

REQUEST FOR ABSTRACT OF JUDGMENT

P-2

Date: 2/29/2012

Please process this request to have Judgment against the Defendant/Respondent abstracted. The information below is to be stated on the abstract.

CAUSE NUMBER: 2011-41862 164th JUDICIAL DISTRICT COURT

STYLE: Parc IV/Parc V Condominium Association vs. Ben Dominguez, II
VS.

Creditor's last known address: Parc Condominium Association
C/o Roberts Markel Weinberg, PC 2800 Post Oak Blvd., 57th Floor, Houston, Texas
77056

Debtor's last known address: Ben Dominguez, II
808 Travis Street, Suite 907, Houston, Texas 77002

Debtor's Date of Birth: N/A

Debtor's Social Security No: N/A

Debtor's Driver's License Number: N/A

Date of Judgment: 19th December 2011

Amount of Judgment: \$17,226.55 + \$2,000.00 = \$19,226.55

Judgment Credit, if any: N/A

Number of Abstracts requested: 1

2012 MAR -2 AM 8:47
HARRIS COUNTY, TEXAS
CLERK OF DISTRICT CLERK
OFFICE OF CHRIS DANIEL
DEPUTY CLERK
OFFICE OF CHRIS DANIEL DISTRICT CLERK

Requested by:

Law Firm: Roberts Markel Weinberg, PC

Attorney: Brady E. Ortega

Bar Number: 24042746

Address: 2800 Post Oak Blvd., 57th Floor
Houston City Texas State 77056 Zip

Phone Number: 713-840-1666

HOLD FOR PICKUP RETURN BY MAIL (SEE BELOW)

Please return this request along with \$8 fee to:
Chris Daniel, District Clerk
P. O. Box 4651
201 Caroline, Suite 250
Houston, TX 77210-4651

ATTENTION: Effective June 1, 2010
For all Services provided by the District Clerks
Office requiring our office to MAIL something
back to the Requesting Party, we require a
Self-Addressed Stamped Envelope with sufficient
postage for mail back.

TR# 9235983

CAUSE NO. 2011-41802

P5

PARC IV & PARC V CONDOMINIUM
ASSOCIATION

IN THE DISTRICT COURT

VS.

OF HARRIS, TEXAS

BEN DOMINGUEZ, II

164TH JUDICIAL DISTRICT

6

AGREED JUDGMENT

On this day came on to be heard PARC IV & PARC V CONDOMINIUM ASSOCIATION, (hereinafter "Plaintiff"), and BEN DOMINGUEZ, II, (hereinafter, "Defendant"), for entry of an Agreed Judgment in this cause. The Plaintiff appeared by and through its attorney of record and the Defendant appeared by and through their attorney of record or pro se and the parties announced to the Court the resolution of the issues of law and fact in dispute herein. The Court finds that the Agreed Judgment be entered.

1. The Court, having read the papers and pleadings on file, is of the opinion that the allegations of Plaintiff's petition have been admitted and that the cause of action is unliquidated. Upon due and sufficient evidence submitted to the Court, the Court finds that Plaintiff has been damaged in the amount of SEVENTEEN THOUSAND TWO HUNDRED TWENTY-SIX AND 55/100 DOLLARS (\$17,226.55), which includes unpaid assessments and interest, late fees, attorney's fees, and costs incurred in the collection of assessments. The Court also finds that in the event Defendant default under this Agreed Judgment and Plaintiff requests an Order of Sale of Defendant's Property, as set forth herein, Plaintiff is entitled to an additional award of reasonable and necessary

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2-1

attorney's fees and expenses in the amount of TWO THOUSAND AND 00/100 DOLLARS (\$2,000.00) to cover the costs of enforcement of this Agreed Judgment. Plaintiff is also entitled to recover additional reasonable attorney's fees in the amount of ONE THOUSAND AND 00/100 DOLLARS (\$1,000.00) in the event Defendant file an unsuccessful Motion for New Trial; that Plaintiff is entitled to recover additional reasonable attorney's fees in the amount of THREE THOUSAND FIVE HUNDRED AND 00/100 DOLLARS (\$3,500.00) in the event an unsuccessful appeal is made by Defendant to the Court of Appeals; that Plaintiff is entitled to recover additional reasonable attorney's fees in the amount of THREE THOUSAND FIVE HUNDRED AND 00/100 DOLLARS (\$3,500.00) in the event an unsuccessful appeal is made by the Defendant to the Supreme Court of Texas. It is therefore,

