

**Notice of Foreclosure Sale**

August 13, 2024

FILED FOR RECORD  
AT 2:58 O'CLOCK P M

Deed of Trust ("Deed of Trust"):

Dated: February 24, 2022  
 Grantor: Elizabeth Dawn Bertrand  
 Trustee: Joshua M. Black  
 Beneficiary: Benoit Management, LLC  
 Recorded in: Instrument No. 220595 of the real property records of Sabine County, Texas  
 Secures: Promissory Note ("Note") dated February 25, 2022 in the original principal amount of \$50,000.00, executed by Elizabeth Dawn Bertrand ("Borrower") and payable to the order of Beneficiary

AUG 13 2024  
*Jamie Clark*  
 Clerk County Court, Sabine County  
 By *Ricky Childers* DEPUTY

Property: The real property, improvements, and personal property described in and mortgaged in the Deed of Trust, including the real property described in the attached Exhibit A, and all rights and appurtenances thereto

Substitute Trustee:

Name: Phil Dunlap  
 Address: 550 Fannin Street, Suite 600, Beaumont, Texas 77701.

Foreclosure Sale:

Date: Tuesday, September 3, 2024  
 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: The courthouse steps located at 201 Main Street, Hemphill, TX 75948.  
 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 Beneficiary'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, Beneficiary, 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 Beneficiary's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Beneficiary'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 Beneficiary 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 Beneficiary. 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.**

  
Phil Dunlap, Substitute Trustee

Exhibit A

Being all that certain lot, tract or parcel of land located in Sabine County, Texas and being all of Lot Number T-3033, T-3034 and T-3035, of the PENDLETON HARBOR SUBDIVISION FKA HIDE-A-WAY HARBOR, UNIT 18, according to the plat of record in Volume 1, Page 180 of the Plat Records of Sabine County, Texas to which plat and reference thereof is herein made for all purposes.