

FILED FOR RECORD
AT 1:10 O'CLOCK P M

NOTICE OF FORECLOSURE SALE

FEB 07 2022
Jamie Clark
Clerk County Court, Sabine County
By *Shelby Chubb* DEPUTY

Date of Posting of Notice: February 7, 2022

Deed of Trust ("Deed of Trust"):

Dated: November 10, 2006

Grantor: Susan A. Hight, a single woman

Trustee: J. Ken Muckelroy

Lender: Shelby Savings Bank, SSB

Recorded in: Vol. 0248, Page 630 of the real property records of Sabine County, Texas

Legal Description: See **Exhibit "A"** attached hereto and incorporated by reference for all purposes herein

Secures: Adjustable Rate Note ("Note") in the original principal amount of \$72,250.00, executed by Susan Hight ("Borrower") and payable to the order of Lender

Foreclosure Sale:

Date: Tuesday, March 1, 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: Sabine County Courthouse in Hemphill, Texas, at the following location: 201 Main Street, Hemphill, Texas, on the steps on the North Side of the Courthouse.

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.

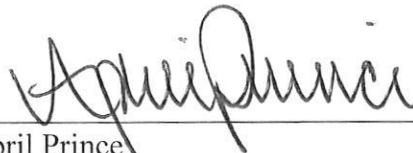
The Foreclosure Sale will be made expressly subject to any title matters set forth in the Deed of Trust, but prospective bidders are reminded that by law the Foreclosure Sale will necessarily be made subject to all prior matters of record affecting the Property, if any, to the extent that they remain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



April Prince
Substitute Trustee for Mortgagee
103 W. Austin St.
Center, Texas 75935
Telephone (936) 598-3100
Telecopier (936) 213-6039

EXHIBIT "A"

Being a description to 0.334 acres of land in the A. L. Frazier Survey A-103, Sabine County, Texas and being out of and a part of a 6.492 acre tract described in a Warranty Deed from Melba Gray Smith to Walter A. Jones or Diane R. Jones dated December 11, 2000 recorded in Volume 153, Page 584 of the Official Public Records of said county and is further described by metes and bounds as follows to-wit:

BEGINNING: At a 1/2" iron rod with cap set for the southwest corner of this tract from which a 1 3/4" iron pipe with 1 1/2" PVC pipe guard found on the south side of a county road for the southeast corner of said 6.492 acre tract bears S 36° 56' 43" E 345.76'.

THENCE: N 23° 47' 56" W 144.15' to a 1/2" iron rod with cap set for the northwest corner of this tract

THENCE: N 67° 37' 57" E 84.96' to a 1/2" iron rod with cap set for the northeast corner of this tract

THENCE: S 52° 35' 03" E 34.98' to a 1/2" iron rod with cap set for an angle corner of this tract

THENCE: S 25° 04' 02" E 114.00' to a 1/2" iron rod with cap set for the southeast corner of this tract from which a 3/8" iron rod found at the southwest base of a 20" pine in the east boundary line of said 6.492 acre tract for the northeast corner of Roy Lewis' Lot #1 recorded in Volume 241 Page 621 of said records brs. S 30° 48' 20" E 205.50'

THENCE: S 67° 37' 57" W 104.33' to the point of beginning containing 0.334 acres of land.