

25-016 FC

FILED FOR RECORD
SHELBY COUNTY TEXAS

NOTICE OF FORECLOSURE SALE

2025 APR 14 AM 7:28

Property: JENNIFER L. FOUNTAIN

FIRST TRACT: Being 0.533 acre of land, more or less, a part of the JESSE AMASON SURVEY, A-10, Shelby County, Texas and being the land described as first tract in the Deed from Jack Harris and wife, Susan Harris; and Hazel Marie Harris Hanig and Joe Harris to Brian Howard Denby and Vincent Diverdi, dated May 21, 2008, recorded under Clerk File No. 2008005011, Official Public Records, Shelby County, Texas; and being more fully described by metes and bounds on Exhibit A attached hereto and made a part hereof for all intents and purposes.

SECOND TRACT: Being 0.613 acre of land, more or less, a part of the JESSE AMASON SURVEY, A-10, Shelby County, Texas and being the land described as second tract in Deed from Jack Harris and wife, Susan Harris; and Hazel Marie Harris Hanig and Joe Harris to Brian Howard Denby and Vincent Diverdi, dated May 21, 2008, recorded under Clerk File No. 2008005011, Official Public Records, Shelby County, Texas; and being more fully described by metes and bounds on Exhibit A attached hereto and made a part hereof for all intents and purposes.

April 14, 2025

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: October 23, 2020

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

Grantor: ANGELICA SHISLER

Mortgagee: BRIAN DENBY and wife, BRANDI DENBY (hereafter "Lender")

Recording Information: Clerk No. 2020003280 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: October 23, 2020

Original Principal Amount: \$69,000.00

Maker: ANGELICA SHISLER

Lender: BRIAN DENBY and wife, BRANDI DENBY

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 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, Trustee

FIRST TRACT:

All that land situated in SHELBY COUNTY, TEXAS, on the JESSE AMASON SURVEY A-10, and being a legal description to a 0.533 acre tract and being all of a called 0.6 acre tract described in a Warranty Deed from Ola Harris, a feme sole, to Hazel Marie Harris Hanig, Joe Warren Harris, and Jack Thomas Harris dated July 8, 1986, and recorded in Volume 668, Page 841 of the Deed Records of said county and is further described by metes and bounds as follows:

BEGINNING at an 1/2 inch iron rod found for the Northwest corner of this tract and said 0.5 acre tract in the East right of way line of Ballard Street and being the Southwest corner of a 1.6 acre tract recorded in Volume 729, Page 109 of said Deed Records;

THENCE South 77 degrees 18 minutes 10 seconds East 82.47 feet to an 1/2 inch iron rod found in the North boundary line of this tract and said 0.6 acre tract being the Southeast corner of a said 1.6 acre tract and for the Southwest corner of Jack Harris 0.613 acre tract;

THENCE South 77 degrees 20 minutes 14 seconds East 286.22 feet to an one inch iron rod found for the Northeast corner of this tract and said 0.6 acre tract in the South boundary line of said 0.613 acre tract and being the Northwest corner of a 4/5 acre tract recorded in Volume 701, Page 86 of the said Deed Records.

THENCE South 40 degrees 18 minutes 02 seconds East 104.34 feet to an one inch iron rod found for the Southeast corner of this tract and said 0.5 acre tract and being an angle corner of said 4/5 acre tract;

THENCE North 77 degrees 20 minutes 31 seconds West 368.72 feet to an 1/2 inch iron rod found for the Southwest corner of this tract and said 0.6 acre tract and in said East right of way line.

THENCE North 40 degrees 13 minutes 18 seconds West 104.37 feet to the PLACE OF BEGINNING, containing 0.533 acres of land;

SECOND TRACT:

All that land situated in SHELBY COUNTY, TEXAS, on the JESSE AMASON SURVEY, A-10, and being 0.613 acres of land, more or less, and being part of a 1.6 acre tract described in Deed from M & B Enterprises to Betty Garrett, dated October 19, 1991, recorded in Vol. 727, Page 708, Deed Records, Shelby County, Texas, and being described by metes and bounds as follows:

BEGINNING at an iron axle found for corner at the East corner of said 1.6 acre tract, said beginning corner being an angle corner in the Southwest boundary line of a 21.05 acre tract described in a conveyance from Lomax Webb to the City of Center, dated October 26, 1976, recorded in Vol. 525, Page 101, Deed Records, Shelby County, Texas, and also being in the North boundary line of a 4/5 acre tract described as Second Tract in a conveyance from Virginia Samford to W. B. Whiteside, dated August 24, 1989, recorded in Vol. 701, Page 86, Deed Records, Shelby County, to an one half inch iron rod set for corner;

THENCE North 77 degrees 19 minutes 48 seconds West 334.83 feet (called North 76 - 1/2 degrees West) with the South boundary line of said 1.6 acre tract and the North boundary line of said 4/5 acre tract and continuing with the North boundary line of a 1/2 acre tract described in a conveyance from Ola Harris to Jack Thomas Harris et al, dated July 8, 1986, recorded in Vol. 668, Page 841, Deed Records, Shelby County, to an 1/2 inch iron rod set for corner;

THENCE North 48 degrees 14 minutes 44 seconds East 196.00 feet to an 1/2 inch iron rod set for corner in the Northeast boundary line of said 1.6 acre tract, said corner also being in the Southwest boundary line of said 21.05 acre tract;

THENCE South 41 degrees 30 minutes 00 seconds East 272.34 feet (bearing base) with the Northeast boundary line of said 1.6 acre tract and the Southwest boundary line of said 21.05 acre tract to the PLACE OF BEGINNING, containing 0.613 acres of land, more or less;

EXHIBIT A