

2022-015-FC

Notice of Foreclosure Sale

June 14, 2022

Deed of Trust ("Deed of Trust"):

Dated: May 11, 2021

Grantor: WAYNE HUGHES

Trustee: J. KEN MUCKELROY

Lender: V8 SERVICES, LLC AND B & F PROPERTIES, LP

Beneficiary: B & F PROPERTIES, LP

Recorded in: Clerk No. 2021003375 of the Official Public Records of Shelby County, Texas

Legal Description:

TRACT ONE: Being 40.24 acres of land, more or less, a part of the JOEL WHITE SURVEY, A-774, and the J.W. MIDDLETON SURVEY, A-474, Shelby County, Texas, and being the land described in deed from Robert D. Howard and wife, Alice S. Howard to B & F Properties, LP,

dated June 23, 2006, and recorded in Vol. 1052, Page 114, Official Public Records, Shelby County, Texas, and being described as 45.25 acres.

SAVE LESS & EXCEPT: 5.26 acres of land, leaving herein 40.24 acres of land.

TRACT TWO: Being 2.49 acres of land, more or less, a part of the JOHN W. MIDDLETON SURVEY, A-474, Shelby County, Texas, and being described in Deed from James A. Smith and wife, Jean Smith to Mark Miller and wife, Rhonda Miller, dated September 8, 2006, recorded in Volume 1059, Page 522, Official Public Records, Shelby County, Texas.

Secures: Promissory Note ("Note") in the original principal amount of \$125,000.00, executed by WAYNE HUGHES ("Borrower") and payable to the order of Lender

Foreclosure Sale:

Date: Tuesday, July 5, 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: 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.

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 V8 Services, LLC and B & F Properties, LP'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, V8 SERVICES, LLC, the owner and holder of the Note, and B & F Properties, LP, beneficiary has requested Trustee to sell the Property.

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of V8 SERVICES, LLC AND B & F PROPERTIES, LP's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with B & F PROPERTIES, LP'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, Trustee will sell the Property in accordance with the Terms of Sale described above, the Deed of Trust, and applicable Texas law.

If B & F Properties, LP 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 B & F PROPERTIES, LP. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

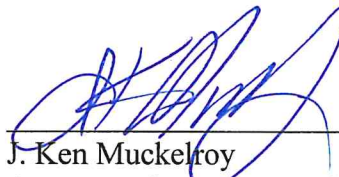
Pursuant to section 51.009 of the Texas Property Code, the Property will be sold "AS IS," without any expressed or implied warranties, except as to the warranties (if any) provided for under the Deed of Trust. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the Property.

Pursuant to section 51.0075(a) of the Texas Property Code, 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 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.



J. Ken Muckelroy
Attorney for V8 Services, LLC and B & F
Properties, LP
State Bar No.: 00788090
108 Foster St.
Center, Texas 75935
(936) 598-6110
(936) 598-7070
ken@muckelroy.com

FILED FOR RECORD
JUN 14 2022
JENNIFER L. MOUNTAIN
COUNTY CLERK

2022 JUN 14 PM 3:50

JENNIFER L. MOUNTAIN
COUNTY CLERK

BY _____ DEPUTY