

25-017FC

FILED FOR RECORD
SHELBY COUNTY, TEXAS

2025 APR 14 AM 7:28 NOTICE OF FORECLOSURE SALE

Property:

JENNIFER L. FOUNTAIN
COUNTY CLERK

April 14, 2025. ~~BY TRACT ONE~~ ^{DEPUTY} Being 0.950 acre of land, more or less, situated in the WILLIAM NABORS SURVEY, ABSTRACT 530, Shelby County, Texas, and being part of a called 55.2217 acre tract described as "Fifth Tract" in an Executor's Deed from Ervin R. Hall and Kelly Deanne Wagner to Christopher Scott Tyre, dated July 22, 2009, and recorded under Document No. 2009006704, in the Official Public Records of Shelby County, Texas, said 0.950 acre being the land known as Lot 6 of the Tyre 1446 Subdivision, Phase One, an unrecorded subdivision, and being more particularly described in Exhibit "A" attached hereto and made a part hereof for all intents and purposes.

TRACT TWO: Being 1.000 acre of land, more or less, situated in the WILLIAM NABORS SURVEY, ABSTRACT 530, Shelby County, Texas, and being part of a called 55.2217 acre tract described as "Fifth Tract" in an Executor's Deed from Ervin R. Hall and Kelly Deanne Wagner to Christopher Scott Tyre, dated July 22, 2009, and recorded under Document No. 2009006704, in the Official Public Records of Shelby County, Texas, said 1.000 acre being the land known as Lot 7 of the Tyre 1446 Subdivision, Phase One, an unrecorded subdivision, and being more particularly described in Exhibit "B" attached hereto and made a part hereof for all intents and purposes.

Deed of Trust: Deed of Trust (The term "Deed of Trust" herein shall mean the Deed of Trust as so modified, renewed, and/or extended.)

Dated: January 3, 2019

Trustee: J. KEN MUCKELROY
108 Foster St.
Center, Texas 75935

Grantors: IQNACIO COLORADO BARAHONA and ANGELICA MONTEJO
MANUELS BARAHONA

Mortgagee: CHRISTOPHER SCOTT TYRE (hereafter "Lender")

Recording Information: Clerk No. 2019000086 of the Official Public Records of Shelby County, Texas.

Note Secured by Deed of Trust: Promissory Note (The term "Note" herein shall mean the Note as so modified, renewed, and/or extended.)

Date: January 3, 2019

Original Principal Amount: \$40,188.00

Makers: IQNACIO COLORADO BARAHONA and ANGELICA MONTEJO MANUELS
BARAHONA

Lender: CHRISTOPHER SCOTT TYRE

Property: All real property and improvements as described in and mortgaged in the Deed of Trust, including all rights and appurtenances thereto, with the exception of any Released Property.

Sale Location: 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.

Sale Date: May 6, 2025

Sale Time: The public auction of the Foreclosure Sale will take place between the hours of 10:00 AM and 4:00 PM local time. The earliest time the sale will begin is 10:00 A.M., or within three hours from that time.

Terms of the Sale: This public Foreclosure Sale will sell all property "AS IS" at a public auction to the highest cash bidder, with the exception of the Lender, who will be allowed to bid credit against the amount owed under the obligation secured by the lien in the Deed of Trust.

Due to the default in payment of the Note and in performance of the obligations under the terms of the Deed of Trust, the Lender directed the Trustee to administer the trust provisions.

The above described Deed of Trust encumbers real property. This document constitutes formal notice by the Lender to foreclose and sell the property, as described in Lender's right and remedies under the Deed of Trust and in accordance with the terms of Section 9.604(a) of the Texas Business and Commerce Code and the Deed of Trust.

Notice is hereby given that the Foreclosure Sale will commence at the Sale Location, Sale Date, and Sale Time indicated above. At that time, the Trustee will direct the sale of the property described in the Deed of Trust in the manner allowed by the Deed of Trust and applicable Texas law.

If there is any postponement or rescheduling of the Foreclosure Sale, additional notice will be reposted and refiled in accordance with the terms of the Deed of Trust and applicable Texas law.

Potential purchasers are reminded that this sale of property is made subject to the exceptions to conveyance and warranties of the Deed of Trust, all prior liens and defects to title, to the extent that they remain in force and effect and have not been subordinated to the Deed of Trust, and any rights of recession as set forth in the Texas Property Code. Potential purchasers should examine the property records describing the property within the Deed of Trust for further assurances.

Pursuant to Section 51.009 of the Texas Property Code, this property will be sold "AS IS" to the highest cash bidder. Please be aware that the sale of this property will not include any possession warranties, title warranties, warranties of quiet enjoyment or other warranties, except as expressly provided by the Deed of Trust. All potential purchasers should conduct examinations of the property records for further assurances.

