

## Notice of Substitute Trustee Sale

T.S. #: 19-2527

**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: 10/1/2019

Time: The sale will begin no earlier than **10:00 AM** or no later than three hours thereafter.  
The sale will be completed by no later than **1:00 PM**

Place: Llano County Courthouse in LLANO, Texas, at the following location: **The south door of the Llano County Courthouse located at 801 Ford Street, Llano, Llano County, Texas, which designated area is more particularly described in the Llano County Commissioner's Court Minutes recorded in Volume 1184, Page 885, in the Official Real Property Records of Llano County, Texas 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:

**Tract I:**

**Being a 0.702 acre tract of land, being the East one hundred fifty feet of Lot No. 67 (E 150' Lot 67), Block P, Wood Forest Ranchettes, a subdivision of Llano County, Texas, according to the map or plat thereof recorded in Volume 1, Page 93, Plat Records of Llano County, Texas; said portion of Lot 67 being more fully described by metes and bounds in EXHIBIT "A-1" attached hereto and made a part hereof.**

**Tract II:**

**Being a twenty foot (20') wide access easement, containing 0.046 acres out of Lot 686, Replat of Nob Hill, as shown on plat recorded in Volume 1, Page 81, Plat Records of Llano County, Texas; said 20 foot wide easement being more fully described by metes and bounds in EXHIBIT "B" attached hereto and made a part hereof.**

**Instrument to be Foreclosed** – The instrument to be foreclosed is the Deed of Trust is dated 1/30/2017 and is recorded in the office of the County Clerk of Llano County, Texas, under County Clerk's File No 17-00631 recorded on 2/3/2017 in Book 1571 Page 193 of the Real Property Records of Llano County, Texas.

1931 WILLOW  
KINGSLAND, TX 78639

Trustor(s): **DARRYL G MILLER JR and** Original  
**TONYA L BUBENIK** Beneficiary:

**MORTGAGE  
ELECTRONIC  
REGISTRATION  
SYSTEMS, INC., SOLELY  
AS NOMINEE FOR  
SOUTHWEST FUNDING,  
LP, ITS SUCCESSORS AND  
ASSIGNS**

FORECLOSURE  
FILED FOR POSTING

Marci Hadel  
COUNTY CLERK, LLANO COUNTY, TEXAS

BY C. McCintock DEPUTY

DATE 7-22-19

TIME 11:10 AM

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

Current Substituted Trustees: **Thomas Rossington, Martha Rossington, Deanna Ray, Juanita Cox, Jimmy Brewer, Stephan Rawlings, Diasha Perkins, Jason Brewer, Linda J. Reppert, Howard Whitney, Stephan Rawlings, Shelly Henderson, Sandy Mehan, Bobby Brewer, Rick Snoke, Briana Young, Jennifer Bergh, Patricia Sanchez, Heather Smith**

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 DARRYL G MILLER JR and TONYA L BUBENIK, 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 \$123,717.00, executed by DARRYL G MILLER JR and TONYA L BUBENIK, HUSBAND AND WIFE, and payable to the order of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., SOLELY AS NOMINEE FOR SOUTHWEST FUNDING, LP, ITS SUCCESSORS AND ASSIGNS; (2) all renewals and extensions of the note; and (3) any and all present and future indebtedness of DARRYL G MILLER JR and TONYA L BUBENIK, HUSBAND AND WIFE to DARRYL G MILLER JR and TONYA L BUBENIK. 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.

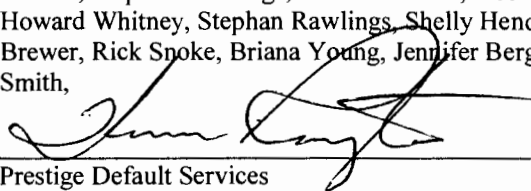
Questions concerning the sale may be directed to the undersigned or to the beneficiary:

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

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Dated: 7-22-19

Thomas Rossington, Martha Rossington, Deanna Ray, Juanita Cox, Jimmy Brewer, Stephan Rawlings, Diasha Perkins, Jason Brewer, Linda J. Reppert, Howard Whitney, Stephan Rawlings, Shelly Henderson, Sandy Mehan, Bobby Brewer, Rick Snoke, Briana Young, Jennifer Bergh, Patricia Sanchez, Heather Smith,



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Prestige Default Services  
600 E John Carpenter Freeway, Suite 246  
Irving, Texas 75062  
Phone: (949) 427-2010  
Fax: (949) 427-2732

AFTER RECORDING, PLEASE RETURN TO:  
Prestige Default Services  
600 E John Carpenter Freeway, Suite 246  
Irving, Texas 75062  
Attn: Trustee Department

