

25-009FC

FILED FOR RECORD  
SHELBY COUNTY TEXAS

2025 MAR 10 AM 9:47

Mortgagor: The First National Bank of Hughes Springs  
Property Mailing Address: PO Box 188, Hughes Springs, Texas 75656  
Client Loan No.: 699000491  
Our File No.: G1517  
Cause No.: 24CV36954

BY \_\_\_\_\_ DEPUTY

**NOTICE OF SUBSTITUTE TRUSTEE SALE**  
*(See TEX. CONST. art. XVI, § 50(a) Order attached)*

See Deed of Trust Recorded In: File Number 2015001696, Shelby County, Texas

Current Mortgagor(s): The First National Bank of Hughes Springs

Current Mortgagee: Miguel Martinez and wife, Magdalena Martinez

Legal Description of Subject Property:

**COPY ATTACHED HERETO FOR A MORE COMPLETE DESCRIPTION.**

Date of Sale: May 6, 2025

Earliest Time Sale Will Begin: 1:00 p.m. (The sale will be conducted within three hours after this time.)

Location of Sale: Shelby County Courthouse (area within 100-foot radius of southeastern door of house provided for holding district court) in the City of Center, County of Shelby, State of Texas OR IN THE AREA DESIGNATED BY THE COMMISSIONER'S COURT, PURSUANT TO SECTION 51.002 OF THE TEXAS PROPERTY CODE.

The designated Trustee or Substitute Trustee(s) will sell the property "AS IS" by public auction for cash to the highest bidder at the place, date and time specified above.

Dated this 4th day of March, 2025.

  
Rick D. Shelton – Substitute Trustee

CMRRR # \_\_\_\_\_

EXHIBIT "A"  
Property Description

**FIRST TRACT:** BEING 4.0 acres of land, more or less, a part of the ANN GRAY SURVEY, A-240, Shelby County, Texas, and being the land described in the Warranty Deed from Erika Sosa, a single person, to Miguel Martinez, a single person, dated June 18, 2008, recorded under Instrument No. 2008006064, Official Public Records, Shelby County, Texas, and being described by metes and bounds as follows, to-wit:

BEGINNING at a point for corner in the centerline of a County Rd. (called Bowlin Rd.) from which a 1/2 inch iron rod found for witness bears S. 02 deg. 05 min. 59 sec. E. 19.50 ft., said beginning corner being the NWC of the called 20.27 acre tract and the NEC of a 7.590 acre tract described in a conveyance from Veteran's Land Board to Bruce Edward Scruggs, dated April 15, 1972, recorded in Vol. 736, Page 217, Deed Records, Shelby County, Texas;

THENCE N. 88 deg. 58 min. 05 sec. E. 356.09 ft. with the centerline of Bowlin Rd. and the NBL of the 20.27 acre tract to a point for corner from which a 1/2 inch iron rod set for witness bears S. 02 deg. 05 min. 59 sec. E. 20.00 ft.;

THENCE S. 02 deg. 05 min. 59 sec. E. at 20.00 ft. pass a 1/2 inch iron rod set for witness and continuing for a total distance of 691.83 ft. to a 1/2 inch iron rod set for corner on the SBL of the 20.27 acre tract and the NBL of a 266.2 acre tract described in a conveyance to Champion, Inc. (International Paper Co., Inc.) from which a 14 inch red oak, marked "X" sec. bears West 6.8 ft.;

THENCE N. 89 deg. 43 min. 39 sec. W. 245.25 ft. with the SBL of the 20.27 acre tract and the NBL of the 266.2 acre tract to a 1/2 inch iron rod found for corner, said corner being the SWC of the 20.27 acre tract and the SEC of the 7.590 acre tract;

THENCE N. 02 deg. 05 min. 59 sec. W. (called North), 425.75 ft. with the WBL of the 20.27 acre tract and the EBL of the 7.590 acre tract to a 1/2 inch iron rod set for corner;

THENCE N. 87 deg. 54 min. 01 sec. E. 208.71 ft. to a 1/2 inch iron rod set for corner;

THENCE N. 02 deg. 05 min. 59 sec. W. 208.71 ft. to a 1/2 inch iron rod set for corner;

THENCE S. 87 deg. 54 min. 01 sec. W. 208.71 ft. to a 1/2 inch iron rod set for corner; on the WBL of the 20.27 acre tract and the EBL of the 7.690 acre tract;

THENCE N. 02 deg. 05 min. 59 sec. W. (called North), with the WBL of the 20.27 acre tract and the EBL of the 7.690 acre tract, at 232.09 ft. pass a 1/2 inch iron rod found for witness and continuing for a total distance of 251.59 ft. to the PLACE OF BEGINNING, containing 4.00 acres.

TOGETHER WITH a 20 foot access easement adjacent to, parallel with and East of the most Northerly WBL of the above described tract.

