

Notice of Foreclosure Sale

NO. _____ TIME 10:00am

May 3, 2023

MAY 03 2023

DONECE GREGORY, COUNTY CLERK
TYLER COUNTY, TEXAS

By Amanda Stephens

Deed of Trust ("Deed of Trust"):
 Dated: March 29, 2019
 Grantor: Jason Murray and Tiffany Murray
 Trustee: Thomas D. Fortenberry
 Original Lender: Dale W. Cooley and Janice Cooley
 Current Lender: Cypress Lake Enterprises, LLC
 Recorded in: Volume 1213, Page 733, et seq., of the Official Public Records of Tyler County, Texas, and subject to the Transfer of Lien dated April 5, 2023 to Cypress Lake Enterprises, LLC recorded in Volume 1329, Page 242, in the Official Public Records of Tyler County, Texas.

Legal Description: Being a 24.314 acre tract of land as situated in the Joab John Blackman Survey, Abstract No. 6, Tyler County, Texas and being a resurvey of that same 24.314 acre tract conveyed to Dale W. Cooley and wife, Janice Cooley by Deed Recorded in Volume 743, Page 147 of the Official Public Records of Tyler County. Said 24.314 acre tract of land being more particularly described by metes and bounds in Exhibit "A", attached hereto and incorporated herein for all purposes. Said 24.314 acres of land, more or less, being more particularly described by metes and bounds in that certain Deed of Trust dated March 29, 2019 from Jason Murray and Tiffany Murray to Thomas D. Fortenberry, Trustee, to secure the indebtedness and performance in favor of Dale W. Cooley and Janice Cooley, all as therein provided, filed for record in Volume 1213, Page 733, et seq., Official Public Records of Tyler County, Texas.

Secures: Note ("Note") in the original principal amount of \$254,000.00, executed by Jason Murray and Tiffany Murray ("Borrower") and payable to the order of Original Lender, which is now payable to the order of Current Lender

Foreclosure Sale:

Date: Tuesday, June 6, 2023
 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 p.m. and not later than three hours thereafter.

Place: At the area as designated by the County Commissioner's Court, county of Tyler, state of Texas, or at the place this notice is posted

if no area has been designated by the Commissioners' Court.
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 the Current Lender 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, Cypress Lake Enterprises, LLC, 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 Cypress Lake Enterprises, LLC's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Cypress Lake Enterprises, LLC'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 Cypress Lake Enterprises, LLC 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.

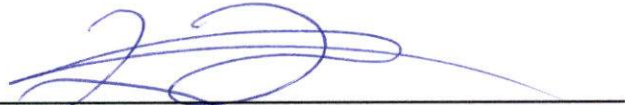
The Foreclosure Sale will be made expressly subject to any title matters set forth in the Deed of Trust, but prospective bidders are reminded that by law the Foreclosure Sale will necessarily be made subject to all prior matters of record affecting the Property, if any, to the extent that they remain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



THOMAS D. FORTENBERRY, as Trustee

State Bar No.: 24050617

Email: tom@tflawoffices.com

318 West Dogwood St.

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--or--

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