

WD
ETC

RETURN TO: 388528
CHICAGO TITLE 30M
1720 NASA ROAD ONE
HOUSTON, TX 77058

PEREZ
Loan Number 2004-07-29-00387

X888484

09/01/04 100585416

\$16.00

WARRANTY DEED WITH VENDOR'S LIEN

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

THE STATE OF TEXAS)
)
COUNTY OF HARRIS)

KNOW ALL MEN BY THESE PRESENTS:

THAT STEVEN M. PROCTOR ALSO KNOWN AS STEVEN MARK PROCTOR, hereinafter called "Grantor" (whether one or more), for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration to Grantor paid by FROYLAN PEREZ, A SINGLE PERSON, hereinafter called "Grantee" (whether one or more), the receipt of which is hereby acknowledged and confessed, and the further consideration of the execution and delivery by said Grantee of one certain Promissory Note in the principal sum of \$162,400.00, of even date herewith, payable to the order of MILA, INC., D/B/A MORTGAGE INVESTMENT LENDING ASSOCIATES, INC., hereinafter called "Mortgagee", bearing interest at the rate therein provided; said Note containing the usual reasonable attorney's fee clause and various acceleration of maturity clauses in case of default, and being secured by Vendor's Lien and superior title retained herein in favor of said Mortgagee, and being also secured by a Deed of Trust of even date herewith from Grantee to GREGORY L. GREGG, Trustee; and

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WHEREAS, Mortgagee has, at the special instance and request of Grantee, paid to Grantor a portion of the purchase price of the property hereinafter described, as included in the above-described Note, said Vendor's Lien against said property securing the payment of said Note is hereby assigned, transferred and delivered to Mortgagee, Grantor hereby conveying to said Mortgagee the said superior title to said property, subrogating said Mortgagee to all the rights and remedies of Grantor in the premises by virtue of said liens; and

The further consideration of the execution and delivery by Grantee of that one certain Second Lien Promissory Note, of even date herewith, in the principal sum of \$40,600.00, payable to the order of MILA, INC., D/B/A MORTGAGE INVESTMENT LENDING ASSOCIATES, INC., and bearing interest at the rate specified, said Note being secured by a second and inferior Vendor's Lien and Superior Title herein and hereby expressly retained and reserved upon the property herein described and conveyed, and additionally secured by a Second Lien Deed of Trust, of even date from Grantee to the Trustee named therein; and

Grantor has GRANTED, SOLD and CONVEYED, and by these presents does GRANT, SELL and CONVEY unto said Grantee, the following described property, to-wit:

LOT FORTY-EIGHT (48), IN BLOCK ONE (1), OF NORTHFORK, SECTION SIX (6), A SUBDIVISION IN HARRIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED UNDER FILM CODE NUMBER 371080 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS.

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HARRIS COUNTY CLERK
HARRIS COUNTY, TEXAS

TO HAVE AND TO HOLD the above-described premises, together with all and singular, the rights and appurtenances thereunto in anywise belonging unto said Grantee, his heirs and assigns, forever. And Grantor does hereby bind himself, his heirs, executors and administrators, to warrant and forever defend all and singular the said premises unto said Grantee, his heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

Taxes for the current year have been prorated and their payment is assumed by Grantee.

This conveyance is made subject to any and all valid and subsisting restrictions, easements, rights of way, reservations, maintenance charges together with any lien securing said maintenance charges, zoning laws, ordinances of municipal and/or other governmental authorities, conditions and covenants, if any, applicable to and enforceable against the above-described property as shown by the records of the County Clerk of said County.

The use of any pronoun herein to refer to Grantor or Grantee shall be deemed a proper reference even though Grantor and/or Grantee may be an individual (either male or female), a corporation, a partnership or a group of two or more individuals, corporations and/or partnerships, and when this Deed is executed by or to a corporation, or trustee, the words "heirs, executors and administrators" or "heirs and assigns" shall, with respect to such corporation or trustee, be construed to mean "successors and assigns".

It is expressly agreed that the Vendor's Lien is retained in favor of the payee of said Note against the above-described property, premises and improvements, until said Note and all interest thereon shall have been fully paid according to the terms thereof, when this Deed shall become absolute.

EXECUTED this ^{25th}~~23rd~~ day of AUGUST, 2004.

Steven M. Proctor
STEVEN M. PROCTOR

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RECORDER'S MEMORANDUM:
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 blockouts, additions and changes were present at the time the instrument was filed and recorded.

ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW
THE STATE OF TEXAS
COUNTY OF HARRIS
I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me; and was duly RECORDED. In the Official Public Records of Real Property of Harris County, Texas on

SEP - 1 2004



Dorely B. Kayman
COUNTY CLERK
HARRIS COUNTY, TEXAS

STATE OF Texas, COUNTY OF Harris, ss:
This instrument was acknowledged before me on this 25th day of August, 2004, by STEVEN M. PROCTOR.

Susan C. Magers
NOTARY PUBLIC

GRANTEE'S ADDRESS:
2406 GENTLE BROOK COURT
HOUSTON, TEXAS 77062