**SECOND TRACT:** BEING 1.0 acre of land, more or less, a part of the ANN GRAY SURVEY, A-240, Shelby County, Texas, and being the land described in the Warranty Deed from Erika Sosa, a single person, to Miguel Martinez, a single person, dated June 18, 2008, recorded under Instrument No. 2008006064, Official Public Records, Shelby County, Texas, and being described by metes and bounds as follows, to-wit:

BEGINNING at a 1/2 inch rod set for corner in the WBL of the 20.27 acre tract and the EBL of a 7.590 acre tract described in a conveyance from Veteran's Land Board to Bruce Edward Scruggs, dated April 15, 1992, recorded in Vol. 736, Page 217, Deed Records, Shelby County, Texas, said beginning corner being S. 02 deg. 05 min. 59 sec. E. 251.59 ft. from the NWC of the 20.27 acre tract;

THENCE N. 87 deg. 54 min. 01 sec. E. 208.71 ft. to a 1/2 inch iron rod set for corner;

THENCE S. 02 deg. 05 min. 59 sec. E. 208.71 ft. to a 1/2 inch iron rod set for corner;

THENCE S. 87 deg. 54 min. 01 sec. W. 208.71 ft. to a 1/2 inch iron rod set for corner in the WBL of the 20.27 acre tract and the EBL of the 7.590 acre tract;

THENCE N. 02 deg. 05 min. 59 sec. W. 208.71 ft. with the WBL of the 20.27 acre tract and the EBL of the 7.590 acre tract to the PLACE OF BEGINNING, containing 1.00 acre of land, more or less.

TOGETHER with a 20.00 foot access easement adjacent to, parallel with and 10.00 feet each side of the following described centerline;

BEGINNING at a point N. 87 deg. 54 min. 01 sec. E. 10.00 ft. from the NWC of the above-described tract;

THENCE N. 02 deg. 05 min. 59 sec. W. 251.60 feet to the centerline of the County Rd. (called Bowlin Rd.)

Cause No. 24CV36954

IN RE: ORDER FOR FORECLOSURE §  
CONCERNING §

MIGUEL MARTINEZ AND WIFE,  
MAGDALENA MARTINEZ

4.00 ACRE TRACT  
ANN GRAY SURVEY

AND

THE FIRST NATIONAL BANK OF  
HUGHES SPRINGS

SHELBY COUNTY, TEXAS

JUDICIAL DISTRICT

**RULE 736**  
**HOME EQUITY FORECLOSURE ORDER**  
*Tex.R. Civ. P. 736*

On this 12th day of February, 2025, the court considered Applicant's Tex. R. Civ. P. 736 home equity foreclosure application. Applicant appeared by and through its attorney. Respondent did not appear. The court determined it has jurisdiction over the subject matter and the parties. After considering the evidence and arguments of counsel, the court finds that the mailing address of the Respondent, Miguel Martinez, Jr. and wife Magdalena Martinez, property sought to be foreclosed is 321 Pecan Street, Center, Shelby County, Texas 75935. Description of said property, and is more particularly described, to-wit:

SEE EXHIBIT A

The court further finds that this is an *in rem* proceeding; that the Application complies with Tex. R. Civ. P. 735 and 736; that the required Rule 736(2)(A) notice with Rule 736(2)(B) certificate of service has been on file with the clerk of the court for at

least ten (10) days, exclusive of the date of filing; that the Applicant has proved the elements of Rule 736(1)(E).

IT IS THEREFORE ORDERED that Applicant may proceed with foreclosure under the security instrument and Tex. Prop. Code § 51.002 with respect to the secured Property made the subject of this proceeding.

IT IS FURTHER ORDERED that a copy of this order shall be sent to Respondent with notice of the foreclosure sale date, time and place.

IT IS FURTHER ORDERED that Applicant may communicate with the Respondent and all third parties reasonably necessary to conduct the foreclosure sale.

IT IS FURTHER ORDERED that if Respondent is represented by counsel, the notice of foreclosure sale shall also be mailed to counsel by certified mail.

IT IS FURTHER ORDERED that Applicant file a certified copy of this order in the real property records of the county where the Property is located within (10) business days of entry of this order; however, failure to timely record the order shall not affect the validity of the foreclosure or defeat the presumption of TEX. CONST. art. XVI, § 50(i).

This order is not appealable pursuant to Rule 736(8)(A).

SIGNED this 26 day of February, 2025.

  
JUDGE PRESIDING

**Automated Certificate of eService**

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Morgan Fritts on behalf of Rick Shelton  
Bar No. 18209250  
mfritts@stovallshelton.com  
Envelope ID: 97331719  
Filing Code Description: Proposed Order  
Filing Description: Home Equity Foreclosure Order  
Status as of 2/26/2025 10:57 AM CST

Associated Case Party: THE FIRST NATIONAL BANK OF HUGHES SPRINGS

Name	BarNumber	Email	TimestampSubmitted	Status
Rick Shelton		rshelton@stovallshelton.com	2/13/2025 9:41:42 AM	SENT
Misti Abernathy		mistia@fmbhs.com	2/13/2025 9:41:42 AM	SENT