

2023-015FC

FILED FOR RECORD
SHELBY COUNTY, TEXAS

2023 SEP 11 PM 3: 57

NOTICE OF FORECLOSURE SALE

JENNIFER L. FOUNTAIN
COUNTY CLERK

September 11, 2023

BY ~~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: April 30, 2018

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

Grantor: CODY GRANUNIGIO and CARMEN LEWIS

Mortgagee: OSCAR and THERESA JONES (hereafter "Lender")

Recording Information: Clerk No. 2018001326, Official Public Records of Shelby County, Texas.

Legal Description:

All that certain tract of land situated in Shelby County, Texas, on the Mannon Smith Survey, A-631, and being a resurvey of the Lucille Blount tract described in the deed recorded in Volume 642, Page 744, Shelby County Deed Records, and being the same property identified in Warranty Deed dated February 16, 2016, First National Bank of Hughes Springs, Hughes Springs, Texas, Grantor, Oscar A. Jones, Grantee, recorded under Instrument No. 2016000523, Official Public Records of Shelby County, Texas, and being further described on Exhibit "A" attached hereto and incorporated herein as if fully recited verbatim.

Being the same property identified in General Warranty Deed (In Lieu of Foreclosure), Penny Smith, Grantor, Oscar Jones and Theresa Jones, Grantee, recorded on August 29, 2017 under Clerk's File No. 2017002917, Official Public Records of Shelby County, Texas.

Note Secured by Deed of Trust: Deed of Trust (The term "Note" herein shall mean the Note as so modified, renewed, and/or extended.)

Date: April 30, 2018

Original Principal Amount: \$37,000.00

Maker: CODY GRANUNIGIO and CARMEN LEWIS

Lender: OSCAR and THERESA JONES

Property: All property and improvements as described in the Deed of Trust, with the exception of any Released Property.

Sale Location: Shelby County Courthouse in Center, Texas, at the following 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 Time: The public auction of the Foreclosure Sale will take place between the hours of 10:00 AM and 4:00 PM. The sale will begin at 10:00 a.m. or within three hours from that time.

Sale Date: October 3, 2023

Terms of the Sale: This public Foreclosure Sale will sell all property "AS IS" 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 in the Deed of Trust.

Due to the default 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 the Deed of Trust in accordance with the terms of the Texas Business and Commerce Code and the Deed of Trust.

The Foreclosure Sale will commence on October 3, 2023 between the hours of 10:00 AM and 4:00 PM and in accordance with the details as further set forth above. At that time, the Substitute Trustee will direct the sale of the property described in the Deed of Trust in manner as 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 posted and filed in accordance with the terms of the Deed of Trust and applicable Texas law.

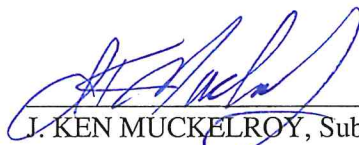
Potential purchasers are reminded that this sale of property is made subject to the exceptions to conveyance and warranties of the Deed of Trust, all prior liens and defects to title, and any rights of recession as set forth in the Texas Property Code. Potential purchasers should examine the property records describing the property within the Deed of Trust for further assurances.

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.

The Substitute 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 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, Substitute Trustee
Attorney for Oscar and Theresa Jones
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108 Foster St.
Center, Texas 75935
(936) 598-6110

All that certain tract of land situated in **SHELBY COUNTY, TEXAS**, on the **MANNON SMITH SURVEY, A-631**, and being a resurvey of the Luella Blount tract described in the deed recorded in Volume 642, Page 744, Shelby County Deed Records, and being described by metes and bounds as follows, to-wit:

BEGINNING at a crosstie and old fence corner found on the South right-of-way of Texas FM 2428 at the recognized Northeast corner of the Luella Blount tract in the Mannon Smith Survey, A-631, in Shelby County, Texas, described in the deed recorded in Volume 642, Page 744, of the Shelby County Deed Records, said crosstie being, also, the recognized Northwest corner of the C. E. Stevens tract described in the deed recorded in Volume 600, Page 360, of the Shelby County Deed Records;

THENCE South 61 deg. 17 min. 25 sec. West, along the South right-of-way of Texas FM 2428 as the recognized North boundary line of the aforementioned Blount tract, a distance of 112.00 feet to a 3/4" pipe set as the Northwest corner of the said Blount Tract;

THENCE South 18 deg. 58 min. 33 sec. East, along the recognized West boundary line of the aforementioned Blount tract, a distance of 135.65 feet to a 3/4" pipe set as the Southwest corner of the said Blount tract and the recognized Northwest corner of the Kimberly Blount Hall tract described in the deed recorded in Volume 818, Page 381, of the Shelby County Deed Records;

THENCE North 68 deg. 56 min. 12 sec. East, along the recognized South boundary line of the aforementioned Blount tract and the recognized North boundary line of the aforementioned Hall tract, a distance of 112.00 feet to an 1/2" steel rod set in an old fence found at the recognized Southeast corner of the said Blount tract and the recognized Northeast corner of the said Hall tract;

THENCE North 19 deg. 33 min. 41 sec. West, along an old fence found on the recognized East boundary line of the aforementioned Blount tract and the recognized West boundary line of the aforementioned Stevens tract, a distance of 150.514 feet to the **PLACE OF BEGINNING** and containing .365 of an acre of land, more or less, as surveyed by Michael W. Meeks, R. P. L. S. #4927, on January 10, 2006, and being the same land described in the Deed from Brenda Kay Hataway to First National Bank of Hughes Springs dated July 20, 2015, recorded in the Official Public Records of Shelby County, Texas, under Instrument No. 2015002543;

Exhibit A