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THE STATE OF TEXAS

NOTICE TO DEFENDANTS: "You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you,"

To LARRY LESTER, P.O. BOX 24714, HOUSTON, TX 77229

Defendant, Greeting:

You are hereby commanded to appear by filing a written answer to the Plaintiff's ORIGINAL PETITION FOR PARTITION OF REAL ESTATE at or before ten o'clock A.M. of the Monday next after the expiration of twenty days after the date of service of this citation before the Honorable District Court of San Jacinto County, Texas, at the Courthouse of said County in Coldspring, Texas.

Said Plaintiff's Petition was filed in said court, by BILL YOUNGKIN (+attorney for Plaintiff or Plaintiff), whose address is P.O. BOX 4806, BRYAN, TX 77805, on the 8TH day of AUGUST A.D. 20 19, in this case, numbered CV16,051 on the docket of said court, and styled,

NEW CENTURY PARTNERS, LLC Plaintiff

VS. EDUARDO A PORTILLA, ET AL Defendant

The nature of Plaintiff's demand is fully shown by a true and correct copy of Plaintiff's ORIGINAL PETITION FOR PARTITION OF REAL ESTATE accompanying this citation and made a part hereof.

The officer executing this writ shall promptly mail the same according to requirements of law, and the mandates thereof, and make due return as the law directs.

Issued and given under my hand and seal of said Court at Coldspring, San Jacinto County, Texas this the 20TH day of AUGUST A.D. 20 19.

Attest: TAMMY CURRIE, Clerk District Court 258TH

CLERK OF THE COURT

TAMMY CURRIE, DISTRICT CLERK
1 State Highway 150, Room 4
Coldspring, Texas 77331

San Jacinto County, Texas

By Tammy Currie, ~~Deputy~~

ATTACH
RETURN RECEIPTS
WITH
ADDRESSEE'S SIGNATURE

Rule 106 (a) (2) the citation shall be served by mailing to the defendant by .....certified mail.....Return receipt requested, a true copy of the Citation.....

Sec. 17.027 Rules of Civil Practice and Remedies Code if not prepared by Clerk of Court.

*Name of Preparer Title

Address

City State Zip

+Strike the one not applicable
*If not applicable so state N.A.

CERTIFICATE OF DELIVERY BY MAIL

I hereby certify that on the 20TH day of AUGUST, 20 19 at 4:00 o'clock P.M., I mailed to

LARRY LESTER

P.O. BOX 24714

HOUSTON, TX 77229

Defendant(s) by registered mail or certified mail, with delivery restricted to addressee only, return receipt requested, a true copy of this citation with a copy of the petition attached thereto.

TAMMY CURRIE, DISTRICT CLERK

BY: Tammy Currie ~~DEPUTY~~
Title

CAUSE NO. CV16,051

NEW CENTURY PARTNERS, LLC	§	**IN THE 258TH DISTRICT COURT**
Plaintiff	§	
	§	
v.	§	**OF**
	§	
EDUARDO A. PORTILLA, ET AL	§	
Defendants	§	**SAN JACINTO COUNTY, TEXAS**

PLAINTIFF'S ORIGINAL PETITION FOR PARTITION OF REAL ESTATE

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES New Century Partners, LLC, hereinafter called Plaintiff and files this his Partition of real estate and in support thereof would show this Honorable court as follows:

I.

Plaintiff, New Century Partners, LLC, is a Limited Liability Company located in Harris County, Texas.

Defendants are numerous and Plaintiff is an undivided interest holder with all Defendants. However, Defendants hold only an undivided 1/2 (one-half) interest to specific lots with Plaintiff.

The following is a representation of the Defendants in this lawsuit who should be served with process in this proceeding and such Defendants are listed below with each property description as to which specific lot and block their title is held by them undivided with Plaintiff. All lots and blocks are located within the Peach Creek Estates Subdivision, Section One, of San Jacinto County, Texas:

Peach Creek Estates #1, **Block 1, Lot 1**, (R100482) and being further described in a deed from Peach Creek Plantation, LTD into Eduardo A. Portillo and Veronica Portillo in Document No. 20087100 and dated November 22, 2008 and filed in the Official Public Records of San Jacinto County, Texas.

