

# Notice of Constable's Sale

Execution and Order of Sale - 2017-43937

Mark Herman, Constable 4, Harris County

**Plaintiff: Kings River Trail Association, Inc., Vs Defendant: , James T. Tynan and Anne Tynan**

Under the authority and by virtue of Execution and Order of Sale, cause number 2017-43937, dated and issued the 20th day of August, 2020 pursuant to the judgment of the 164th Judicial District Court of Harris County, Texas, by the clerk of said court, and to me directed and delivered as Constable in Harris County, I have on this 4th day of December, 2020, seized and levied upon, and will on the first Tuesday in November, the same being November 3rd, 2020, at The Bayou City Event Center, 9401 Knight Road, Houston, Harris County, Texas 77045, between the hours of 10:00 A.M. and 4:00 P.M., proceed to sell for cash to the highest bidder all the right, title and interest of the defendant(s) in the real property as described below in order to satisfy said judgment, interest, penalties, costs, and further costs of executing this writ.

Whereas on the 3rd day of November, 2017, Kings River Trail Association, Inc., recovered a judgment in the 164th Judicial District Court of Harris County, Texas against James T. Tynan and Anne Tynan for the sum of TWO THOUSAND SEVENTY-EIGHT AND 39/100 DOLLARS (\$2,078.39) Actual damages, sum representing the maintenance fees, interest, costs of collection, and related charges due and owing under the terms of the Declaration of Covenants, Conditions and Restrictions on file in the Real Property Records for Harris County, Texas; Reasonable and necessary attorneys' fees in the amount of FOUR THOUSAND SIX HUNDRED NINETY-FIVE AND 91/100 DOLLARS (\$4,695.91) such fees incurred by Plaintiff in connection with the prosecution of this cause; Post-judgment interest at the rate of 5% per annum on all amounts awarded herein; Reasonable and necessary attorneys' fees in the amount of Seven Hundred Ninety Dollars and 00/100 (\$790.00), such sums conditioned upon Plaintiff affecting post judgment foreclosure of the property the subject of this cause to satisfy the judgment debt with the above-noted post judgment attorneys fees becoming due when this judgment becomes final and nonappealable; Reasonable and necessary attorneys' fees in the amount of Seven Hundred Fifty Dollars and 00/100 (\$750.00), such sums conditioned upon the Defendant filing a challenge with this Court to the judgment awarded and the Plaintiff's successful defense of Defendant's challenge with the above-noted post judgment attorneys fees becoming due when this judgment becomes final and nonappealable; Reasonable and necessary attorneys' fees in the amount of Two Thousand Five Hundred Dollars and 00/100 (\$2,500.00), such sums conditioned upon the Defendant appealing this judgment to the Texas Court of Appeals and the Plaintiff's successful defense of Defendant's appeal with the above-noted post judgment attorneys fees becoming due and owing when the judgment becomes final and nonappealable; Reasonable and necessary attorneys' fees in the amount of Two Thousand Five Hundred Dollars and 00/100 (\$2,500.00), such sums conditioned upon the Defendant's seeking or responding to an application for Writ of Error to the Supreme Court of Texas and Plaintiff's successful defense of the judgment with the above-noted post judgment attorneys fees becoming due when the judgment becomes final and nonappealable; Reasonable and necessary attorneys' fees in the amount of One Thousand Dollars and no 00/100 (\$1,000.00), if the application for writ of error is granted by the Supreme Court of Texas, and the Plaintiff prevails with the above-noted post judgment attorneys fees becoming due when the judgment becomes final and nonappealable; together with a judgment of foreclosure of lien on/in the property as hereinafter set out in addition to the costs expended in that behalf.

**Property Description: Lot Twenty (20) in Block Three (3) of KINGWOOD GLEN, SECTION FIVE (5), a subdivision in Harris County, Texas according to the map or plat thereof, recorded at Film Code No. 393098, of the Map Records of Harris County (the "Property") also known as 6218 Kingwood Glen Drive, Humble, Harris County, Texas 77346, Appraisal District Number - 1193200030020.**

Any properties sold shall be subject to the right of redemption of the defendants or any person having an interest therein, to redeem the property or their interest therein if allowed, within the time and in the manner provided by law. All Sales Shall Be, Without Warranty, As To Title, Or Condition, Express Or Implied, As Evidenced By Constable's Deed For Property.

**For More Information Contact:** North Law PC, Robert North, Phone: (713) 844 8030.

The Minimum Bid Is: All Costs Of Suit And Sale. Terms: Cash, or Cashier's Check. Additional Terms:

Real Property being Sold at the Direction of the Plaintiff's Attorney. It is the Prospective Bidder's or Purchaser's Responsibility to Research or Consult with an Attorney. Made Subject to the right of redemption (if any) in accordance to law. (Constables Commission due upon the final Bid amount)

Published In: The Daily Court Review. SALE TO BE HELD: 3rd day of November, 2020, between the hours of 10 a.m. and 4 p.m. at The Bayou City Event Center, 9401 Knight Road, Houston, Harris County, Texas 77045. Mark Herman, Constable Precinct 4, Harris County, Texas, 330 Meadowfern Dr, 2nd Floor, Houston, Texas 77067, (832) 927-6139. By: Writ Division