

FILED FOR RECORD  
2023 APR 10 PM 1:06

### Notice of Substitute Trustee Sale

T.S. #: 23-8639

MARIE SAWYER  
COUNTY CLERK  
RAINS COUNTY, TEXAS  
MW

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: 6/6/2023  
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: Rains County Courthouse in Emory, Texas, at the following location: "At the east most side of the Rains County Courthouse Annex located at 220 West Quitman Street, or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner's Court "  
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:

ALL THAT CERTAIN LOT, TRACT, OR PARCEL OF LAND LYING AND BEING SITUATED IN RAINS COUNTY, TEXAS, BEING LOT 8, BLOCK E OF SUN POINT ADDITION, ACCORDING TO THE PLAT FILE OF RECORD IN THE PLAT RECORDS OF RAINS COUNTY, TEXAS. BEING PART OF THE SAME LAND IN SPECIAL WARRANTY DEED DATED JUNE 7, 2021 FROM GATEWAY MORTGAGE GROUP, A DIVISION OF GATEWAY FIRST BANK TO JAMES BRYAN CARTER AND RONAL KEVIN JONES, RECORDED IN DOCUMENT NO. 2021-1767, OFFICIAL PUBLIC RECORDS OF RAINS COUNTY, TEXAS.

**Instrument to be Foreclosed** – The instrument to be foreclosed is the Deed of Trust is dated 11/24/2021 and is recorded in the office of the County Clerk of Rains County, Texas, under County Clerk's File No 2021-3671, recorded on 12/16/2021, of the Real Property Records of Rains County, Texas.

Property Address: 182 RS COUNTY ROAD 1536 POINT Texas 75472

Trustor(s): CHAD MUZILLO and AUTUMN ACKERMAN-MUZILLO  
Original Beneficiary: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., ("MERS") AS NOMINEE FOR ASPIRE FINANCIAL, INC., DBA TEXASLENDING.COM, ITS SUCCESSORS AND ASSIGNS

Current Beneficiary: Planet Home Lending, LLC  
Loan Servicer: Planet Home Lending, LLC

Current Substituted Trustees: Auction.com, Harriett Fletcher, Robert LaMont, Ronnie Hubbard, Sheryl LaMont, David Sims, Sharon St. Pierre, Rick Snoko, Prestige Default Services, LLC

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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 CHAD MUZILLO AND AUTUMN ACKERMAN-MUZILLO, HUSBAND AND WIFE. 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 but not limited to (1) the promissory note in the original principal amount of \$186,558.00, executed by CHAD MUZILLO AND AUTUMN ACKERMAN-MUZILLO, HUSBAND AND WIFE, and payable to the order of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., ("MERS") AS NOMINEE FOR ASPIRE FINANCIAL, INC., DBA TEXASLENDING.COM, ITS SUCCESSORS AND ASSIGNS; (2) all renewals and extensions of the note; and (3) any and all present and future indebtedness of CHAD MUZILLO AND AUTUMN ACKERMAN-MUZILLO, HUSBAND AND WIFE to CHAD MUZILLO and AUTUMN ACKERMAN-MUZILLO. Planet Home Lending, LLC is the current owner and holder of the Obligations and is the beneficiary under the Deed of Trust.

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.

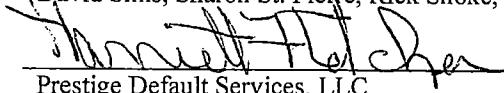
Questions concerning the sale may be directed to the undersigned or to the beneficiary:

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

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Dated: April 10, 2023

Auction.com, Harriett Fletcher, Robert LaMont, Ronnie Hubbard, Sheryl LaMont,  
David Sims, Sharon St. Pierre, Rick Snoke, Prestige Default Services, LLC,



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Prestige Default Services, LLC  
16801 Addison Road, Suite 350  
Addison, Texas 75001  
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  
16801 Addison Road, Suite 350  
Addison, Texas 75001  
Attn: Trustee Department