

FILED  
AT 409 O'CLOCK P M

JUL 11 2023

AMY FINCHER  
County Clerk, County Court at Law  
Angelina County, Texas  
By 

701 LAZY LANE  
LUFKIN, TX 75904

0000009821943

### NOTICE OF [SUBSTITUTE] TRUSTEE'S 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 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.

**1. Date, Time, and Place of Sale.**

Date: August 01, 2023

Time: The sale will begin at 1:00 PM or not later than three hours after that time.

Place: ANGELINA COUNTY COURTHOUSE ANNEX 606 E LUFKIN AVE, LUFKIN TX HALLWAY OUTSIDE COMMISSIONERS' COURTROOM ADJACENT TO THE ATRIUM OR FRONT STEP OF MAIN ENTRANCE IF COURTROOM IS CLOSED or as designated by the county commissioners.

**2. Terms of Sale.** Cash.

**3. Instrument to be Foreclosed.** The Instrument to be foreclosed is the Deed of Trust or Contract Lien dated March 07, 2018 and recorded in Document CLERK'S FILE NO. 2018-00363026 real property records of ANGELINA County, Texas, with WESLEY MCNEELY AND TESSA MCNEELY HUSBAND AND WIFE, grantor(s) and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS"), AS NOMINEE, mortgagee.

**4. Obligations Secured.** Deed of Trust or Contract Lien executed by WESLEY MCNEELY AND TESSA MCNEELY HUSBAND AND WIFE, securing the payment of the indebtednesses in the original principal amount of \$138,710.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. PINGORA LOAN SERVICING, LLC is the current mortgagee of the note and Deed of Trust or Contract Lien.

**5. Property to Be Sold.** The property to be sold is described in the attached Exhibit A.

**6. Mortgage Servicer Information.** 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 lien securing the Property referenced above. FLAGSTAR BANK, NA, as Mortgage Servicer, is representing the current mortgagee, whose address is:

c/o FLAGSTAR BANK, NA  
5151 CORPORATE DRIVE  
TROY, MI 48098



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**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.**

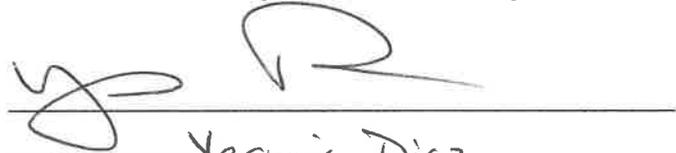
The undersigned as attorney for the mortgagee or mortgage servicer does hereby remove the original trustee and all successor substitute trustees and appoints in their stead SHERYL LAMONT, ROBERT LAMONT, RONNIE HUBBARD, ALLAN JOHNSTON, KATHLEEN ADKINS, EVAN PRESS, REID RUPLE, AUCTION.COM, BEATRICE CARRILLO, JOHN MCCARTHY, KEVIN MCCARTHY, OR ZACH MCCARTHY whose address is c/o BARRETT DAFFIN FRAPPIER TURNER & ENGEL, LLP, 4004 Belt Line Road, Suite 100, Addison, Texas 75001-4320 as Substitute Trustee, who shall hereafter exercise all powers and duties set aside to the said original trustee under the said Deed of Trust; and, further does hereby request, authorize, and instruct said Substitute Trustee to conduct and direct the execution of remedies set aside to the beneficiary therein.



Israel Saucedo

Certificate of Posting

My name is Yasmir Diaz, and my address is c/o 4004 Belt Line Road, Suite 100, Addison, Texas 75001-4320. I declare under penalty of perjury that on 7/11/2023 I filed at the office of the ANGELINA County Clerk and caused to be posted at the ANGELINA County courthouse this notice of sale.



