

16-0003FC

FILED FOR RECORD
SHELBY COUNTY, TEXAS

Notice of Foreclosure Sale

2016 JAN 11 AM 11 02

January 11, 2016

Deed of Trust ("Deed of Trust"):

JENNIFER L. FOUNTAIN
COUNTY CLERK
BY  DEPUTY

Dated: September 19, 2012

Grantor: Bradford L. Jamison and wife, Callie S. Jamison

Trustee: J. Ken Muckelroy

Lender: Shelby Savings Bank, SSB

Recorded in: Clerk File No. 2012005410, Official Public Records of Shelby County,
Texas

Legal Description:

TRACT ONE: Being 16.208 acres of land, more or less, a part of the NATHAN DAVIS SURVEY, A-147, Shelby County, Texas, and being the land described as Tract One in Deed from Richard Barm Nix and wife, Charlene Nix, to Joseph L. Ellis, Sr. and Charlsie M. Ellis, dated June 26, 2003, recorded in Vol. 966, Page 882, Official Public Records, Shelby County, Texas.

TRACT TWO: Being 16.176 acres of land, more or less, a part of the NATHAN DAVIS SURVEY, A-147, Shelby County, Texas, and being the land described as Tract One in deed from Robert E. Hale, Jr., to Joseph L. Ellis, Sr. and Charlsie M. Ellis, dated June 26, 2003, recorded in Vol. 966, Page 885, Official Public Records, Shelby County, Texas.

TRACT THREE: Being an access easement, a part of the NATHAN DAVIS SURVEY, A-147, Shelby County, Texas and being the land described as Tract Two in Deed from Richard Barm Nix and wife, Charlene Nix to Joseph L. Ellis, Sr. and Charlsie M. Ellis, dated June 26, 2003, recorded in Vol. 966, Page 882 and described as Tract Two in Deed from Robert E. Hale, Jr., to Joseph L. Ellis, Sr. and Charlsie M. Ellis, dated June 26, 2003, recorded in Vol. 966, Page 885, Official Public Records, Shelby County, Texas.

TRACT FOUR: Being 14.013 acres of land, more or less, a part of the NATHAN DAVIS SURVEY, A-147, Shelby County, Texas, and being the land described in Deed from Eugene C. Kettlewell and wife, Patricia Kettlewell, to Joseph L. Ellis and wife, Charlsie M. Ellis, dated May 7, 2010, recorded under Clerk File No. 2010005579, Official Public Records, Shelby County, Texas.

All Tracts being more particularly described in Exhibit A attached hereto and made a part hereof for all intents and purposes.

Secures: Adjustable Real Estate Lien Note ("Note") in the original principal amount of \$135,000.00, executed by Bradford L. Jamison ("Borrower") and payable to the order of Lender

Foreclosure Sale:

Date: Tuesday, February 2, 2016

Time: The sale of the Property will be held between the hours of 10:00 A.M. and 4:00 P.M. local time; the earliest time at which the Foreclosure Sale will begin is 10:00 A.M.

Place: Upon the steps in front of the Shelby County Courthouse, said steps being located between the main entrance of the Shelby County Courthouse and San Augustine Street.

Terms of Sale: The Foreclosure Sale will be conducted as a public auction and the Property will be sold to the highest bidder for cash, except that Shelby Savings Bank, SSB's bid may be by credit against the indebtedness secured by the lien of the Deed of Trust.

Default has occurred in the payment of the Note and in the performance of the obligations of the Deed of Trust. Because of that default, Shelby Savings Bank, SSB, the owner and holder of the Note, has requested Trustee to sell the Property.

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of Shelby Savings Bank, SSB's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Shelby Savings Bank, SSB's rights and remedies under the Deed of Trust and section 9.604(a) of the Texas Business and Commerce Code.