2. ORDERED, ADJUGED AND DECREED that Plaintiff, PARC IV & PARC V CONDOMINIUM ASSOCIATION, shall have and recover from Defendant, BEN DOMINGUEZ, II, damages in the amount of SEVENTEEN THOUSAND TWO HUNDRED TWENTY-SIX AND 55/100 DOLLARS (\$17,226.55), which includes unpaid assessments and interest, late fees, attorney's fees, and costs incurred in the collection of assessments. The Court also finds that in the event Defendant default under this Agreed Judgment and Plaintiff requests an Order of Sale of Defendant' Property, as set forth herein, Plaintiff is entitled to an additional award of reasonable and necessary attorney's fees and expenses in the amount of TWO THOUSAND AND 00/100 DOLLARS (\$2,000.00) to cover the costs of enforcement of this Agreed Judgment. Plaintiff is also entitled to recover additional reasonable attorney's fees in the amount of ONE THOUSAND AND 00/100 DOLLARS (\$1,000.00) in the event Defendant file an

unsuccessful Motion for New Trial; that Plaintiff is entitled to recover additional reasonable attorney's fees in the amount of THREE THOUSAND FIVE HUNDRED AND 00/100 DOLLARS (\$3,500.00) in the event an unsuccessful appeal is made by Defendant to the Court of Appeals; that Plaintiff is entitled to recover additional reasonable attorney's fees in the amount of THREE THOUSAND FIVE HUNDRED AND 00/100 DOLLARS (\$3,500.00) in the event an unsuccessful appeal is made by the Defendant to the Supreme Court of Texas. It is further

3. ORDERED, ADJUDGED and DECREED that the Judgment hereby rendered shall bear interest at the rate of 6% per annum from the date of this Judgment until paid. It is further

4. ORDERED, ADJUGED AND DECREED that Plaintiff, PARC IV & PARC V CONDOMINIUM ASSOCIATION, have a lien for assessments, prejudgment interest, costs, and attorney's fees as set out in the Declaration of Condominium for Parc IV/PARC V, recorded under document number F483194 in the real property records of Harris County, Texas as amended and/or supplemented (the "Declaration") and/or Section 204.010(a)(12) of the Texas Property Code on the following described property (the "Property"):

The following described condominium unit and limited common elements appurtenant thereto, together with an undivided interest in the General Common Elements located in and being a part of Parc IV/Parc V CONDOMINIUM, a Condominium Project in Harris County, Texas, as fully described in, and as located, delineated and defined in the Condominium Declaration for Park IV/Parc V Condominium, together with the survey plat, by-laws and exhibits thereto, recorded in Volume 61, Page 122, et seq. of the Condominium Unit No. 1004, in building "A", and the space encompassed by the boundaries thereof; an undivided .4178 percent ownership

interest in and to the general common elements of the
condominium project

5. ORDERED, ADJUDGED and DECREED that an order of sale is issued to any Sheriff or Constable within the State of Texas, to seize and to sell the Property the same as under execution in satisfaction of this Judgment. It is, further,

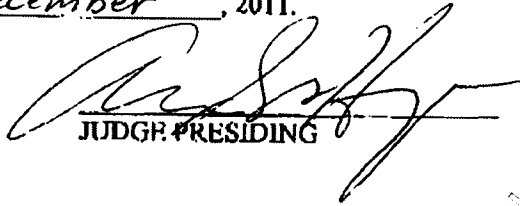
6. ORDERED, ADJUDGED and DECREED that if the Property cannot be found, or if the proceeds of the sale are insufficient to satisfy the Judgment, the Sheriff or Constable shall take the money or unpaid balance out of the other property of the Defendant, as in the case of ordinary execution. It is, further,

7. ORDERED, ADJUDGED and DECREED that if any surplus remains after the payment of sums adjudged to be due, it should be paid first in satisfaction of any amounts owed to Plaintiff by Defendant for assessments, costs of collection, interest, attorney's fees or other charges outstanding on the Property or properties the subject of this Judgment and which sums are evidenced by the lien or liens properly filed in the Real Property Records of Harris County, Texas, and if any surplus remains thereafter it shall be placed in the Registry of the Court. It is, further,

8. ORDERED, ADJUDGED and DECREED that all costs of court expended or incurred in this cause are hereby adjudged against the Defendant and all writs and processes for the enforcement and collection of this Judgment for costs of Court may issue as necessary.

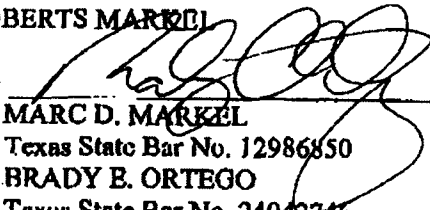
This Judgment finally disposes of all parties and all claims and is appealable.

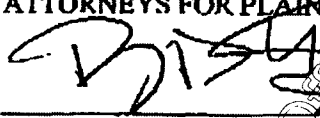
SIGNED this 19th day of December, 2011.


JUDGE PRESIDING

APPROVED AS TO FORM AND SUBSTANCE:

ROBERTS MARCEL

By: 
MARC D. MARKEL
Texas State Bar No. 12986850
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Texas State Bar No. 24042746
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By: 
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PRO SE DEFENDANT

Unofficial Copy, Office of Chris Daniel District Clerk