Pursuant to Section 51.0075(a) of the Texas Property Code, the Trustee will establish conditions for the Foreclosure Sale as are deemed reasonable and in accordance with the Texas Property Code. Any conditions beyond what are listed in this document will be disclosed prior to the opening of bidding on the day of the Foreclosure Sale.

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 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, Trustee

Exhibit "A"

LOT 6
FIELD NOTE DESCRIPTION
0.950 OF AN ACRE SITUATED IN THE
WILLIAM NABORS SURVEY, ABSTRACT 530
SHELBY COUNTY, TEXAS

Being 0.950 of an acre of land situated in the William Nabors Survey, Abstract 530, Shelby County, Texas, and being part of a called 55.2217 acre tract described as "Fifth Tract" in an Executor's Deed from Ervin R. Hall and Kelly Deanne Wagner to Christopher Scott Tyre, dated July 22, 2009, and recorded under Document No. 2009006704, in the Official Public Records of Shelby County, Texas, said 0.950 of an acre being more particularly described by metes and bounds as follows:

COMMENCING for reference at the Southeast corner of said called 55.2217 acre tract and being an interior corner of a called 75.0 acre tract described as "Second Tract" in a Warranty Deed from J. Norris O'Banion to Sammy D. Dance and wife, Barbara Dance, dated September 2, 1969, and recorded in Volume 464, Page 697, in the Deed Records of Shelby County, Texas;

THENCE N 08°09'44" E, with the East line of said called 55.2217 acre tract (bases of bearing orientation) and with the West line of said called 75.0 acre tract, a distance of 40.02 feet to a 1/2-inch iron rod with plastic set on the East side of County Road 1446, and approximately 15 feet from its apparent centerline and being the POINT OF BEGINNING of the hereon described 0.950 of an acre tract;

THENCE N 83°31'32" W, crossing said County Road 1446 and into said called 55.2217 acre tract and continuing along the North line of a 40-foot wide private road easement, a distance of 235.71 feet to a 1/2-inch iron rod with plastic cap set for corner;

THENCE N 08°09'44" E, a distance of 179.02 feet to a 1/2-inch iron rod with plastic cap set for corner at the Southwest corner of a 40-foot wide road easement;

THENCE S 81°50'16" E, with the South line of said 40-foot wide road easement, passing at a distance of 40.00 feet a 1/2-inch iron rod with plastic cap set at the Southeast corner of said 40-foot wide road easement, and continuing for a total distance of 235.61 feet to a point for corner near the centerline of said County Road 1446 and in the East line of said called 55.2217 acre tract and the West line of said called 75.0 acre tract, from which a 1/2-inch iron rod with plastic cap set for witness bears N 81°50'16" W, 20.00 feet, and being S 08°09'44" W, 1,276.45 feet from the intersection of said centerline of County Road 1446 with the centerline of County Road 1490;

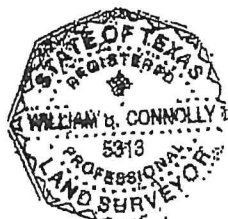
THENCE S 08°09'44" W, with said East line of the called 55.2217 acre tract (basis of bearing orientation) and the said West line of the called 75.0 acre tract, leaving said County Road 1446, a distance of 172.08 feet to the POINT OF BEGINNING and containing 0.950 of an acre of land within these calls.

Bearing orientation based the East line of the called 51.2217 acre tract, having a bearing of S 08°09'44" W, as described in deed recorded under Document No. 2009006704, in the Official Public Records of Shelby County, Texas.

The above field note description represents the facts as found by an on the ground survey performed on August 11, 2015. (Originals signed in blue ink, all others are copies).

A Survey Map of even date accompanies this Field Note Description.

Prepared by:
B.K. Survey
453 C.R. 1512
Center, Texas 75935
September 1, 2015
Job No. 1224 Lot 6



William B. Connolly 9/6/15
William B. Connolly, Registered
Professional Land Surveyor, No. 5313

Exhibit "B"

LOT 7
FIELD NOTE DESCRIPTION
1.000 ACRE SITUATED IN THE
WILLIAM NABORS SURVEY, ABSTRACT 530
SHELBY COUNTY, TEXAS

Being 1.000 acre of land situated in the William Nabors Survey, Abstract 530, Shelby County, Texas, and being part of a called 55.2217 acre tract described as "Fifth Tract" in an Executor's Deed from Ervin R. Hall and Kelly Deanne Wagner to Christopher Scott Tyre, dated July 22, 2009, and recorded under Document No. 2009006704, in the Official Public Records of Shelby County, Texas, said 1.000 acres being more particularly described by metes and bounds as follows:

COMMENCING for reference at the Southeast corner of said called 55.2217 acre tract and being an interior corner of a called 75.0 acre tract described as "Second Tract" in a Warranty Deed from J. Norris O'Banion to Sammy D. Dance and wife, Barbara Dance, dated September 2, 1969, and recorded in Volume 464, Page 697, in the Deed Records of Shelby County, Texas;