EXHIBIT A-1

LEGAL DESCRIPTION: BEING A 0.702 ACRE TRACT, BEING THE EAST 150' OF THE REMAINING PORTION OF LOT 67, WOOD FOREST RANCHETTES, BLOCK P, AS SHOWN ON PLAT RECORDED ON VOLUME 1, PAGE 93 OF THE PLAT RECORDS OF LLANO COUNTY, TEXAS, ALSO BEING OUT OF A CALLED 2.158 ACRE TRACT OF LAND AS CONVEYED TO DARRYL SR. AND CINDY MILLER IN DOCUMENT RECORDED IN VOLUME 694, PAGE 68 OF THE OFFICIAL PUBLIC RECORDS OF LLANO COUNTY, TEXAS, SAID 0.702 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUND DESCRIPTION AS FOLLOWS;

BEGINNING AT A FOUND 1/2" IRON PIN, ALONG THE WEST LINE OF A REPLAT OF NOB HILL AS SHOWN ON PLAT RECORDED IN VOLUME 1, PAGE 81 OF THE PLAT RECORDS OF LLANO COUNTY, TEXAS, BEING THE SOUTHEAST CORNER OF LOT 68 OF SAID WOOD FOREST RANCHETTES, BEING THE NORTHEAST CORNER OF THE REMAINING PORTION OF SAID LOT 67, THE NORTHEAST CORNER OF SAID 2.158 ACRE TRACT, AND THE NORTHEAST CORNER HEREOF;

THENCE SOUTH 00°01'37" EAST, ALONG THE COMMON EAST LINE OF SAID LOT 67, THE EAST LINE OF SAID 2.158 ACRE TRACT, THE EAST LINE HEREOF AND THE WEST LINE OF SAID REPLAT OF NOB HILL SUBDIVISION, PASSING THE NORTH LINE OF A 20' WIDE ACCESS EASEMENT AT A DISTANCE OF 145.28', ALSO PASSING A FOUND 1/2" IRON PIN AT A DISTANCE OF 165.28', ALONG THE SOUTH LINE OF SAID 20' WIDE ACCESS EASEMENT, BEING THE SOUTHWEST CORNER OF LOT 686 OF SAID REPLAT OF NOB HILL, FOR A TOTAL DISTANCE OF 203.86 TO A SET 1/2" IRON PIN WITH PROPERTY CAP 5839, BEING THE SOUTHEAST CORNER HEREOF;

THENCE NORTH 89°58'07" WEST, ALONG THE COMMON SOUTH LINE OF SAID LOT 67, THE SOUTH LINE OF SAID 2.158 ACRE TRACT, THE SOUTH LINE HEREOF, AND THE NORTH LINE OF LOT 66 OF SAID WOOD FOREST RANCHETTES, BLOCK P, A DISTANCE OF 150.00' TO A SET 1/2" IRON PIN WITH PROPERTY CAP 5839, BEING THE SOUTHWEST CORNER HEREOF;

THENCE NORTH 00°01'37" WEST, OVER AND ACROSS SAID LOT 67 AND OVER AND ACROSS SAID 2.158 ACRE TRACT, A DISTANCE OF 203.53' TO A SET 1/2" IRON PIN, ALONG THE SOUTH LINE OF SAID LOT 68, BEING THE NORTHWEST CORNER HEREOF

THENCE NORTH 89°56'34" EAST, ALONG THE COMMON NORTH LINE OF SAID LOT 67, THE NORTH LINE OF SAID 2.158 ACRE TRACT, THE NORTH LINE HEREOF, AND THE SOUTH LINE OF SAID LOT 68, A DISTANCE OF 150.00' TO THE POINT OF BEGINNING, CONTAINING 0.702 ACRES, MORE OR LESS.

EXHIBIT B

0.046 ACRE ACCESS EASEMENT:

BEING A 20' WIDE ACCESS EASMENT CONTAINING 0.046 ACRES, BEING OUT OF LOT 686, REPLAT OF NOB HILL, AS SHOWN ON PLAT RECORDED IN VOLUME 1, PAGE 81 OF THE PLAT RECORDS OF LLANO COUNTY, TEXAS, SAID 0.046 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUND DESCRIPTION AS FOLLOWS;

Beginning at a found 1/2" iron pin, along the east line of Lot 67, Block P, Wood Forest Ranchettes, as shown on plat recorded in Volume 1, Page 93 of the Plat Records of Llano County, Texas, being the common southwest corner of said Lot 686 and the northwest corner of Lot 685 of said Replat of Nob Hill, being the southwest corner hereof;

THENCE North 00°01'37" West, along the common west line of said Lot 686, and the east line of said Lot 67, a distance of 20.00' to a point for corner, being the northwest corner hereof;

THENCE South 86°57'35" East, over and across said Lot 686, parallel with the south line of said Lot 686, a distance of 99.87' to a point for corner, along the common east line of said Lot 686, and the west right-of-way line of Willow, being the northeast corner hereof;

THENCE South 00°01'37" East, along the said common east line of Lot 686, and a the west right-of-way line of Willow, a distance of 20.03' to a point for corner, being the southeast corner of said Lot 686, and also being the southeast corner hereof,

THENCE North 86°56'37" West, along the common south line of said Lot 686 and the north line of said Lot 685, a distance of 99.87' to the Point of Beginning, containing 0.046 acres (1,996 square feet), more or less.