

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

Date: December 21, 2022 NO. _____ TIME 12:20 PM
Deed of Trust: DEC 21 2022
Grantor: ELEGMENT, LLC DONESE GREGORY, COUNTY CLERK
Grantor's County: TYLER COUNTY, TEXAS BY James Brown
Beneficiary: BYRON NEWMAN and KADIDJA FOFANA
Substitute Trustee: ANTHONY J. KING
Trustee's Address: 115 E 6th Street, Rusk, Texas 75785
Recording Information: Vol. 1254, Page 211, Official Records of Tyler County, Texas.

Property:

Being Lots One (1) and Two (2), Block One Hundred Eleven (111), Section One (1), LAKE TRISTAN, an addition situated in Tyler County, Texas, according to the plat thereof filed for record in the Office of the County Clerk of Tyler County, Texas, under Plat File No. 114, Plat Records, Tyler County, Texas, to which plat reference is herein made for all pertinent purposes.

Note:

Date: December 7, 2020
Amount: THIRTY-FOUR THOUSAND FOUR HUNDRED NINETY-SIX and NO/100 (\$34,496.00) DOLLARS
Debtor: BYRON NEWMAN and KADIDJA FOFANA
Holder: ELEGMENT, LLC
Date of Sale of Property: February 7, 2023
Earliest Time of Sale of Property: 10:00 A.M. or within 4 Hours of same
Place of Sale of Property: THE OUTSIDE DOOR OF THE TYLER COUNTY COURTHOUSE LEADING TO THE COUNTY COURTHOUSE AND THE COUNTY CLERK'S OFFICE, BEING ON THE NORTHEAST SIDE OF THE COURTHOUSE AND

WITHIN TWENTY-FIVE (25) FEET OF SUCH DOOR (INSIDE OR OUTSIDE) OR AS DESIGNATED BY THE COUNTY COMMISSIONERS OFFICE OR IN THE AREA DESIGNATED BY THE COMMISSIONERS COURT, PURSUANT TO SECTION 51.002 OF THE TEXAS PROPERTY CODE.

WHEREAS, the said Deed of Trust specifically authorizes the appointment of a Trustee by the beneficiary of said Deed of Trust; and

WHEREAS, the said Trustee has become incapacitated to serve as such, or has resigned or has failed and refused to act as such; and

WHEREAS, by authority of the said Deed of Trust, the beneficiary thereunder did, on the 7th day of December, 2020, appoint, ANTHONY J. KING, as Substitute Trustee;

WHEREAS, the said BYRON NEWMAN and KADIDJA FOFANA, has made default in the payment and financial obligation therein and of the note described in such instrument, leaving a delinquent balance on this date remaining unpaid thereon; and

WHEREAS, ELEGMENT, the said beneficiary, has requested to exercise the power of sale;

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on Tuesday, the 7th day of February, 2023, beginning no earlier than 10:00 o'clock A.M. and taking place not later than four (4) hours after that time, Anthony J. King at the request of the Noteholder, as Substitute Trustee, will sell said real estate at the designated area of the County Courthouse, as designated by the commissioners court in Tyler, Cherokee County, Texas, to the highest bidder for cash, to satisfy the indebtedness secured by the lien of the Deed of Trusts described above. The designated area by the Commissioners' Court of Cherokee County, Texas, pursuant to TEX.PROP.CODE, § 51.002, or, if no such area has been designated, within 100 feet of the main entrance to the building where the district court is usually held in Cherokee, Cherokee County, Texas,

WITNESS MY HAND this 21st day of December, 2022.


ANTHONY J. KING, Trustee

Notice pursuant to Section 51.002, Texas Property Code:

"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."