

FILED

OCT 27 2022

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Brenda Fietsam  
BREND A FIETSAM  
CO. CLERK, FAYETTE CO., TEXAS

## Notice of Substitute Trustee Sale

T.S. #: 22-7699

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.

**Date, Time, and Place of Sale** - The sale is scheduled to be held at the following date, time and place:

Date: 12/6/2022  
Time: The sale will begin no earlier than 1:00 PM or no later than three hours thereafter.  
The sale will be completed by no later than 4:00 PM  
Place: Fayette County Courthouse in La Grange, Texas, at the following location: On the Fayette County Courthouse lawn on the west side at the posting board located on the stone wall enclosure of the courthouse facing West Colorado Street near its intersection with North Main Street, OR IN THE AREA DESIGNATED BY THE COMMISSIONER'S COURT, PURSUANT TO SECTION 51.002 OF THE TEXAS PROPERTY CODE

**Property To Be Sold** - The property to be sold is described as follows:

0.26 acres of land out of the W. Farris Survey, Abstract 180, Fayette County, Texas, being part of Lots 9-12, Lot 14, and all of Lot 13, Block 24, of the Original Townsite of Flatonia, conveyed by Leonard John Novak to Roy L. and Angeline F. Richter in Warranty Deed with Vendor's Lien dated January 9, 1985 and recorded in Volume 680, Page 150 of the Deed Records of Fayette County, Texas.

Being more fully described by metes and bounds as follows:

**BEGINNING:** at a 5/8" iron rod, (V = 13,803,201.70, X = 2,568,731.13), found at the Southwest corner of a 0.27 acre tract conveyed to Julius Zapalac and in the North right of way line of West 8<sup>th</sup> Street, for the Southeast corner of this herein described tract;

**THENCE:** S 87°31'24" W -90.04 feet along the North right of way line of said West 8th Street and the South line of this herein described tract to a 3/8" iron rod found at the Southeast corner of a 0.2009 acre tract conveyed to Joseph T. and Georgia Lev in Volume 455, Page 457 of the Deed Records of Fayette County, Texas, for the Southwest corner of this herein described tract;

**THENCE:** N 01°45'04" W -126.21 feet along the East line of said 0.2009 acre tract and the West line of this herein described tract to a 5/8" iron rod found at the Northeast corner of said 0.2009 acre tract and in the South line of the alley, for the Northwest corner of this herein described tract;

**THENCE:** N 88°13'38" E -89.91 feet along the South line of said alley and the North line of this herein described tract to a 5/8" iron rod found at the Northwest corner of said 0.27 acre tract, for the Northeast corner of this herein described tract;

**THENCE:** S 01°48'24" E -125.11 feet along West line of said 0.27 acre tract and the East line of this herein described tract to the POINT OF BEGINNING, containing within these metes and bounds a 0.26 acre tract, more or less.

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**Instrument to be Foreclosed** – The instrument to be foreclosed is the Deed of Trust is dated 11/7/2019 and is recorded in the office of the County Clerk of Fayette County, Texas, under County Clerk’s File No 19-07058, recorded on 11/12/2019, in Book 1919, Page 959, The subject Deed of Trust was modified by Loan Modification recorded as Instrument 20-01658 and recorded on 3/20/2020 and 20-02690 recorded on 5/15/2020. of the Real Property Records of Fayette County, Texas.

Property Address: 118 WEST 8TH STREET FLATONIA Texas 78941

Trustor(s):	<b>AGUSTIN MANZANO and CYNTHIA V. TORO</b>	Original Beneficiary:	<b>Mortgage Electronic Registration Systems, Inc., as nominee for American Homestar Mortgage LLC, its successors and assigns</b>
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Current Beneficiary:	<b>Planet Home Lending, LLC</b>	Loan Servicer:	<b>Planet Home Lending, LLC</b>
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Current Substituted Trustees:	<b>Auction.com, Megan Randle aka Megan Randle-Bender aka Megan L. Randle, Ebbie Murphy, Chloe Christensen, Rebecca Bolton, Louise Graham, Donald Graham, Pete Florez, Jennyfer Sakiewicz, Rick Snoke, Prestige Default Services, LLC</b>
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The Mortgage Servicer is authorized to represent the Mortgagee by virtue of a servicing agreement with the Mortgagee. Pursuant to the Servicing Agreement and Texas Property Code §51.0025, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the property securing the above referenced loan.