1) Eduardo A. Portilla is an individual who may be served with process at 7911 Bellfort, Houston, Texas 77061.
2) Veronica Portilla is an individual who may be served with process at 7911 Bellfort, Houston, Texas 77061.

Filed: 8/8/2019 10:39 AM
Tammy Currie
District Clerk
San Jacinto County, Texas

Peach Creek Estates #1, **Block 1, Lot 2 (part of),** (R100483), and being a part of an original described 13.059 acre tract described in a deed from Jose Lagunas, et al into Gilberto Lagunas and Maria Eugenia Maldonado in Document No. 20150396, dated May 29, 2014; LESS 6.530 acres conveyed to Alejandro Reyna Diaz in in Document No. 20150397 and dated August 28, 2014 and filed in the Official Public Records of San Jacinto County, Texas:

1) Gilberto Lagunas is an individual who may be served with process at 965 East 6th Street, Porrona, California 91766.
2) Maria Eugenia Maldonado is an individual who may be served with process at 965 East 6th Street, Porrona, California 91766.

Peach Creek Estates #1, **Block 1, Lot 2 (part of),** (R123878) and being the same property described as 6.530 acres in Volume 20150397 from Gilbert Lagunas and Maria Eugenia Maldonado into Alejandro Reyna Diaz, dated August 28, 2014 and filed in the Official Public Records of San Jacinto County, Texas:

1) Alejandro Reyna Diaz is an individual who may be served with process at 37410 Little Thorn Lane, Magnolia, Texas 77354.

Peach Creek Estates #1, **Block 1, Lot 3,** (R100484) and being further described in a deed from Peach Creek Plantation, LTD into Donna Beth Ivey and Kerryn L. Rodriguez in Document No. 20075390 and dated July 20, 2007 and filed in the Official Public Records of San Jacinto County, Texas:

1) Donna Beth Ivey, is an individual who may be served with process by certified mailing at P.O. Box 1552, Cleveland, Texas 77328.
2) Kerryn L. Rodriguez is an individual who may be served with process by certified mailing at P.O. Box 1552, Cleveland, Texas 77328.

Peach Creek Estates #1, **Block 1, Lot 4**, (R100485), and being further described in a deed from Randall E. Martin and Mary A. Martin into Jason Paul Garza in Document No. 20193117 and dated May 16, 2019 and filed In the Official Public Records of San Jacinto County, Texas:

1) Jason Paul Garza is an individual who may be served with process at 161 Big Buck Dr., Cleveland, Texas 77328.

Peach Creek Estates #1, **Block 1, Lot 5**, (R100486) and being further described in a deed from Paul J. Meinhart into Fidelmar Campuzano and Janeth Pineda in Document No. 20180126 and dated December 27, 2017 and filed in the Official Public Records of San Jacinto County, Texas:

1) Fidelmar Campuzano is an individual who may be served with process at 2626 Creston Drive, Houston, Texas 77026.

2) Janeth Pineda is an individual who may be served with process at 2626 Creston Drive, Houston, Texas 77026.

Peach Creek Estates #1, **Block 1, Lot 6**, (R100487), and being further described in a deed from Ana Guevara and Leonel E. Villegas into Jose Medrano and Lisa Yvette Medrano in Document No. 20181983 and dated March 28, 2018 and filed in the Official Public Records of San Jacinto County, Texas.

1) Jose Medrano is an individual who may be served with process at 4523 Bandera Run Court, Pasadena, Texas 77505.
2) Lisa Yvette Medrano is an individual who may be served with process at 4523 Bandera Run Court, Pasadena, Texas 77505.

Peach Creek Estates #1, **Block 1, Lot 7**, (R100488), and being further described in a deed from Peach Creek Plantation, LTD into Armando Chagolla and Jose Pilar Chagolla in Document No. 20079489 and dated December 22, 2007 and filed in the Official Public Records of San Jacinto County, Texas.

1) Armando Chagolla is an individual who may be served with process at 719 Innsdale Dr., Houston, Texas 77076.
2) Jose P. Chagollo is an individual who may be served with process at 719 Innsdale Dr., Houston, Texas 77076.