Therefore, notice is given that on and at the Date, Time, and Place for the Foreclosure Sale described above, Trustee will sell the Property in accordance with the Terms of Sale described above, the Deed of Trust, and applicable Texas law.

If Shelby Savings Bank, SSB passes the Foreclosure Sale, notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Deed of Trust and the Texas Property Code.

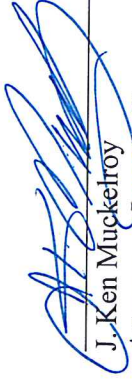
The Foreclosure Sale will be made expressly subject to any title matters set forth in the Deed of Trust, but prospective bidders are reminded that by law the Foreclosure Sale will necessarily be made subject to all prior matters of record affecting the Property, if any, to the extent that they remain in force and effect and have not been subordinated to the Deed of Trust. For the avoidance of doubt, the Foreclosure Sale will not cover any part of the Property that has been released of public record from the lien and/or security interest of the Deed of Trust by Shelby Savings Bank, SSB. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

Pursuant to section 51.009 of the Texas Property Code, the Property will be sold "AS IS," without any expressed or implied warranties, except as to the warranties (if any) provided for under the Deed of Trust. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the Property.

Pursuant to section 51.0075(a) of the Texas Property Code, Trustee reserves the right to set further reasonable conditions for conducting the Foreclosure Sale. Any such further conditions shall be

announced before bidding is opened for the first sale of the day held by Trustee.

Assert and protect your rights as a member of the armed forces of the United States. If you are or your spouse is serving on active military duty, including active military duty as a member of the Texas National Guard or the National Guard of another state or as a member of a reserve component of the armed forces of the United States, please send written notice of the active duty military service to the sender of this notice immediately.



J. Ken Muckelroy
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108 Foster Street
Center, Texas 75935
Telephone (936) 598-6110
Telecopier (936) 598-7070

EXHIBIT "A"

TRACT ONE: BEING 16.208 acres lying and situated in Shelby County, Texas out of the NATHAN DAVIS SURVEY, A-147, and being a part or portion of that certain 675.4384 acre tract of land described in a *Correction Deed* from J. C. Morse et ux, to John R. Winston, Jr., Trustees, dated June 22, 1984 and recorded in Vol. 637, Page 310, Deed Records, Shelby County, Texas and being the same land described in the Contract for Deed from Veterans Land Board of Texas to Richard Barr Nix, dated December 5, 1988, recorded in Vol. 694, Page 297, Deed Records, Shelby County, Texas, and being described by metes and bounds as follows, to-wit:

BEGINNING N. 67 deg. 38 min. 47 sec. W. 293.80 ft. and N. 56 deg. 51 min. 22 sec. W. 451.45 ft. from the most Eastern Southeast corner (First Corner) of the aforesaid referred to 675.4384 acre tract, a ½ in. iron pin set for corner, witnessed by a 10 in. Ash brg. S. 60 deg. 53 min. W. 15.1 ft., center;

THENCE N. 56 deg. 55 min. 46 sec. W., at 702.35 ft., a ½ in. iron pin set for corner, witnessed by a 6 in. Pine brg. S. 10 deg. E. 4.2 ft., center;

THENCE N. 23 deg. 42 min. 40 sec. E., at 958.90 ft., pass on line a ½ in. iron pin set for referenced corner, witnessed by a 6 in. Willow brg. N. 15 deg. W. 5.5 ft., center and a 10 in. Elm brg. S. 30 deg. W. 8.3 ft., center, at 983.90 ft., intersect the center of a creek;

THENCE Twenty-Six (26) lines with the meanders of the aforesaid creek as follows:

- 1) S. 85 deg. 19 min. 14 sec. E. at 19.64 ft., a point for corner;
- 2) N. 37 deg. 59 min. 23 sec. E. at 31.15 ft., a point for corner;
- 3) N. 5 deg. 43 min. 28 sec. W. at 56.05 ft., a point for corner;
- 4) N. 80 deg. 44 min. 27 sec. E. at 22.92 ft., a point for corner;
- 5) S. 54 deg. 38 min. 55 sec. E. at 42.80 ft., a point for corner;
- 6) S. 12 deg. 36 min. 20 sec. E. at 73.47 ft., a point for corner;
- 7) S. 30 deg. 05 min. 43 sec. E. at 63.81 ft., a point for corner;
- 8) N. 82 deg. 22 min. 24 sec. E. at 51.91 ft., a point for corner;
- 9) N. 50 deg. 29 min. 52 sec. E. at 54.22 ft., a point for corner;
- 10) N. 85 deg. 40 min. 40 sec. E. at 37.81 ft., a point for corner;
- 11) S. 42 deg. 45 min. 54 sec. E. at 35.01 ft., a point for corner;
- 12) N. 89 deg. 54 min. 19 sec. E. at 56.33 ft., a point for corner;
- 13) S. 41 deg. 03 min. 04 sec. E. at 28.68 ft., a point for corner;
- 14) S. 14 deg. 44 min. 47 sec. W. at 71.74 ft., a point for corner;
- 15) S. 57 deg. 39 min. 25 sec. W. at 8.43 ft., a point for corner;
- 16) S. 66 deg. 27 min. 30 sec. W. at 50.58 ft., a point for corner;
- 17) S. 31 deg. 25 min. 41 sec. E. at 60.00 ft., a point for corner;
- 18) S. 2 deg. 26 min. 58 sec. W. at 74.38 ft., a point for corner;
- 19) S. 62 deg. 36 min. 00 sec. E. at 95.77 ft., a point for corner;
- 20) N. 59 deg. 08 min. 40 sec. E. at 26.90 ft., a point for corner;
- 21) N. 44 deg. 46 min. 35 sec. E. at 72.62 ft., a point for corner;
- 22) S. 46 deg. 54 min. 29 sec. E. at 20.00 ft., a point for corner;
- 23) S. 9 deg. 35 min. 09 sec. E. at 22.87 ft., a point for corner;
- 24) S. 15 deg. 04 min. 05 sec. E. at 114.32 ft., a point for corner;
- 25) S. 6 deg. 31 min. 36 sec. W. at 32.08 ft., a point for corner;
- 26) S. 85 deg. 42 min. 37 sec. E. at 39.56 ft., a point for corner;

THENCE S. 24 deg. 16 min. 43 sec. W. at 25.00 ft., pass on line a ¼ in. iron pin set for reference corner, witnessed by a 24 in. Red Oak brg. N. 29 deg. 14 min. E. 9.4 ft., center and a 10 in. Ash brg. S. 66 deg. 47 min. W. 9.5 ft., center, at 912.79 ft., the POINT and PLACE OF BEGINNING and containing 16.208 acres of land, of which approximately 0.64 acre of land lies within a 40.00 ft. Road Easement.

TRACT TWO:

BEING 16.176 acres of land lying and situated in Shelby County, Texas out of the NATHAN DAVIS SURVEY, A-147 and being the same land described in the Contract for Deed from Veterans Land Board of Texas to Robert E. Hale, Jr. dated March 16, 1988, recorded in Vol. 688, Page 1, Deed Records, Shelby County, Texas and being described by metes and bounds as follows, to-wit:

BEGINNING N. 67 deg. 38 min. 47 sec. W. 293.80 ft., N. 56 deg. 51 min. 22 sec. W. 451.45 ft. and N. 56 deg. 55 min. 46 sec. W. 702.35 ft. from the most Eastern Southeast corner (First Corner) of the aforesaid referred to 675.4384 acre tract, a ½ in. iron pin set for corner, witnessed by a 6 in. pine brg. S. 10 deg. E. 4.25 ft., center.

