

23TX373-0042
209 SOUTHBEND DR, LUFKIN, TX 75901

FILED
AT 10:53 O'CLOCK A M
AUG 11 2025

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

NOTICE OF FORECLOSURE SALE

Property:

The Property to be sold is described as follows:

ALL THAT CERTAIN LOT OR PARCEL OF LAND BEING LOT NO. NINETEEN (19), SOUTH BEND SUBDIVISION PHASE ONE, A SUBDIVISION IN THE CITY OF LUFKIN AS RECORDED IN CABINET D, SLIDE 88-A&B OF THE MAP OR PLAT RECORDS OF **ANGELINA COUNTY, TEXAS.**

Security Instrument:

Deed of Trust dated May 8, 2019 and recorded on May 14, 2019 as Instrument Number 2019-00381540 in the real property records of ANGELINA County, Texas, which contains a power of sale.

Sale Information:

September 02, 2025, at 1:00 PM, or not later than three hours thereafter, at the Angelina County Commissioners Courtroom and Annex located at 211 East Shepherd Avenue, Lufkin, TX 75901; and the front steps of the entrance to the Angelina County Commissioner's Court and Annex as the alternate place whenever the sale falls on a date when the Commissioner's Court and Annex is closed, or as designated by the County Commissioners Court.

Terms of Sale:

Public auction to highest bidder for cash. In accordance with Texas Property Code section 51.009, the Property will be sold as is, without any expressed or implied warranties, except as to warranties of title, and will be acquired by the purchaser at its own risk. In accordance with Texas Property Code section 51.0075, the substitute trustee reserves the right to set additional, reasonable conditions for conducting the sale and will announce the conditions before bidding is opened for the first sale of the day held by the substitute trustee.

Obligation Secured:

The Deed of Trust executed by MERILYN S. NETHERLY AND MICHAEL NETHERLY secures the repayment of a Note dated May 8, 2019 in the amount of \$172,800.00. US BANK TRUST NATIONAL ASSOCIATION, NOT IN ITS INDIVIDUAL CAPACITY BUT SOLELY AS OWNER TRUSTEE FOR VRMTG ASSET TRUST, whose address is c/o NewRez, LLC d/b/a Shellpoint Mortgage Servicing, PO Box 10826, Greenville, SC 29603, is the current mortgagee of the Deed of Trust and Note and NewRez, LLC d/b/a Shellpoint Mortgage Servicing is the current mortgage servicer for the mortgagee. Pursuant to a servicing agreement and Texas Property Code section 51.0025, the mortgagee authorizes the mortgage servicer to administer the foreclosure on its behalf.

Substitute Trustee:

In accordance with Texas Property Code section 51.0076 and the Security Instrument referenced above, mortgagee and mortgage servicer's attorney appoint the substitute trustees listed below.

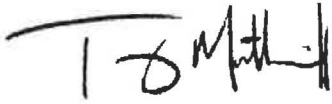
Court Order:

A Home Equity Foreclosure Order was signed on July 28, 2025 in the 159th District Court of Angelina County under Cause No. CV-00119-25-03. A copy of the Order is attached hereto.

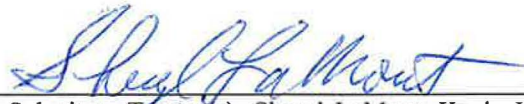
Substitute Trustee(s): Sheryl LaMont, Kevin Key, Jay Jacobs, Christine Wheelless, Phillip Hawkins, Sharon St. Pierre, Kathleen Adkins, Evan Press, Reid Ruple, Michael Kolak, Crystal Koza, Harriett Fletcher, Robert LaMont, Brian Hooper, Mike Jansta, Mike Hayward, Jim Mills, Susan Mills, Jeff Benton, George Hawthorne, Ed Henderson, Marlene Zografos, Paige Bentley, Benjamin Wooten, Gary Wilson, Andrew Mills-Middlebrook, Dustin George

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.

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.