Peach Creek Estates #1, **Block 1, Lot 8** (R100489), and being further described in a deed from Fernando Suarez and Rosalinda Suarez in Document No. 20192821 and dated May 6, 2019 and filed in the Official Public Records of San Jacinto County, Texas:

1) Robert Marshall Sistrunk, Individually and as Co-Trustee of the Robert and Joanna Sistrunk Revocable Trust may be served with process at 16311 Stable Manor Lane, Cypress, Texas 77429.
2) Joanna Sistrunk, Individually and as Co-Trustee of the Robert and Joanna Sistrunk Revocable Trust may be served with process at 16311 Stable Manor Lane, Cypress, Texas 77429.

Peach Creek Estates #1, **Block 1, Lot 9**, (R100490), and being further described in a deed from Peach Creek Plantation, LTD into Antonio Suarez and Norma Suarez in Document No. 20082589 and dated April 18, 2008 and filed in the Official Public Records of San Jacinto County, Texas:

1) Antonio Suarez is an individual who may be served with process at 814 Dell Dale, Channelview, Texas 77530.
2) Norma Suarez is an individual who may be served with process at 814 Dell Dale, Channelview, Texas 77530.

Peach Creek Estates #1, **Block 1, Lot 10** (R100491) and being further described in a deed from Manuel Pulido and Oralia Pulido into Edgar Saenz and Mayra Saenz in Document No. 20122327 and dated June 8, 2012 and filed in the Official Public Records of San Jacinto County, Texas.

1) Edgar Saenz is an individual who may be served with process at 1103 Twinbrook Dr., Houston, Texas 77088.
2) Mayra Saenz is an individual who may be served with process at 1103 Twinbrook Dr., Houston, Texas 77808.

Peach Creek Estates #1, **Block 1, Lot 11** (R100492) and being further described in a deed Peach Creek Plantation, LTD into Artemio Mercado and Maria Yolanda Mercado in Document No. 20087733 and dated November 22, 2008 and filed in the Official Public Records of San Jacinto County, Texas:

1) Artemio Mercado is an individual who may be served with process at 7807 Keller, Houston, Texas 77012.
2) Maria Yolanda Mercado is an individual who may be served with process at 7807 Keller, Houston, Texas 77012.

Peach Creek Estates #1, **Block 1, Lot 12** (R100493) and being further described in a deed from Peach Creek Plantation, LTD into John A. Pogorzelski and wife, Mary Pogorzelski in Document No. 20084713 and dated July 15, 2008 and filed in the Official Public Records of San Jacinto County, Texas:

1) John A. Pogorzelski is an individual who may be served with process at 2622 40th Avenue North, Texas City, Texas 77590.
2) Mary Pogorzelski is an individual who may be served with process at 2622 40th Avenue North, Texas City, Texas 77590.

Peach Creek Estates #1, **Block 1, Lot 13** (R100494), being **Block 1, Lot 14** (R100495) and being **Block 1, Lot 15** (R100496) and being the same three (3) tracts of land being called 35 acres, same land conveyed by Peach Creek Plantation, LTD to Rodrigo Hurtado and Maria A. Hurtago in that certain deed in Document No. 20080300 and dated January 10, 2008 and filed in the Official Public Records of San Jacinto County, Texas:

1) Rodrigo Hurtado is an individual who may be served with process at 10526 Timberlock Dr., Houston, Texas 77070.
2) Maria A. Hurtado is an individual who may be served with process at 10526 Timberlock Dr., Houston, Texas 77070.

Peach Creek Estates #1, **Block 1, Lot 16**, (R100497), being further described in a deed from Ana Guevara into Mae Katherine Hobbs in Document No. 20177001 and dated December 6, 2017 and filed in the Official Public Records of San Jacinto County, Texas:

1) Mae Katherine Hobbs is an individual who may be served with process at 2314 Prairie Forest Trail, Spring, Texas 77373.

Peach Creek Estates #1, **Block 1, Lot 17**, (R100498), being further described in a deed from Peach Creek Plantation, LTD into Imelda Castro in Document No. 20086354 and dated July 18, 2008 and filed in the Official Public Records of San Jacinto County, Texas.

1) Imelda Castro is an individual who may be served with process at 143 County Road 3292, Cleveland, Texas 77327.

