

NOTICE OF FORECLOSURE SALE

FILED FOR RECORD
SHELBY COUNTY, TEXAS

2016 JUN 22 AM 10 21

Deed of Trust:

Dated: August 6, 2012
JENNIFER L. FOUNTAIN
COUNTY CLERK
Grantors: Walter Michael Cassell and wife, Linda Lea Cassell DEPUTY

Trustee: J. Ken Muckelroy

Lender: Shelby Savings Bank, SSB

Recorded in: Document No. 2012004713, Official Public Records of Shelby County, Texas

Legal Description: See Exhibit "A" attached hereto and incorporated by reference for all purposes herein.

Secures: Renewal Adjustable Real Estate Lien Note ("Note") in the original principal amount of \$118,287.00, executed by Walter Michael Cassell and wife Linda Lea Cassell ("Borrower") and payable to the order of Lender

Substitute Trustees: April Gregston Prince and/or Gavin I. Midgley

Substitute Trustee's Address: 403 Nacogdoches St., Suite 1, Center, Texas, 75935

Foreclosure Sale:

Date: Tuesday, August 2, 2016

Time: The sale of the Property will be held between the hours of 10:00 A.M. and 1:00 P.M. local time; the earliest time at which the Foreclosure Sale will begin is 10:00 a.m.

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 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 Substitute 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, Substitute 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, 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 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.

THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE(S) IDENTIFIED TO SELL THE PROPERTY DESCRIBED IN THE SECURITY INSTRUMENT IDENTIFIED IN THIS NOTICE OF SALE THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY OR AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.



April Gregston Prince

State Bar No. 24047247

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EXHIBIT "A"

TRACT ONE:

All that certain tract or parcel of land lying and being situated about 4 miles northeast of the City of Center, Shelby County, Texas on the JOHN FORSYTHE SURVEY, A-203, being part of a 13 acre tract described in a conveyance from B. B. Boles and wife, Mary E. Boles to Walter M. Cassell, dated July 10, 1996, recorded in Vol. 805, Pg. 900 of the Deed Records of Shelby County, Texas and more particularly described as follows:

BEGINNING at a ½" iron rod found for corner in a field, said beginning corner being the northeast corner of the 13 acre tract;

THENCE S06°55'38"E, 417.70 feet with the east boundary line of the 13 acre tract to a ½" iron rod set for corner;

THENCE S83°04'22"W, 417.70 feet to a ½" iron rod set for corner;

THENCE N06°55'38"W, 208.00 feet to a ½" iron rod found for corner on the north boundary line of the 13 acre tract, said corner being an interior corner of the 13 acre tract;

THENCE N56°24'50"E(RBF), 467.38 feet with the north boundary line of the 13 acre tract to the place of BEGINNING, containing 3.00 acres.

TRACT TWO:

A perpetual non-exclusive access twenty (20) foot easement adjacent to, parallel with, and ten (10) feet each side of the following described centerline:

BEGINNING at a point for corner on the west boundary line of the above described tract, said beginning corner being S06°55'38"E, 10.54 feet from a ½" iron rod found for the northwest corner of the above described tract and an interior corner of the 13 acre tract;

THENCE 10.00 feet perpendicularly from, parallel with, and south of the north boundary line of the 13 acre tract as follows:

N78°32'43"W, 122.64 feet;

S61°16'42"W, 536.60 feet to a point for corner on the east right of way of FM 699 from which a ½" iron rod found for the northwest corner of the 13 acre tract bears N01°33'40"W, 11.24 feet.