Declarants Name: Yasmir Diaz

Date: 7/11/2023

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EXHIBIT "A"

TRACT ONE:

BEING ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND SITUATED IN ANGELINA COUNTY, TEXAS, BEING LOCATED IN THE J. A. BONTON SURVEY, ABSTRACT NO. 5, BEING ALL OF THAT CERTAIN CALLED 0.711 ACRE TRACT, CONVEYED IN GENERAL WARRANTY DEED FROM JAMES HOWARD SCARBROUGH AND WIFE, VIRGINIA MAY SCARBROUGH TO JAMES HOWARD SCARBROUGH AND WIFE, VIRGINIA MAY SCARBROUGH AND THEIR SUCCESSORS AS TRUSTEES OF THE SCARBROUGH FAMILY TRUST, RECORDED IN THE OFFICIAL PUBLIC RECORDS OF ANGELINA COUNTY, TEXAS (OPRACT) IN DOCUMENT NUMBER 2013-00302510, DATED JULY 10, 2012, TO WHICH REFERENCE IS HEREBY MADE FOR ANY AND ALL PURPOSES, BEING MORE PARTICULARLY DESCRIBED AS TRACT ONE, RECORDED IN SAID RECORDS IN DOCUMENT NUMBER 2008-00245193, AND SAID TRACT BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS TO WIT;

BEGINNING AT A 1/2 IN. IRON PIPE FOUND FOR THE NORTHWEST CORNER OF THE REFERENCED TRACT, BEING LOCATED ON THE SOUTH RIGHT-OF-WAY LINE OF LAZY LANE HAVING A RIGHT-OF-WAY OF 50 FEET AS SET FORTH IN OPRACT IN VOLUME 290 ON PAGE 455, SAID PIPE BEING THE NORTHEAST CORNER OF THAT CERTAIN CALLED 0.939 ACRE TRACT CONVEYED TO JOHN ERIC DUNKIN AND CHRISTINA DIANNE DUNKIN, RECORDED IN SAID RECORDS IN DOCUMENT NUMBER 2014-00316903, SAID POINT BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT WITNESS BY A 1/2 IN. IRON PIPE FOUND BEARING S75°57'09"W - 99.74 FEET DISTANT;

THENCE N75°57'09"E, A DISTANCE OF 219.86 FEET, (CALL N76°00'46"E - 219.86 FT.), WITH THE NORTH BOUNDARY LINE OF REFERENCE TRACT AND SOUTH RIGHT-OF-WAY LINE OF LAZY LANE, TO THE NORTHEAST CORNER OF REFERENCE TRACT AND INTERSECT THE WEST RIGHT-OF-WAY LINE OF UNION PACIFIC RAILROAD, HAVING AN ACCLAIMED RIGHT OF-WAY OF 150 FEET, A 1/2 IN. IRON ROD SET FOR CORNER, WITNESS BY A FIRE HYDRANT BEARING N85°05'39"E - 4.11 FEET DISTANT AND A WATER VALVE BEARING N63°06'53"E - 4.12 FEET DISTANT;

THENCE S19°02'07"W, AT A DISTANCE OF 238.51 FEET, (CALL S19°03'45"W - 238.61 FT.), WITH THE EAST BOUNDARY LINE OF REFERENCE TRACT AND WEST RIGHT-OF-WAY LINE OF SAID RAILROAD, TO THE SOUTHEAST CORNER OF REFERENCE TRACT AND NORTHEAST CORNER OF THAT CERTAIN CALLED 0.142 ACRE TRACT CONVEYED AS TRACT TWO IN THE AFOREMENTIONED DOCUMENT RECORDED IN THE OPRACT IN DOCUMENT 2008-00245193, A 1/2 IN. IRON ROD FOUND FOR CORNER;

THENCE S75°57'33"W, AT A DISTANCE OF 89.55 FEET, (CALL S76°00'46"W - 89.67 FT.), WITH THE SOUTH BOUNDARY LINE OF REFERENCE TRACT AND NORTH BOUNDARY LINE OF SAID TRACT TWO, TO THE COMMON WEST CORNER OF SAID TRACTS AND INTERSECT THE EAST BOUNDARY LINE OF THE AFORESAID REFERRED TO 0.939 ACRE DUNKIN TRACT, A POINT FOR CORNER WITNESS BY A CHAIN LINK FENCE CORNER POST BEARING N59°36'41"E - 0.40 FEET;

THENCE N14°04'52"W, AT A DISTANCE OF 199.84 FEET, (CALL N14°00'12"W - 200.00 FT.), WITH THE WEST BOUNDARY LINE OF REFERENCE TRACT AND EAST BOUNDARY LINE OF THE SAID 0.939 ACRE TRACT, TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT, FOUND TO CONTAIN 0.710 ACRES MORE OR LESS.