Peach Creek Estates #1, **Block 1, Lot 18**, (R100499), being further described in a deed from Peach Creek Plantation, LTD into Efrain V. Valdez and Maribel Valdez in Document No. 20080429 and dated December 9, 2007 and filed in the Official Public Records of San Jacinto County, Texas:

1) Efrain V. Valdez is an individual who may be served with process at 143 County Road 3292, Cleveland, Texas 77327.
2) Maribel Valdez is an individual who may be served with process at 143 County Road 3292, Cleveland, Texas 77327.

Peach Creek Estates #1, **Block 1, Lot 19**, (R100500), being further described in a deed from Thomas Varkey and Elsy Thomas into Anthony Bernard Carpenter, Jr. and Patricia A. Carpenter in Document No. 20170372 and dated January 13, 2017 and filed in the Official Public Records of San Jacinto County, Texas.

1) Anthony Bernard Carpenter, Jr., is an individual who may be served with process at 461 Big Buck, Cleveland, Texas 77328.
2) Patricia A. Carpenter is an individual who may be served with process at 461 Big Buck, Cleveland, Texas 77328.

Peach Creek Estates #1, **Block 1, Lot 20**, (R100501), and being further described in a deed from Peach Creek Plantation, LTD into Timothy Warren and Nancy Warren in Document No. 20082747 and dated November 27, 2007 and filed in the Official Public Records of San Jacinto County, Texas:

1) Timothy S. Warren is an individual who may be served with process at 481 Big Buck Dr, Cleveland, Texas 77328
2) Nancy E. Warren is an individual who may be served with process at 481 Big Buck Dr., Cleveland, Texas 77328.

Peach Creek Estates #1, **Block 1, Lot 21** (R100502), being further described in a deed from Peach Creek Plantation, LTD into Joseph E. Johnson and Shaloe N. Johnson in

Document No. 20081648 and dated March 11, 2008 and filed in the Official Public Records of San Jacinto County, Texas:

1) Joseph E. Johnson is an individual who may be served by certified mail at P.O. Box 450646, Houston, Texas 77245.
2) Shaloe N. Johnson is an individual who may be served by certified mail at P.O. Box 450464, Houston, Texas 77245.

Peach Creek Estates #1, **Block 1, Lot 22,** (R100503), and being further described in a deed from Peach Creek Plantation, LTD into Larry Lester in Document No. 20087276 and dated November 16, 2007 and filed in the Official Public Records of San Jacinto County, Texas:

1) Larry Lester is an individual who may be served by certified mail at P.O. Box 24714, Houston, Texas 77229.

Peach Creek Estates #1, **Block 1, Lot 23,** (R100504), and being further described in a deed from Peach Creek Plantation, LTD into Gregg Zemke and Yelena Zemke in Document No. 20082379 and dated April 18, 2008 and filed in the Official Public Records of San Jacinto County, Texas:

1) Gregg D. Zemke is an individual who may be served with process at 333 Clay Street, Ste 2100, Houston, Texas 77002.
2) Yelena Zemke is an individual who may be served with process at 333 Clay Street, Ste 2100, Houston, Texas 77002.

Peach Creek Estates #1, **Block 1, Lot 24** (R100505), and being further described in a deed from Barry Hines and Deborah Hines into Carlos Villanueva Mendez and Amy Elizabeth Flores in Document No. 20185650 and dated August 24, 2018 and filed in the Official Public Records of San Jacinto County, Texas:

1) Carlos Villanueva Mendez is an individual who may be served with process at 7214 Pinetex Dr., Humble, Texas 77396.
2) Amy Elizabeth Flores is an individual who may be served with process at 7214 Pinetex Dr., Humble, Texas 77396.

Peach Creek Estates #1, **Block 1, Lot 25** (R100506), and being further described in a deed from Peach Creek Plantation, LTD into Refugio Gutierrez and Margarita Gutierrez in Document No. 20094090 and dated June 9, 2009 of the Official Public Records of San Jacinto County, Texas:

1) Refugio Gutierrez is an individual who may be served with process at 10029 Lazy Oaks Street, Houston, Texas 77080.

2) Margarita Gutierrez is an individual who may be served with process at 10029 Lazy Oaks Street, Houston, Texas 77808.