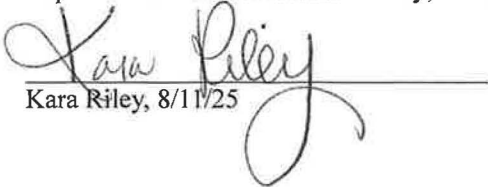
Miller, George & Suggs, PLLC
Tracey Midkiff, Attorney at Law
Jonathan Andring, Attorney at Law
Rachel Son, Attorney at Law
6080 Tennyson Parkway, Suite 100
Plano, TX 75024



Substitute Trustee(s): Sheryl LaMont, Kevin Key, Jay Jacobs, Christine Wheelless, Phillip Hawkins, Sharon St. Pierre, Kathleen Adkins, Evan Press, Reid Ruple, Michael Kolak, Crystal Koza, Harriett Fletcher, Robert LaMont, Brian Hooper, Mike Jansta, Mike Hayward, Jim Mills, Susan Mills, Jeff Benton, George Hawthorne, Ed Henderson, Marlene Zografos, Paige Bentley, Benjamin Wooten, Gary Wilson, Andrew Mills-Middlebrook, Dustin George
c/o Miller, George & Suggs, PLLC
6080 Tennyson Parkway, Suite 100
Plano, TX 75024

Certificate of Posting

I, Kara Riley, declare under penalty of perjury that on the 11th day of August, 2025, I filed and posted this Notice of Foreclosure Sale in accordance with the requirements of ANGELINA County, Texas and Texas Property Code sections 51.002(b)(1) and 51.002(b)(2).



Kara Riley, 8/11/25

Meagan Moore

Clerk of District Court

Angelina County, Texas

By: Scott, Kimberly

Deputy

CAUSE NO. CV-00119-25-03

**IN RE: ORDER FOR FORECLOSURE
CONCERNING 209 SOUTHBEND DR,
LUFKIN, TX 75901
UNDER TEX. R. CIV. PROC. 736**

IN THE DISTRICT COURT OF

PETITIONER:

**US BANK TRUST NATIONAL
ASSOCIATION, NOT IN ITS INDIVIDUAL
CAPACITY BUT SOLELY AS OWNER
TRUSTEE FOR VRMTG ASSET TRUST**

ANGELINA COUNTY, TEXAS**RESPONDENT(S):**

**MERILYN S. NETHERLY AND
MICHAEL NETHERLY**

159TH JUDICIAL DISTRICT

DEFAULT ORDER

1. On this day, the Court considered Petitioner's motion for a default order granting its application for an expedited order under Rule 736. Petitioner's application complies with the requirements of Texas Rule of Civil Procedure 736.1.
2. The name and last known address of each Respondent subject to this order is:

MERILYN S. NETHERLY 209 SOUTHBEND DR LUFKIN, TX 75901	MICHAEL NETHERLY 209 SOUTHBEND DR LUFKIN, TX 75901
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Each Respondent was properly served with the citation, but none filed a response within the time required by law. The return of service for each Respondent has been on file with the court for at least ten days.

3. The Property that is the subject of this foreclosure proceeding is commonly known as 209
SOUTHBEND DR, LUFKIN, TX 75901, with the following legal description:

ALL THAT CERTAIN LOT OR PARCEL OF LAND BEING LOT NO. NINETEEN (19), SOUTH BEND SUBDIVISION PHASE ONE, A SUBDIVISION IN THE CITY OF LUFKIN AS RECORDED IN CABINET D, SLIDE 88-A&B OF THE MAP OR PLAT RECORDS OF ANGELINA COUNTY, TEXAS.

4. The lien sought to be foreclosed is indexed or recorded at Instrument Number 2019-00381540 and recorded in the real property records of ANGELINA County, Texas.
5. The material facts establishing Respondent's default are alleged in Petitioner's application and the supporting affidavit. Those facts are adopted by the court and incorporated by reference in this order.
6. Based upon the affidavit of Petitioner, no Respondent subject to this order is protected from foreclosure by the Servicemembers Civil Relief Act, 50 U.S.C. App. § 501 *et seq.*
7. Therefore, the Court grants Petitioner's motion for default order under Texas Rules of Civil Procedure 736.7 and 736.8. Petitioner, or successors in interest, may proceed with foreclosure of the property described above in accordance with applicable law and the loan agreement, contract or lien sought to be foreclosed.
8. This order is not subject to a motion for rehearing, a new trial, a bill of review, or an appeal. Any challenge to this order must be made in a separate, original proceeding filed in accordance with Texas Rule of Civil Procedure 736.11.

SIGNED this _____ day of _____, 20____.

Signed 7/29/2025 01:37 PM



JUDGE PRESIDING

Approved:



Dustin C. George

Texas Bar No. 24065287

dgeorge@mgs-legal.com

Tracey Midkiff

Texas Bar No. 24076558

tmidkiff@mgs-legal.com

MILLER, GEORGE & SUGGS, PLLC

6080 Tennyson Parkway, Suite 100

Plano, TX 75024

Phone: 972-532-0128

Fax: 214-291-5507

Attorneys for Petitioner