Page 2

Enclosure

cc: Caddo Downs Residential Community, Inc.
c/o Neighborhood Management
1024 S. Greenville, Ste. 230
Allen, Texas 75002
(via first class mail)

CAUSE NO. 93719

IN RE: ORDER FOR FORECLOSURE	§	IN THE DISTRICT COURT OF
CONCERNING	§	
	§	
111 Smarty Jones Street	§	HUNT COUNTY, TEXAS
Caddo Mills, TX 75135	§	
	§	
UNDER TEX. R. CIV. PROC. 736	§	
	§	196TH JUDICIAL DISTRICT
AND DARYL STARR MEEKS, JR.		
<u>ORDER FOR FORECLOSURE</u>		

On June 12, 2024, the Application for Foreclosure under Tex. R. Civ. Proc. 736 in the above-entitled cause of action was presented to the Court. **Caddo Downs Residential Community, Inc.** (the "Association"), Petitioner herein, seeks an order pursuant to Tex. R. Civ. Proc. 736 to foreclose the Association's assessment lien against 111 Smarty Jones Street, Caddo Mills, Texas 75135, and further described as follows:

Lot 71, Block B, OF CADDO DOWNS, PHASE 2, AN ADDITION TO THE CITY OF CADDO MILLS, HUNT COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN CABINET I, SLIDES 373-376 AND DOCUMENT NO. 2021-04039, OF THE PLAT RECORDS OF HUNT COUNTY, TEXAS (111 Smarty Jones Street) (hereinafter the "Property").

The Court finds that the Association's Application for Foreclosure complies with Rule 736.1 of the Tex. R. Civ. Proc. and was properly served in accordance with Rule 736.4 of the Tex. R. Civ. Proc. The Court further finds that Respondent has not previously filed a response, and the return of service has been on file with the clerk of the Court for at least 10 days before the date of this Order. The Court finds that the name and last known address of each respondent is as follows:

Daryl Starr Meeks, Jr.
111 Smarty Jones Street
Caddo Mills, Texas 75135

Pursuant to Rule 736.7 of the Tex. R. Civ. Proc., all facts alleged in the Application for Foreclosure and supported by the affidavit of material facts constitute prima facie evidence of the truth of the matters alleged. The Court further finds as follows:

1. This proceeding is brought in the county in which all or part of the real property encumbered by the lien sought to be foreclosed is located.
2. The Association is governed by the Declaration of Covenants, Conditions and Restrictions for Caddo Downs (the "Declaration"), as corrected and supplemented from time to time.
3. The Property is subject to and governed by the Declaration.
4. By virtue of Respondent's acquisition of the Property, Respondent agreed to and became obligated by the Declaration to pay to the Association all assessments for the expense of administration, maintenance, upkeep and repair of the Community as assessed in accordance with the Declaration, as more particularly shown in Article 6 of the Declaration.
5. Article 6, Section 6.1.2 of the Declaration creates an assessment lien against the Property to secure payment of assessments and other charges pursuant to Tex. R. Civ. Proc. 735.1(c) and Tex. Prop. Code 209.0092.
6. Article 6, Section 6.10 of the Declaration further provides that the Association may foreclose its assessment lien by appropriate judicial or non-judicial proceedings.
7. During the period of Respondent's ownership, Respondent has been assessed maintenance fees in a non-discriminatory manner based on Respondent's ownership of the Property.

8. Article 6, Section 6.10 of the Declaration and Texas Property Code 5.006 provide for recovery of attorney's fees and expenses incurred in the collection of delinquent assessments.
9. As of May 8, 2024, Respondent is 16 months in default in his/her obligations to the Association for a total of Two Thousand Six Hundred and Eighty Two Dollars and Twenty Four Cents (\$2,682.24).
10. Respondent has been notified of the amounts due and unpaid attributed to Respondent's failure to pay the assessments and other charges by notice letter dated August 21, 2023.
11. A Notice of Lien was filed on or about October 10, 2023 at Instrument No. 2023-19785 in the office of the County Clerk of HUNT, Texas, and Respondent was notified of same by letter dated October 9, 2023.
12. The Association afforded Respondent thirty (30) days to cure the default pursuant to the October 9, 2023 letter, and such opportunity to cure the default has expired.
13. Prior to filing this Application, the Association performed all actions required under applicable law and the terms of the Declaration required prior to foreclosing the Association's assessment lien against the Property.


THE COURT THEREFORE GRANTS the Association's Application for Foreclosure under Tex. R. Civ. Proc. 736.

IT IS THEREFORE ORDERED that the Association may proceed with a foreclosure of its assessment lien on the Property under the terms of the Association's Declaration and Texas Property Code Section 51.002; and

IT IS FURTHER ORDERED that the Association shall send Respondent a copy of this Order with the notice of foreclosure sale sent to Respondent; and

IT IS FURTHER ORDERED that the Association may communicate with Respondent and all third parties as may be reasonably necessary to conduct the foreclosure sale of the Property.

SIGNED ON August 22, 2024.



JUDGE PRESIDING

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Lindsay LaMothe on behalf of Jason Reed

Bar No. 24043887

llamothe@riddleandwilliams.com

Envelope ID: 91162830

Filing Code Description: Proposed Order

Filing Description: Proposed Order Granting Foreclosure

Status as of 8/22/2024 4:18 PM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
JASON REED		jreed@riddleandwilliams.com	8/21/2024 1:28:35 PM	SENT