**Terms of Sale** - The sale will be conducted as a public auction to the highest bidder for cash, subject to the provisions of the deed of trust permitting the beneficiary thereunder to have the bid credited to the note up to the amount of the unpaid debt secured by the deed of trust at the time of sale. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any. Pursuant to the Deed of Trust, the beneficiary has the right to direct the Trustee to sell the property in one or more parcels and/or to sell all or only part of the property. Pursuant to section 51.009 of the Texas Property Code, the property will be sold in “as is, where is” condition, without any express or implied warranties, except as to the warranties of title (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 of the Texas Property Code, the trustee reserves the right to set further reasonable conditions for conducting the sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by the trustee or any substitute trustee.

**Type of sale** - The sale is a non-judicial deed of trust lien and security interest foreclosure sale being conducted pursuant to the power of the sale granted by the deed of trust executed by AGUSTIN MANZANO, A SINGLE MAN AND CYNTHIA V. TORO, A SINGLE WOMAN. The real property and personal property encumbered by the deed of trust will be sold at the sale in accordance with the provisions of the deed of trust and as permitted by section 9.604(a) of the Texas Business and Commerce Code.

**Obligations Secured** - The deed of trust provides that it secures the payment of the indebtedness and obligations therein described (collectively the “Obligations”) including by not limited to (1) the promissory note in the original principal amount of \$146,353.00, executed by AGUSTIN MANZANO, A SINGLE MAN AND CYNTHIA V. TORO, A SINGLE WOMAN, and payable to the order of Mortgage Electronic Registration Systems, Inc., as nominee for American Homestar Mortgage LLC, its successors and assigns; (2) all renewals and extensions of the note; and (3) any and all present and future indebtedness of AGUSTIN MANZANO, A SINGLE MAN AND CYNTHIA V. TORO, A SINGLE WOMAN to AGUSTIN MANZANO and CYNTHIA V. TORO. Planet Home Lending, LLC is the current owner and holder of the Obligations and is the beneficiary under the Deed of Trust.

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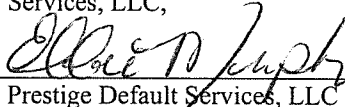
The sale will be made, but without covenant or warranty, expressed or implied, regarding title, possession, or encumbrances, to pay the remaining principal sum of the note(s) secured by the Deed of Trust, with interest and late charges thereon, as provided in the note(s), advances, under the terms of the Deed of Trust, interest thereon, fees, charges and expenses of the Trustee for the total amount (at the time of the initial publication of the Notice of Sale) reasonably estimated to be set forth below. The amount may be greater on the day of sale.

Questions concerning the sale may be directed to the undersigned or to the beneficiary:

**Planet Home Lending, LLC**  
**321 Research Parkway**  
**Meriden, Connecticut 06450-8301**  
**(855) 884-2250**

Dated: 10/27/22

Auction.com, Megan Randle aka Megan Randle-Bender aka Megan L. Randle, Ebbie Murphy, Chloe Christensen, Rebecca Bolton, Louise Graham, Donald Graham, Pete Florez, Jennyfer Sakiewicz, Rick Snoke, Prestige Default Services, LLC,



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Prestige Default Services, LLC  
9720 Coit Road, Suite 220-228  
Plano, Texas 75025  
Phone: (972) 893-3096 ext. 1035  
Fax: (949) 427-2732  
Sale Line Information: (866) 539-4173  
Website: <https://www.servicelinkauction.com>

AFTER RECORDING, PLEASE RETURN TO:  
Prestige Default Services, LLC  
9720 Coit Road, Suite 220-228  
Plano, Texas 75025  
Attn: Trustee Department