

24-017FC

NOTICE OF FORECLOSURE SALE

Date of Notice: September 23, 2024

Deed of Trust:

Dated: May 25, 2023

Grantor: JOSUE ALEJANDRO VIGIL HERNANDEZ

Trustee: JOHN L. PRICE

Lender: TINA MYERS

Recorded in: Instrument No. 2023002200 in the County Clerk's office, Center, Texas

Secures: Promissory Note in the original principal sum of \$38,500.00, executed by Josue Alejandro Vigil Hernandez, payable to the order of Lender.

Property: **BEING** 8,400 sq. ft. of land, more or less, a part of the Nancy Smith Survey, A-644, and being a part of Lot 3 of the Payne Subdivision, Shelby County, Texas.

Which said tract of land being more particularly described in the Warranty Deed with Vendor's Lien from Eddie Chisenhall and wife, Sue Chisenhall to Josue Alenjandro Vigil Hernandes, dated May 25, 2023, recorded in Instrument No. 2023002199, Official Public Records, Shelby County, Texas.

Foreclosure Sale Time: 10:00 A.M. November 5, 2024 (The first Tuesday of November, 2024).

Place: Front steps of the Shelby County Courthouse located at 200 San Augustine Street, 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 Tina Myers' 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, Tina Myers, the owner and holder of the Note, has requested Trustee to sell the Property.

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 Tina Myers 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

that has been released of public record from the lien and/or security interest of the Deed of Trust by Tina Myers. 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 and 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 or your spouse is serving on active military duty, including active military duty as a member 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.

FAIRCHILD, PRICE, HALEY & SMITH, L.L.P.

P. O. Box 1719

Center, Texas 75935-1719

(936) 598-2981 FAX: (936) 598-9155

[jprice@fairchildlawfirm.com](mailto:jprice@fairchildlawfirm.com)

By: 

John L. Price, TBA 16300000, Trustee

**EXHIBIT "A"**

**BEING** 8,400 sq. ft. of land, more or less, a part of the Nancy Smith Survey, A-644, and being a part of Lot 3 of the Payne Subdivision, Shelby County, Texas.

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FILED FOR RECORD  
SHELBY COUNTY, TEXAS  
2024 SEP 23 AM 11:57  
JENNIFER L. FOUNTAIN  
COUNTY CLERK  
BY \_\_\_\_\_ DEPUTY