

16-0020FC

NOTICE OF FORECLOSURE SALE

Date of Notice: June 15, 2016 FILED FOR RECORD
SHELBY COUNTY, TEXAS

Renewal Deed of Trust:

2016 JUN 15 PM 2 16

Date: JULY 26, 2013

Grantor: NATHAN HUNNICUTT,
subsequently assumed by ROBERT OBREGON

JENNIFER L. FOUNTAIN
COUNTY CLERK

BY *J. W. Winters* DEPUTY

Trustee: JEFF ADAMS

Lender: JENNIFER LYNN ADAMS

Lien: Renewal Deed of Trust from Nathan Hunnicutt, to Jeff Adams, Trustee for Jennifer Lynn Adams, dated July 26, 2013, recorded under Instrument No. 2013003269, Official Public Records, Shelby County, Texas; which said lien was thereafter assumed by Grantee in Assumption Warranty Deed from Nathan Hunnicutt to Robert Obregon, dated June 16, 2014, recorded under Instrument No. 2014002449, Official Public Records, Shelby County, Texas

Secures: Promissory Note dated July 26, 2013 in the original principal sum of \$75,000.00, executed by Nathan Hunnicutt; payable to the order of Lender

Property: TRACT ONE: Being a description to 1.700 acres of land, more or less, a part of the JOHN FORSYTHE SURVEY, A-203 in Shelby County, Texas, SAVE, LESS AND EXCEPT 0.8582 of an acre of land situated in the JOHN FORSYTHE SURVEY, A-203, Shelby County, Texas, leaving 0.8418 acre of land, more or less; and

TRACT TWO: BEING 0.2460 of an acre of land situated in the JOHN FORSYTHE SURVEY, A-203, Shelby County, Texas.

Foreclosure Sale Time: 10:00 A.M. August 9, 2016 (The first Tuesday of August 2016)

Place: Front steps of the Shelby County Courthouse located at 200 San Augustine Street, Center, Texas 75935

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 Lender'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, Lender, the owner and holder of the Note, has requested Substitute Trustee to sell the Property.

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

If Lender passes the Foreclosure Sale, notice of the date of any rescheduled foreclosure sale will be reposted and refilled 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 that has been released of public record from the lien and/or security interest of the Deed of Trust by Lender. 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 and independent investigation of the nature and physical condition of the Property.

Pursuant to section 51.0075(a) of the Texas Property Code, Substitute 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 Substitute Trustee.

Assert and protect your rights as a member of the armed forces of the United States. If you or your spouse is serving on active military duty, including active military duty as a member 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.

THE LAW OFFICE OF JEFF ADAMS, PLLC
119 Logansport Street
Center, Texas 75935
Phone: (936) 598-4900
Fax: (936) 598-4905

By: _____

JEFF ADAMS, TBA 24006736, Trustee

EXHIBIT "A"

TRACT ONE:

BEING a description to 1.700 acres of land, more or less, a part of the JOHN FORSYTHE SURVEY, A-203 in Shelby County, Texas, and being all of a called 1.66 acre tract described in the Deed from Ann Blackwell to Don A. Moody and wife, Heather M. Moody, dated March 14, 1996, recorded in Volume 800, Page 614 of the Real Property Records of Shelby County, Texas, and being more particularly described as follows, to-wit:

BEGINNING at a 1/2" iron rod found for the Southwest corner of this tract and for the Southeast corner of John Winston Reeves 16.214 acre tract recorded in Volume 767, Page 328 of the Real Property Records of said county and in the North Right of Way line of State Highway No. 7;

THENCE North 11 deg. 02 min. 52 sec. West, 531.81 feet to a 3/4" iron pipe found for the Northwest corner of this tract and the Southwest corner of Don Moody 5.00 acre tract recorded in Volume 530, Page 897 of the Deed Records of said county and in the East boundary line of said 16.214 acre tract;

THENCE North 62 deg. 58 min. 02 sec. East, 90.59 feet to a 3/4" iron pipe found for the North corner of this tract and in the South boundary line of said 5.00 acre tract;

THENCE South 58 deg. 14 min. 22 sec. East, 92.22 feet to a 1/2" iron rod with cap set for the Northeast corner of this tract;

THENCE South 10 deg. 05 min. 29 sec. East, 400.84 feet to a 1/2" iron rod with cap set for the Southeast corner of this tract in said Right of Way line;

THENCE South 46 deg. 44 min. 02 sec. West, 175.00 feet to the Point of Beginning, containing 1.700 acres of land, more or less, SAVE, LESS AND EXCEPT THE FOLLOWING DESCRIBED TRACT OF LAND:

BEING 0.8582 of an acre of land situated in the JOHN FORSYTHE SURVEY, A-203, Shelby County, Texas, and being part of a called 1.700 acre tract described in a Warranty Deed with Vendor's Lien from Don A. Moody, Jr. and wife, Heather M. Moody to Jennifer Lynn Adams, dated January 20, 2006, recorded in Volume 1038, Page 791 of the Official Public Records of Shelby County, Texas, said 0.8582 of an acre being more particularly described by metes and bounds as follows, to-wit:

COMMENCING at a 1/2" iron rod found for the Southwest corner of said called 1.700 acre tract in the North R. O. W. of State Highway 7 (based on 129 foot right of way), and being the Southwest corner of a called 42.724 acre tract described in a Deed Without Warranty from John W. Reeves, II and wife, Amy Reeves to Wayne Harkness and wife, Shirley Harkness, dated September 21, 2011, recorded under Document No. 2011007884 of the Official Public Records of Shelby County, Texas;

THENCE North 10 deg. 31 min. 20 sec. West with the West line of said called 1.700 acre tract and the East line of said called 42.724 acre tract, a distance of 274.82 feet to a 1/2" iron rod with plastic cap set for the POINT OF BEGINNING of the herein described 0.8582 acre tract;

THENCE North 10 deg. 31 min. 20 sec. West, continuing with the said West line of the called 1.700 acre tract and said East line of the called 42.724 acre tract, a distance of 257.92 feet to a 3/4" iron pipe found for the Northwest corner of said called 1.700 acre tract and being the Southwest corner of a called 6.00 acre tract described in a Warranty Deed from J. E. Moody and wife, Evie Moody to Don Moody and wife, Janice Moody, dated March 15, 1977, recorded in Volume 530, Page 897 of the Deed Records of Shelby County, Texas, and the Southwest corner of a called 2.84 acre tract described as "Third Tract" in a Warranty Deed with Vendor's Lien from Dan Moody and wife, Freddie Moody to Don A. Moody and wife, Janice Moody, dated February 1, 2002, recorded in Volume 938, Page 185 of the Official Public Records of Shelby County, Texas, from which a 1/2" iron pipe found for the Northwest corner of said called 6.00 acre tract bears North 10 deg. 15 min. 00 sec. West (basis of bearing orientation), 969.11 feet;

THENCE North 63 deg. 33 min. 21 sec. East, with the Northwesterly line of said called 1.700 acre tract and the Easterly to Southeasterly line of said called 6.00 acre tract and said called 2.84 acre tract, a distance of 90.57 feet to a 3/4" iron pipe found for the North corner of said called 1.700 acre tract and an interior corner of said called 2.84 acre tract;

THENCE South 57 deg. 31 min. 40 sec. East, with the Northeasterly line of said called 1.700 acre tract and the Southwesterly line of said called 2.84 acre tract, a distance of 92.27 feet to a ½" iron rod found for the Northeasterly corner of said called 1.700 acre tract and the Southeast corner of said called 2.84 acre tract and being in the Southerly West line of a called 14 acre tract described as "First Tract" in said Warranty Deed with Vendor's Lien from Dan Moody and wife, Freddie Moody to Don A. Moody and wife, Janice Moody, dated February 1, 2002, recorded in Volume 938, Page 185 of the Official Public Records of Shelby County, Texas;

THENCE South 09 deg. 30 min. 18 sec. East, with the East line of said called 1.700 acre tract and said Southerly West line of the called 14 acre tract, a distance of 184.09 feet to a ½" iron rod with plastic cap set for corner from which a ½" iron rod with plastic cap found for the Southwest corner of said called 1.700 acre tract bears South 09 deg. 30 min. 18 sec. East, 216.60 feet;

THENCE South 66 deg. 10 min. 27 sec. West, across said called 1.700 acre tract, a distance of 155.49 feet to the POINT OF BEGINNING, and containing 0.8582 acre of land within these calls.

LEAVING CONTAINED HEREIN approximately 0.8418 acre of land, more or less.

TRACT TWO:

BEING 0.2460 of an acre of land situated in the JOHN FORSYTHE SURVEY, A-203, Shelby County, Texas, and being part of a called 14 acre tract described as "First Tract" in said Warranty Deed with Vendor's Lien from Dan Moody and wife, Freddie Moody to Don A. Moody and wife, Janice Moody, dated February 1, 2002, recorded in Volume 938, Page 185 of the Official Public Records of Shelby County, Texas, said 0.2460 of an acre being more particularly described by metes and bounds as follows:

BEGINNING at a ½" iron rod with plastic cap found for the Southerly Southwest corner of said called 14 acre tract in the North right-of-way line of State Highway 7 (based on a 120-foot right-of-way) and being the Southeast corner of a called 1.700 acre tract described in a Warranty Deed with Vendor's Lien from Don A. Moody, Jr. and wife, Heather M. Moody to Jennifer Lynn Adams, dated January 20, 2006, recorded in Volume 1038, Page 791 of the Official Public Records of Shelby County, Texas;

THENCE North 09 deg. 30 min. 18 sec. West, with the Southerly West line of said called 14 acre tract and the East line of said 1.700 acre tract, a distance of 216.60 feet to a ½" iron rod with plastic cap set for corner from which a ½" iron rod found for the Northeasterly corner of said called 1.700 acre tract bears North 09 deg. 30 min. 18 sec. West, 184.09 feet;

THENCE North 66 deg. 10 min. 27 sec. East, into said called 14 acre tract, a distance of 29.04 feet to a ½" iron rod with plastic cap set for corner;

THENCE South 24 deg. 21 min. 44 sec. East, a distance of 181.22 feet to a ½" iron rod with plastic cap set for corner in said North right-of-way line of State Highway 7;

THENCE South 47 deg. 46 min. 46 sec. West, with the North right-of-way line of State Highway 7, a distance of 89.03 feet to the POINT OF BEGINNING and containing 0.2640 of an acre of land within these calls.