Peach Creek Estates #1, **Block 1, Lot 26** (R100507), and being further described in a deed from Peach Creek Plantation, LTD into Oscar Saucedo and wife Maria Saucedo in Document No. 20082593 and filed in the Official Public Records of San Jacinto County, Texas:

1) Oscar Saucedo is an individual who may be served with process at 7022 Palmetto, Houston, Texas 77087.
2) Maria Saucedo is an individual who may be served with process at 7022 Palmetto, Houston, Texas 77087.

Peach Creek Estates #1, **Block 1, Lot 27**; also **Block 1, Lot 28** (R100508), and being further described in a deed from Robert Wallace Abrahamsen into Raul G. Salazar in Document No. 20161267 and dated February 26, 2016 and filed in the Official Public Records of San Jacinto County, Texas:

1) Raul G. Salazar is an individual who may be served with process at 621 Big Buck Drive, Cleveland, Texas 77328.

Peach Creek Estates #1, **Block 1, Lot 29** (R100510), and being further described in a deed from Jonathon Combs and Amanda Hawkins Combs into Gabrielle McClellan and Kory McClellan in Document No. 20176800 and dated November 30, 2017 and filed in the Official Public Records of San Jacinto County, Texas:

1) Gabrielle McClellan is an individual who may be served with process at 661 Big Buck Drive, Cleveland, Texas 77328.
2) Kory McClellan is an individual who may be served with process at 661 Big Buck Drive, Cleveland, Texas 77328.

Peach Creek Estates #1, **Block 1, Lot 30** (R100511), and being further described in a deed from Peach Creek Plantation, LTD into Salvador Gutierrez in Document No. 20112597 and dated April 14, 2011 and filed in the Official Public Records of San Jacinto County, Texas:

1) Salvador Gutierrez is an individual who may be served with process at 5431 Cherry Creek, Houston, Texas 77017.

Peach Creek Estates #1, **Block 1, Lot North 31** (Lot 31), (R100512) and being further described in a deed from Peach Creek Plantation, LTD into Esteban Gutierrez and Juana Gutierrez in Document No. 20087279 and dated December 13, 2007 and filed in the Official Public Records of San Jacinto County, Texas:

1) Esteban Gutierrez is an individual who may be served with process at 543 Woodmist Drive, Houston, Texas 77013.
2) Juana Gutierrez is an individual who may be served with process at 543 Woodmist Drive, Houston, Texas 77013.

Peach Creek Estates #1, **Block 1, Lot North 32** (Lot 32), (R100513) and being more particularly described in a deed from David Evan Wink and Tressa Wink into John Christopher Buckley and Nicole L. Babin in Document No. 20153790 and dated July 31, 2015 and filed in the Official Public Records of San Jacinto County, Texas:

1) John Christopher Buckley is an individual who may be served with process at 10038 Sweet Olive Way, Tomball, Texas 77375.
2) Nicole L. Babin Buckley is an individual who may be served with process at 10038 Sweet Olive Way, Tomball, Texas 77375.

Peach Creek Estates #1, **Block 1, Lot South 31** (Lot 33), (R100514) and being described as Lot 31 South, formerly known as Lot 33 and being conveyed by Vanessa Delgado into Jose Felisiano Perez in Document No. 20174796 of the Official Public Records of San Jacinto County, Texas:

1) Jose Felisiano Perez is an individual who may be served with process at 11139 Cedarview Lane, Houston, Texas 77041.

Peach Creek Estates #1, **Block 1, Lot South 32** (Lot 34), (R100515) and being the same land referred to as 14.245 acres of land and being further described in a deed from Peach Creek Plantation, LTD into Eagle Land Acquisition and Development in Document No. 20167626 and dated June 21, 2008 and filed in the Official Public Records of San Jacinto County, Texas:

1) Eagle Land Acquisition & Development who is a business practicing as a sole proprietorship whose owner is Aubrey Coleman Warner, who may be served with process on behalf of Eagle Land Acquisition and Development at 12315 Amanda Mows, Houston, Texas 77089.