THENCE N. 56 deg. 55 min. 46 sec. W., at 661.98 ft., a ½ in. iron pin set for corner;

THENCE N. 16 deg. 13 min. 35 sec. E., at 850.78 ft., pass on line a ½ in. iron pin set for reference corner, witnessed by a 4 in. Elm brg. S. 88 deg. E. 22.1 ft., center and a 4 in. Hickory brg. N. 70 deg. E. 20.6 ft., center, at 869.08 ft., intersect the center of a creek, a point for corner;

AM

EXHIBIT "A"

THENCE Twenty-two (22) lines with the meanders of the aforesaid creek as follows:

- 1) S. 73 deg. 10 min. 44 sec. E. at 27.63 ft., a point for corner;
- 2) S. 20 deg. 44 min. 52 sec. E. at 41.06 ft., a point for corner;
- 3) S. 52 deg. 53 min. 31 sec. E. at 23.08 ft., a point for corner;
- 4) S. 76 deg. 18 min. 50 sec. E. at 14.56 ft., a point for corner;
- 5) N. 68 deg. 54 min. 13 sec. E. at 87.00 ft., a point for corner;
- 6) N. 16 deg. 40 min. 18 sec. E. at 22.69 ft., a point for corner;
- 7) N. 28 deg. 41 min. 24 sec. W. at 59.66 ft., a point for corner;
- 8) S. 78 deg. 43 min. 01 sec. E. at 38.21 ft., a point for corner;
- 9) N. 60 deg. 02 min. 20 sec. E. at 66.79 ft., a point for corner;
- 10) S. 25 deg. 44 min. 14 sec. E. at 52.08 ft., a point for corner;
- 11) S. 00 deg. 37 min. 21 sec. E. at 36.56 ft., a point for corner;
- 12) S. 38 deg. 04 min. 36 sec. E. at 61.19 ft., a point for corner;
- 13) S. 51 deg. 21 min. 28 sec. E. at 80.00 ft., a point for corner;
- 14) N. 77 deg. 38 min. 04 sec. E. at 44.73 ft., a point for corner;
- 15) N. 42 deg. 10 min. 10 sec. E. at 81.00 ft., a point for corner;
- 16) N. 66 deg. 30 min. 45 sec. E. at 18.84 ft., a point for corner;
- 17) S. 87 deg. 31 min. 43 sec. E. at 94.57 ft., a point for corner;
- 18) N. 52 deg. 58 min. 42 sec. E. at 48.91 ft., a point for corner;
- 19) S. 30 deg. 28 min. 10 sec. E. at 23.13 ft., a point for corner;
- 20) S. 48 deg. 11 min. 14 sec. E. at 60.52 ft., a point for corner;
- 21) S. 53 deg. 15 min. 28 sec. W. at 39.61 ft., a point for corner;
- 22) S. 35 deg. 37 min. 10 sec. E. at 199.44 ft., a point for corner;

THENCE S. 23 deg. 42 min. 40 sec. W., at 25.00 ft., pass on line a ¼ in. iron pin set for reference corner, witnessed by a 6 in. Willow brg. N. 15 deg. W. 5.5 ft., center and a 10 in. Elm brg. S. 30 deg. W. 8.3 ft., center, at 983.90 ft., the POINT and PLACE OF BEGINNING and containing 16.176 acres of land of which approximately 0.61 acre lies within a 40.00 ft. wide road easement.

TRACT THREE: Being a nonexclusive Right-of-Way and Easement for purposes of ingress and egress between a public road and Tracts One & Two above:

BEING all that certain tract or parcel of land lying and situated in Shelby County, Texas out of the NATHAN DAVIS SURVBY, A-147, and being a portion of the land described in the Deed from Texas Gulf Timber Co., Inc. to Veterans Land Board of the State of Texas, dated December 5, 1988, and recorded in Vol. 694, Pg. 291, Deed Records of Shelby County, Texas, and being described by metes and bounds as follows, to-wit:

BEGINNING at the most Eastern Southeast corner (First Corner) of the aforesaid referred to 675.4384 acre tract, a ½ in. iron pin found for corner on the West R.O.W. line of State Highway No. 147;

THENCE N. 67 deg. 38 min. 47 sec. W. with a South Boundary line of the said 675.4384 acre tract, at 293.80 ft. an ell corner of same, a ¼ in. iron pin found for corner;

THENCE N. 56 deg. 51 min. 22 sec. W., at 451.45 ft., a ½ in. iron pin set for corner;

THENCE N. 56 deg. 55 min. 46 sec. W., at 1364.32 ft., a ½ in. iron pin set for corner;

THENCE N. 16 deg. 13 min. 35 sec. E., at 62.69 ft., a point for corner;

THENCE S. 56 deg. 55 min. 46 sec. E., at 1382.52 ft., a point for corner;

THENCE S. 56 deg. 51 min. 22 sec. E., at 445.82 ft., a point for corner;

THENCE S. 67 deg. 38 min. 47 sec. E., at 276.71 ft., intersect the most Northern East Boundary line of the said 675.4384 acre tract, same being the West R.O.W. line of the aforesaid referred to State Highway No. 147, a point for corner;

THENCE S. 11 deg. 34 min. 34 sec. W., with the most Northern East Boundary line of the said 675.4384 acre tract and with the West R.O.W. line of the said State Highway No. 147, at 61.08 ft., the POINT and PLACE OF BEGINNING and containing 2.903 acres of land, more or less.

2/1/88

EXHIBIT "A"

TRACT FOUR:

Being a legal description to a 14.013 acre tract in the Nathan Davis Survey, A-147, Shelby County, Texas being all of a called 14.00 acre tract from The Veterans Land Board of the State of Texas to Eugene C. Kettlewell dated September 26, 2001 Recorded in Volume 925 Page 673 of the Official Public Records of said County and is further described by metes and bounds as follows to-wit:

BEGINNING: At a 1/2" iron rod found on or about the centerline of County Road Number 1095 for the Southwest corner of this tract and the Southeast corner of a called 13.778 acre tract owned by BDR Family Partnership Recorded in Volume 981 Page 210 from which a 3/4" iron pipe found for reference Bears N 16° 13' 35" E 21.57'.

THENCE: N 16° 13' 35" E 935.99' (SOURCE OF BEARING) to a 1/4" iron rod found for the Northwest corner of this tract; the Northeast corner of the called 13.778 acre tract; the Southeast corner of a called 16.485 acre tract owned by BDR Family Partnership Recorded in Volume 981 Page 210 and the Southwest corner of a called 16.176 acre tract owned by Joseph Ellis Recorded in Volume 967 Page 588.

THENCE: S 56° 55' 19" E 660.66' to a 1/4" iron rod found for an angle corner of this tract; the Southeast corner of the called 16.176 acre tract and the Southwest corner of a called 16.208 acre tract owned by Joseph Ellis Recorded in Volume 968 Page 64

THENCE: S 57° 00' 19" E 121.15' to a 1/4" iron rod found for the Northeast corner of this tract; an angle corner of the called 16.208 acre tract and the Northwest corner of the a called 14.076 acre tract owned by Joseph Ellis Recorded in volume 880 Page 46.

THENCE: S 23° 30' 22" W 797.88' to a point on or about the centerline of County Road Number 1095 for the Southeast corner of this tract and the Southwest corner of the called 14.076 acre tract from which a 1/4" iron rod found for reference Bears N 23° 30' 22" W 21.17'.

THENCE: N 66° 33' 31" W 652.36' with the approximate centerline of said road to the point of beginning containing 14.013 acres of land.

FILED AND RECORDED



OFFICIAL PUBLIC RECORDS

Allison Harbison

2012005410

September 19, 2012 03:22:34 PM

FEE: \$40.00

Allison Harbison, County Clerk

2/2/12