

2022-021 FC

**NOTICE OF FORECLOSURE SALE**

November 3, 2022

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FILED FOR RECORD

JENNIFER L. FOUNTAIN  
COUNTY CLERK

**Deed of Trust ("Deed of Trust"):**

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

Dated: January 30, 2009

Grantor: Benjamin Ramos and Arturo Ramos

Trustee: J. Ken Muckelroy

Lender: Shelby Savings Bank, SSB

Recorded in: Instrument No. 2009000986 of the real property records of Shelby County, Texas

**Legal Description:**

Being 11,250 sq. ft. of land, more or less, a part of the WESLEY HILL SURVEY, A-279, Shelby County, Texas, and being the South 1/2 of Lot 3, Block C of the W. D. Smith Addition, to the City of Center, Texas as shown by the map and plat of said addition on file and recorded in Vol. 322, Page 626-A, Deed Records, Shelby County, Texas, and being the land described in Deed from Shelby Savings Bank, SSB to Amador Arcibar and wife, Guadalupe Arcibar, dated December 8, 2004, recorded in Vol. 1008, Page 87, Official Public Records of Shelby County, Texas, and being more fully described by metes and bounds as follows, to-wit:

BEGINNING at a stake for corner the same being the S.W.C. of Lot 3, Block C and the N. Margin of Smith Street and the W. Margin of James Street;

THENCE N. 23 deg. 15 min. W. with the E. margin of James Street 75 feet to stake for corner;

THENCE N. 62 deg. 35 min. E. through Lot 3 a distance of 150 ft. to a stake for corner on the E. margin of lot 3;

THENCE S. 23 deg. 15 min. E. 75 ft. to stake for corner on the N. margin of Smith Street;

THENCE S. 62 deg. 35 min. W. with the N. margin of Smith Street 150 ft. to the PLACE OF BEGINNING containing 11,250 sq. ft. of land, more or less.

Secures: Adjustable Real Estate Lien Note ("Note") in the original principal amount of \$45,000.00, executed by Benjamin Ramos and Arturo Ramos ("Borrower") and payable to the order of Lender

## Foreclosure Sale:

Date: **Tuesday, December 6, 2022**

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. and not later than three hours thereafter.**

Place: Front steps of the Shelby County Courthouse located at 200 San Augustine St., 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.

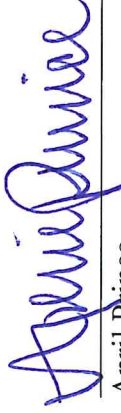
The Foreclosure Sale will be made expressly subject to any title matters set forth in the Deed of Trust, but prospective bidders are reminded that by law the Foreclosure Sale will necessarily be made subject to all prior matters of record affecting the Property, if any, to the extent that they remain 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.**



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