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NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

APPOINTMENT OF TRUSTEE

STATE OF TEXAS	§ §	KNOW ALL MEN BY THESE PRESENTS
COUNTY OF MONTGOMERY	Ů	§

THAT, pursuant to that certain Condominium Declaration dated January 9, 1980, executed by Inverness Condominium, Ltd., (the "Declarant") and recorded under Clerk's File No. 8001439 (Film Code No. 002-01-0802) in the Real Property Records of Montgomery County, Texas, as amended, modified, supplemented, and restated, including the by-laws, and all other exhibits and documents attached thereto (the "Declaration"), Declarant reserved and assigned to the Inverness Condominium Council of Co-Owners, Inc., d/b/a First Fairway at Walden Condominiums, a Texas non-profit corporation (the "Association"), liens against the real property described on Exhibit "A" attached hereto and made a part hereof for all purposes (the "Property"); and

NO EXHIBIT ATTACHED

WHEREAS, said liens were assigned to the Association to secure the obligation and the liability of the owners of the Property to pay the assessments and maintenance fees described in the Declaration (the "Indebtedness") and the Association was granted the right and power to enforce non-judicial foreclosure of said liens; and

WHEREAS, the owners of the Property have failed and refused to pay said Indebtedness after written notice and demand for payment and the Association desires to appoint a Trustee for the purpose of effecting foreclosure of its liens against the Property,

NOW, THEREFORE, in consideration of the premises, the Association, being the legal owner and holder of the Indebtedness, and pursuant to the Declaration, hereby names, constitutes and appoints Michael P. Kelly of Dallas County, Texas and/or his representative as Substitute Trustee for the purpose of foreclosing the said liens and does hereby request said Substitute Trustee to foreclose said liens and sell to the highest bidder for cash on August 7, 2007 pursuant to Section 51.002 of the Texas Property Code. This Appointment of Substitute Trustee shall pertain to the foreclosure sale on August 7, 2007, and shall remain in full force and effect thereafter unless and until revoked, but in no event shall this Appointment of Substitute Trustee continued beyond January 1, 2010.

EXECUTED as of this 30 day of July, 2007.

IVERNESS CONDOMINIUM COUNCIL OF CO-OWNERS, d/b/a First Fairway at Walden

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THE STATE OF TEXAS COUNTY OF Brazonia

This instrument was acknowledged before me on <u>July 3 D</u>, 2007 by Fldred Keehey, on behalf of INVERNESS CONDOMINIUM COUNCIL OF CO-OWNERS, INC., d/b/a First Fairway at Walden Condominiums, a Texas non-profit corporation, on behalf of said corporation.

Notary Public in and for the State of Texas



AFTER RECORDING, RETURN TO:

LAW OFFICE OF MICHAEL P. KELLY P.O. BOX 720279 **DALLAS, TEXAS 75372-0279**

FILED FOR RECORD

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COUNTY CLERK
MONTGOMERY COUNTY, TEXAS

Mark Jamball

STATE OF TEXAS COUNTY OF MONTGOMERY

I hereby certify this instrument was filed in File Number Sequence on the date and at the time stamped herein by me and was duly RECORDED in the Official Public Records of Real Property at Montgomery County, Texas.

AUG - 2 2007

intgomery County, Texas

REPRETIDES MEMBERANDUM:
At the time of recordation, this instrument was found to be inadequate for the best photographic reproduction because of illegibility, carbon or photo copy, discolored paper, etc. All blackouts, additions and changes were present at the time the instrument was filed and recorded