Peach Creek Estates #1, **Block 1, Lot 33** (Lot 35), (R100516) and being the same land described in a deed from Erik Steen, et al into Wendy Kilpatrick and Robert Kilpatrick in Document No. 20155732 and filed in the Official Public Records of San Jacinto County, Texas.

1) Wendy Kilpatrick is an individual who may be served with process at 781 Big Buck Dr., Cleveland, Texas 77328.
2) Robert Kilpatrick is an individual who may be served with process at 781 Big Buck Dr., Cleveland, Texas 77328.

Peach Creek Estates #1, **Block 1, Lot 34** (Lot 36), (R100517) and being the same land described in a deed from Peter and Natalie Camps into Peter A. Calenzo and Teresa Marie Calenzo in Document No. 20174824 and dated August 21, 2017 and filed in the Official Public Records of San Jacinto County, Texas:

1) Peter A. Calenzo is an individual who may be served with process at 1411 Price Drive, Cleveland, Texas 77328.
2) Teresa Marie Calenzo is an individual who may be served with process at 1411 Price Drive, Cleveland, Texas 77328.

Peach Creek Estates #1, **Block 1, Lot 35** (Lot 37), (R100518), and being further described in a deed from Peach Creek Plantation, LTD into Louis Lauro Lopez and Ma Guadalupe Trejo in Document No. 20087774 and dated September 22, 2007 and filed in the Official Public Records of San Jacinto County, Texas:
hereto:

1) Louis Lauro Lopez is an individual who may be served with process at 21434 Deerhaven, Spring, Texas 77388.
2) Ma Guadalupe Trejo is an individual who may be served with process at 21434 Deerhaven, Spring, Texas 77388.

Peach Creek Estates #1, **Block 1, Lot 36** (Lot 38), (R100519) and being further described in a deed from Steven Smith into Armando R. Medrano in Document No. 20185075 and dated July 31, 2008 and filed in the Official Public Records of San Jacinto County, Texas::

1) Armando R. Medrano is an individual who may be served with process at 1093 Birnham Woods, Blvd, Pasadena, Texas 77503.

Peach Creek Estates #1, **Block 1, Lot 37** (Lot 39), (R100520), and being more particularly described in a deed from Steven Smith into Stephen Darbonne, Sr., et ux in Document No. 20164973 and dated September 6, 2016 and filed in the Official Public Records of San Jacinto County, Texas.

1) Stephen Darbonne, Sr., is an individual who may be served with process at 714 Beau Chene Street, Erath, Louisiana 70533.
2) Rochelle Darbonne, is an individual who may be served with process at 714, Beau Chene Street, Erath, Louisiana 70533.

Peach Creek Estates #1, **Block 1, Lot 38 the West half (1/2)** (Lot 40), (R100521), and being more particularly described in the partition deed between Salvador Rodriguez and Javier Hidalgo filed in Document No. 20175458, and dated September 21, 2017, and filed in the Official Public Records of San Jacinto County, Texas:

Creek Plantation, LTD and are undivided interest holders to their specific conveyances that were made to them either by references of the PLAT filed for record in Document No. 20092365 or by specific acreage amounts from Peach Creek Plantation, LTD. Defendants are necessary parties to this proceeding as they relied on representations provided to them at the time of their purchases of their specific lots/blocks or acreages.

WHEREFORE, PREMISES CONSIDERED, Plaintiff requests that Defendants be cited to appear and answer, and that upon hearing the Court enter a decree as follows:

1. Determining the share of each of the joint owners in each of the real properties described above;
2. Ordering that the properties be partitioned in accordance with the respective shares of the parties;
3. Appointing Commissioners to view the property and provide a recommendation to the Court as to how Plaintiff's portion of the property should be divided in kind and how the Defendants portion should be divided or held collectively.
4. Appointing a Receiver to sell the interest of the Defendants that is held collectively as to such tracts set aside to the Defendants whose portions are too small to partition in kind.
5. Awarding recovery of costs, interest, and such other relief as to which Plaintiffs may be justly entitled.

Respectfully submitted,
YOUNGKIN & ASSOCIATES, P.L.L.C.

By: _____
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bill@youngkinlaw.com
State Bar No. 22226500
P.O. Box 4806
Bryan, Texas 77805
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ATTORNEY FOR PLAINTIFFS