

Notice of Substitute Trustee Sale

T.S. #: 24-11744

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: **11/5/2024**

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: **Galveston County Courthouse in GALVESTON, Texas, at the following location: THE FIRST FLOOR LOBBY OF THE GALVESTON COUNTY COURTHOUSE, 722 MOODY, GALVESTON, 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:

THE WEST 1/2 OF LOT 10 AND THE EAST 1/2 OF LOT 11 IN THE SOUTHWEST BLOCK OF OUTLOT 137 IN THE CITY AND COUNTY OF GALVESTON COUNTY, TEXAS.

Instrument to be Foreclosed – The instrument to be foreclosed is the Deed of Trust is dated 4/22/2022 and is recorded in the office of the County Clerk of Galveston County, Texas, under County Clerk's File No 2022028181 recorded on 4/27/2022 in Book Page of the Real Property Records of Galveston County, Texas.

3412 AVENUE S
GALVESTON, TEXAS 77550

Trustor(s): **3412 AVENUE S LLC** Original Beneficiary: **PARK PLACE FINANCE, LLC**

Current Beneficiary: **Toorak Capital Partners LLC** Loan Servicer: **Toorak Capital Partners, LLC**

Current Substituted Trustees: **Auction.com, Patricia Poston, David Poston, Nick Poston, Chris Poston, Steve Leva, Jeff Leva, Sandy Dasigenis, Nicole Durrett, Rick Snoke, Prestige Default Services, LLC,**

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

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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 present Beneficiary under the Deed of Trust has elected to conduct a unified foreclosure sale pursuant to the provisions of Texas Business and Commercial Code § 9.604 (a) and to include in the non-judicial foreclosure pursuant to the power of the sale granted by the deed of trust described in this Notice of Trustee's Sale all of the personal property as more fully described in the Deed of Trust. The present Beneficiary reserves the right to revoke its election as to some or all of said personal property and/or fixtures, or to add additional personal property and/or fixtures to the election herein expressed, at the present Beneficiary's sole election, from time to time and at any time until the consummation of the trustee's sale to be conducted pursuant to the Deed of Trust and Notice of Trustee's Sale. 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 \$336,000.00, executed by 3412 AVENUE S LLC, and payable to the order of PARK PLACE FINANCE, LLC ; (2) all renewals and extensions of the note; and (3) any and all present and future indebtedness of 3412 AVENUE S LLC to 3412 AVENUE S LLC. Toorak Capital Partners LLC is the current owner and holder of the Obligations and is the beneficiary under the Deed of Trust.

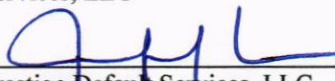
The sale will be made, but without covenant or warranty, expressed or implied, regarding title, possession, or encumbrances, to pay the remaining principal sum of the Note and all other amounts lawfully owing under the Note, the Deed of Trust, and all of the other associated loan documents, including, without limitation, all interest, default interest, late charges, advances, attorneys' fees and other costs and expenses.

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

Toorak Capital Partners LLC
15 Maple Street, 2nd Floor West
Summit, NJ 07901
212-393-4100

Dated: 9-26-24

Auction.com, Patricia Poston, David Poston, Nick Poston, Chris Poston, Steve Leva, Jeff Leva, Sandy Dasigenis, Nicole Durrett, Rick Snoke, Prestige Default Services, LLC



Prestige Default Services, LLC
16801 Addison Road, Suite 350
Addison, Texas 75001
Phone: (972) 893-3096 ext. 1035
Fax: (949) 427-2732

AFTER RECORDING, PLEASE RETURN TO:

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

FILED

Instrument Number: *FILED2024001146*

Filing Fee: 2.00

Number Of Pages: 3

Filing Date: 09/26/2024 1:06PM

I hereby certify that this instrument was FILED on the date and time stamped hereon and RECORDED in the OFFICIAL PUBLIC RECORDS of Galveston County, Texas.



Dwight D. Sullivan

Dwight D. Sullivan, County Clerk
Galveston County, Texas

NOTICE: It is a crime to intentionally or knowingly file a fraudulent court record or instrument with the clerk.

DO NOT DESTROY - *Warning, this document is part of the Official Public Record.*