THENCE N 08°09'44" E, with the East line of said called 55.2217 acre tract (bases of bearing orientation) and with the West line of said called 75.0 acre tract, entering into and along a line within County Road 1446, a distance of 212.09 feet to the POINT OF BEGINNING of the hereon described 1.000 acre tract, near the centerline of said County Road 1446, from which a 1/2-inch iron rod with plastic cap set for witness bears N 81°50'16" W, 25.00 feet;

THENCE N 81°50'16" W, into said called 55.2217 acre tract, a distance of 195.61 feet to a 1/2-inch iron rod with plastic cap set for the Southeast corner of a 40-foot wide road easement;

THENCE N 08°09'44" E, with the East line of said 40-foot road easement, a distance of 222.69 feet to a 1/2-inch iron rod with plastic cap set for corner;

THENCE S 81°50'16" E, a distance of 195.61 feet to a point in said East line of the called 55.2217 acre tract and said West line of the called 75.0 acre tract near said centerline of County Road 1446, from which a 1/2-inch iron rod with plastic cap set for witness bears N 81°50'16" W, 25.00 feet, and being S 08°09'44" W, 1,053.76 feet from the intersection of said centerline of County Road 1446 with the centerline of County Road 1490;

THENCE S 08°09'44" W, with said East line of the called 55.2217 acre tract (basis of bearing orientation) and with said West line of the called 75.0 acre tract, and a line in said County Road 1446, a distance of 222.69 feet to the POINT OF BEGINNING and containing 1.000 acre of land within these calls.

Bearing orientation based the East line of the called 51.2217 acre tract, having a bearing of S 08°09'44" W, as described in deed recorded under Document No. 2009006704, in the Official Public Records of Shelby County, Texas.

The above field note description represents the facts as found by an on the ground survey performed on August 11, 2015. (Originals signed in blue ink, all others are copies).

A Survey Map of even date accompanies this Field Note Description.

Prepared by:
B.K. Survey
453 C.R. 1512
Center, Texas 75935
September 1, 2015
Job No. 1224 Lot 7



William B. Connolly 9/1/15
William B. Connolly, Registered
Professional Land Surveyor, No. 5313.

Exhibit "B"

LOT 7
FIELD NOTE DESCRIPTION
1.000 ACRE SITUATED IN THE
WILLIAM NABORS SURVEY, ABSTRACT 530
SHELBY COUNTY, TEXAS

Being 1.000 acre of land situated in the William Nabors Survey, Abstract 530, Shelby County, Texas, and being part of a called 55.2217 acre tract described as "Fifth Tract" in an Executor's Deed from Ervin R. Hall and Kelly Deanne Wagner to Christopher Scott Tyre, dated July 22, 2009, and recorded under Document No. 2009006704, in the Official Public Records of Shelby County, Texas, said 1.000 acres being more particularly described by metes and bounds as follows:

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THENCE N 08°09'44" E, with the East line of said called 55.2217 acre tract (bases of bearing orientation) and with the West line of said called 75.0 acre tract, entering into and along a line within County Road 1446, a distance of 212.09 feet to the POINT OF BEGINNING of the hereon described 1.000 acre tract, near the centerline of said County Road 1446, from which a 1/2-inch iron rod with plastic cap set for witness bears N 81°50'16" W, 25.00 feet;

THENCE N 81°50'16" W, into said called 55.2217 acre tract, a distance of 195.61 feet to a 1/2-inch iron rod with plastic cap set for the Southeast corner of a 40-foot wide road easement;

THENCE N 08°09'44" E, with the East line of said 40-foot road easement, a distance of 222.69 feet to a 1/2-inch iron rod with plastic cap set for corner;

THENCE S 81°50'16" E, a distance of 195.61 feet to a point in said East line of the called 55.2217 acre tract and said West line of the called 75.0 acre tract near said centerline of County Road 1446, from which a 1/2-inch iron rod with plastic cap set for witness bears N 81°50'16" W, 25.00 feet, and being S 08°09'44" W, 1,053.76 feet from the intersection of said centerline of County Road 1446 with the centerline of County Road 1490;

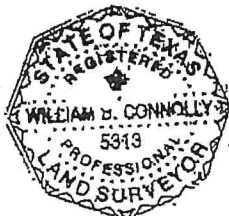
THENCE S 08°09'44" W, with said East line of the called 55.2217 acre tract (basis of bearing orientation) and with said West line of the called 75.0 acre tract, and a line in said County Road 1446, a distance of 222.69 feet to the POINT OF BEGINNING and containing 1.000 acre of land within these calls.

Bearing orientation based the East line of the called 51.2217 acre tract, having a bearing of S 08°09'44" W, as described in deed recorded under Document No. 2009006704, in the Official Public Records of Shelby County, Texas.

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B.K. Survey
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September 1, 2015
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