TRACT TWO:

BEING ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND SITUATED IN ANGELINA COUNTY, TEXAS, BEING LOCATED IN THE J. A. BONTON SURVEY, ABSTRACT NO. 5, BEING ALL OF THAT CERTAIN CALLED 0.142 ACRE TRACT, CONVEYED IN GENERAL WARRANTY DEED FROM JAMES HOWARD SCARBROUGH AND WIFE, VIRGINIA MAY SCARBROUGH TO JAMES HOWARD SCARBROUGH AND WIFE, VIRGINIA MAY SCARBROUGH AND THEIR SUCCESSORS AS TRUSTEES OF THE SCARBROUGH FAMILY TRUST, RECORDED IN THE OFFICIAL PUBLIC RECORDS OF ANGELINA COUNTY, TEXAS (OPRACT) IN DOCUMENT NUMBER 2013-00302510, DATED JULY 10, 2012, TO WHICH REFERENCE IS HEREBY MADE FOR ANY AND ALL PURPOSES, BEING MORE PARTICULARLY DESCRIBED AS TRACT TWO, RECORDED IN SAID RECORDS IN DOCUMENT NUMBER 2008-00245193, AND SAID TRACT BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS TO WIT;

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COMMENCING AT 1/2 IN. IRON PIPE FOUND ON THE SOUTH RIGHT-OF-WAY LINE OF LAZY LANE, FOR THE NORTHWEST CORNER OF THAT CERTAIN CALLED 0.711 ACRE TRACT CONVEYED AS TRACT ONE IN THE ABOVE REFERENCED DOCUMENT, SAID PIPE BEING THE NORTHEAST CORNER OF THAT CERTAIN CALLED 0.939 ACRE TRACT CONVEYED TO JOHN ERIC DUNKIN AND CHRISTINA DIANNE DUNKIN, RECORDED IN THE OPRACT IN DOCUMENT NUMBER 2014-00316903, THENCE WITH THE WEST BOUNDARY LINE OF SAID TRACT ONE AND EAST BOUNDARY LINE OF SAID 0.939 ACRE TRACT, S14°04'52"E, A DISTANCE OF 199.84 FEET TO THE NORTHWEST CORNER OF REFERENCE TRACT AND THE POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT, A POINT FOR CORNER, WITNESS BY A CHAIN LINK FENCE CORNER POST BEARING N59°36'41"E - 0.40 FEET DISTANT;

THENCE N75°57'33"E, A DISTANCE OF 89.55 FEET, (CALL N76°00'46"E - 89.67 FT.), WITH THE NORTH BOUNDARY LINE OF REFERENCE TRACT AND SOUTH BOUNDARY LINE OF SAID TRACT ONE, TO THE COMMON EAST CORNER OF SAID TRACTS AND INTERSECT THE WEST RIGHT-OF-WAY LINE OF UNION PACIFIC RAIL ROAD, HAVING AN ACCLAIMED WIDTH OF 150 FEET, A 1/2 IN. IRON ROD FOUND FOR CORNER;

THENCE S19°02'07"W, A DISTANCE OF 163.91 FEET, (CALL S19°03'45"W - 164.28 FT.), WITH THE EAST BOUNDARY LINE OF REFERENCE TRACT AND WEST RIGHT-OF-WAY LINE OF SAID RAILROAD, TO THE SOUTH CORNER OF REFERENCE TRACT AND THE SOUTHEAST CORNER OF THE SAID REFERRED TO 0.939 ACRE TRACT, A POINT FOR CORNER, FROM WHICH A 1/2 IN. IRON ROD FOUND BEARS S14°01'54"E - 0.47 FEET DISTANT;

THENCE N14°04'52"W, A DISTANCE OF 137.35 FEET, (CALL N14°01'11"W - 137.70 FT.), WITH THE WEST BOUNDARY LINE OF REFERENCE TRACT AND EAST BOUNDARY LINE OF SAID 0.939 ACRE TRACT, TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT AND FOUND TO CONTAIN 0.141 ACRES MORE OR LESS.