



## Notice of Substitute Trustee Sale

T.S. #: 23-8836

**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 10:00 AM or no later than three hours thereafter.  
The sale will be completed by no later than 1:00 PM  
Place: Waller County Courthouse in Hempstead, Texas, at the following location: **THE FOYER AT THE SOUTH ENTRANCE TO THE COURTHOUSE 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:

Lot fourteen (14), in Block five (5), of Freeman Ranch, Section One (1), a subdivision in Waller County, Texas, according to the map or plat thereof, recorded Under Instrument No. 201805873 in the official public records of Waller County Texas.

**Instrument to be Foreclosed** - The instrument to be foreclosed is the Deed of Trust is dated 9/29/2020 and is recorded in the office of the County Clerk of Waller County, Texas, under County Clerk's File No 2009791, recorded on 10/6/2020, of the Real Property Records of Waller County, Texas.

Property Address: 1013 WESTERN ROSE DR KATY Texas 77493

Trustor(s): EMETERIO PEREZ GALAVIZ AND ROSA LINDA PEREZ  
Original Beneficiary: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC (MERS) AS BENEFICIARY, AS NOMINEE FOR LOANDEPOT.COM, LLC, ITS SUCCESSORS AND ASSIGNS

Current Beneficiary: LOANDEPOT.COM, LLC  
Loan Servicer: Loan Depot

Current Substituted Trustees: Auction.com, Megan Randle aka Megan Randle-Bender aka Megan L. Randle, Ebbie Murphy, Chloe Christensen, Rebecca Bolton, 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

T.S. #: 23-8836

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 EMETERIO PEREZ GALAVIZ AND ROSA LINDA PEREZ 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 \$234,572.00, executed by EMETERIO PEREZ GALAVIZ AND ROSA LINDA PEREZ HUSBAND AND WIFE, and payable to the order of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC (MERS) AS BENEFICIARY, AS NOMINEE FOR LOANDEPOT.COM, LLC, ITS SUCCESSORS AND ASSIGNS; (2) all renewals and extensions of the note; and (3) any and all present and future indebtedness of EMETERIO PEREZ GALAVIZ AND ROSA LINDA PEREZ HUSBAND AND WIFE to EMETERIO PEREZ GALAVIZ AND ROSA LINDA PEREZ. LOANDEPOT.COM, 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:

LOANDEPOT.COM, LLC  
c/o Loan Depot  
5465 Legacy Drive, Suite 400  
Plano, TX 75024  
(888) 337-6888, x 6789

Dated: 5/8/23

Auction.com, Megan Randle aka Megan Randle-Bender aka Megan L. Randle, Ebbie Murphy, Chloe Christensen, Rebecca Bolton, 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

T.S. #: 23-8836

**AFTER RECORDING, PLEASE RETURN TO:**

Prestige Default Services, LLC

16801 Addison Road, Suite 350

Addison, Texas 75001

Attn: Trustee Department

## FILED AND RECORDED

**Instrument Number: 23-041**

Filing and Recording Date: 05/08/2023 02:11:39 PM Pages: 4 Recording Fee: \$5.00

I hereby certify that this instrument was FILED on the date and time stamped hereon by me and was duly RECORDED in the OFFICIAL PUBLIC RECORDS of Waller County,



*Debbie Hollan*

Debbie Hollan, County Clerk  
Waller County, Texas

ANY PROVISION CONTAINED IN ANY DOCUMENT WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE REAL PROPERTY DESCRIBED THEREIN BECAUSE OF RACE OR COLOR IS INVALID UNDER FEDERAL LAW AND IS UNENFORCEABLE.

Martene Arranaga, Deputy

Returned To: