



## NOTICE OF FORECLOSURE SALE

**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 OR 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.**

**1. *Property to Be Sold.*** The property to be sold is described as follows: LOT SEVEN (7), BLOCK SIXTY-THREE (63), OF TOWN OF HEMPSTEAD, WALLER COUNTY, TEXAS, ACCORDING TO THE RECOGNIZED AND ACCEPTED MAP OR PLAT THEREOF RECORDED IN VOLUME 106 AT PAGE 311 OF THE DEED RECORDS OF WALLER COUNTY, TEXAS.

**2. *Instrument to be Foreclosed.*** The instrument to be foreclosed is the Deed of Trust dated 03/23/2007 and recorded in Book 1027 Page 143 Document 702526 real property records of Waller County, Texas.

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

Date: 09/05/2017

Time: 01:00 PM

Place: Waller County Courthouse, Texas at the following location: THE FOYER AT THE SOUTH ENTRANCE OF THE COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE or as designated by the County Commissioners Court.

**4. *Terms of Sale.*** The sale will be conducted as a public auction to the highest bidder for cash. Pursuant to the deed of trust, the mortgagee 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.

**5. *Obligations Secured.*** The Deed of Trust executed by REBECCA F. MCCLAIN AND EDGAR A. MCCLAIN III, provides that it secures the payment of the indebtedness in the original principal amount of \$99,000.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. The Bank of New York Mellon FKA The Bank of New York, as Trustee for the certificateholders of the CWABS, Inc., ASSET-BACKED CERTIFICATES, SERIES 2007-7 is the current mortgagee of the note and deed of trust and SHELLPOINT MORTGAGE SERVICING is mortgage servicer. A servicing agreement between the mortgagee, whose address is The Bank of New York Mellon FKA The Bank of New York, as Trustee for the certificateholders of the CWABS, Inc., ASSET-BACKED CERTIFICATES, SERIES 2007-7 c/o SHELLPOINT MORTGAGE SERVICING, 2020 S. Dairy Ashford #200, Houston, TX 77077 and the mortgage servicer and Texas Property Code § 51.0025 authorizes the mortgage servicer to collect the debt.

**6. *Order to Foreclose.*** The Bank of New York Mellon FKA The Bank of New York, as Trustee for the certificateholders of the CWABS, Inc., ASSET-BACKED CERTIFICATES, SERIES 2007-7 obtained a Order from the 506th District Court of Waller County on 06/09/2017 under Cause No. 17-04-24288. The mortgagee has requested a Substitute Trustee conduct this sale pursuant to the Court's Order.

**7. *Substitute Trustee(s) Appointed to Conduct Sale.*** In accordance with Texas Property Code Sec. 51.0076, the undersigned attorney for the mortgage servicer has named and appointed, and by these presents does name and appoint MEGAN L. RANDLE AKA MEGAN RANDLE-BENDER OR EBBIE MURPHY, Substitute Trustee to act under and by virtue of said Deed of Trust.

**THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE(S) IDENTIFIED TO SELL THE PROPERTY DESCRIBED IN THE SECURITY INSTRUMENT IDENTIFIED IN THIS NOTICE OF SALE. THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY OR AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.**

Mackie Wolf Zientz & Mann, P.C.  
Brandon Wolf, Attorney at Law  
✓ L. Keller Mackie, Attorney at Law  
Lori Liane Long, Attorney at Law  
Tracey Midkiff, Attorney at Law  
Marissa Sibal, Attorney at Law  
Parkway Office Center, Suite 900  
14160 North Dallas Parkway

MEGAN L. RANDLE AKA MEGAN RANDLE-BENDER  
OR EBBIE MURPHY  
c/o AVT Title Services, LLC  
1101 Ridge Rd. Suite 222  
Rockwall, TX 75087

## FILED AND RECORDED

**Instrument Number: 17-075**

Filing and Recording Date: 08/03/2017 02:10:32 PM Pages: 2 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*

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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.

Alexus Avendano, Deputy

Returned To: