

17-00114C

Notice of Foreclosure Sale

FILED FOR RECORD
SHELBY COUNTY, TEXAS

June 12, 2017

2017 JUN 13 AM 12 54

Deed of Trust ("Deed of Trust"):

Dated: April 1, 2013

Grantor: Jose Luciano Sanchez

Trustee: J. Ken Muekelroy

Lender: Shelby Loma Vista, LLC

Recorded in: Clerk File No. 2013001907, Official Public Records of Shelby County, Texas

JENNIFER L. FOUNTAIN
COUNTY CLERK
BY *Jennifer Fountain*
DEPUTY

Legal Description:

Being 1.262 acre of land, more or less, a part of the JESSE MCELLEVY SURVEY, A-461, Shelby County, Texas, being Lot 26 of the Loma Vista Subdivision; an unrecorded subdivision; and being out of and part of a called 56.528 acre tract of land described in deed from Darin Borders to Shelby Loma Vista, LLC, dated November 16, 2012, recorded under Clerk File No. 2012006502, Shelby County, Texas and being more particularly described in Exhibit "A" attached hereto and made a part hereof for all intents and purposes.

Secures: Promissory Note ("Note") in the original principal amount of \$13,750.00, executed by Jose Luciano Sanchez ("Borrower") and payable to the order of Lender

Foreclosure Sale:

Date: Tuesday, July 4, 2017

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 Loma Vista, LLC'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 Loma Vista, LLC, 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 Loma Vista, LLC'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 Loma Vista, LLC'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.

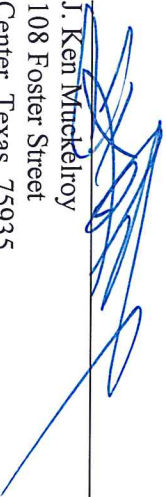
If Shelby Loma Vista, LLC passes the Foreclosure Sale, notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Deed of Trust and the Texas Property Code.

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 Loma Vista, LLC. 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
108 Foster Street
Center, Texas 75935
Telephone (936) 598-6110
Telecopier (936) 598-7070

EXHIBIT "A"

Being a legal description to a 1.262 acre tract "Tract 26" in the Jesse McClellan Survey A-461 Shelby County, Texas being out of and part of a called 56.528 acre tract conveyed to Darin Borders from The Trustee of Albert Smith and Maurice H. Smith Revocable Living Trust dated July 17, 2012 and recorded in Document #2012004184 of the Official Records of said County and is further described by metes and bounds as follows to-wit:

Commencing: At a wood fence corner post found for the recognized Southeast corner of said 56.528 acre tract and an angle corner of a called 36.8697 acre tract recorded in Volume 626 Page 273 of the Deed Records of said County; from which a 1" iron rod found in the South line of said 56.528 acre tract bears S 88°00'29" W 14.61';

THENCE: N 02°55'23" W 765.55 to a ½" iron rod with cap set for the Southeast corner of Tract 26, the Northeast corner of Tract 2, in the East boundary line of said 56.528 acre tract, in the West boundary line of a called 17.7904 acre tract recorded in Volume 626 Page 273 Deed Records of said County, and for the **POINT OF BEGINNING OF THIS TRACT;**

THENCE: S 88°00'29" W 300.04' to a ½" iron rod with cap set for the Southwest corner of this tract, the Northwest corner of Tract 25, and in the East ROW line of a 50.00' wide Road; from which a ½" iron rod with cap set for the Southwest corner of Tract 25 bears S 02°55'23" E 183.19';

THENCE: N 02°55'23" W 183.19' with the East ROW of said Road to a ½" iron rod with cap set for the Northwest corner of this tract and the Southwest corner of Tract 27; from which a ½" iron rod with cap set for the Northwest corner of Tract 27 bears N 02°55'23" W 183.19';

THENCE: N 88°00'29" E 300.04' to a ½" iron rod with cap set for the Northeast corner of this tract, the Southeast corner of Tract 27, in the East boundary line of said 56.528 acre tract, and in the West boundary line of said 17.7904 acre tract;

THENCE: S 02°55'23" E 183.19' to the point of beginning containing 1.262 acres of land;