

# NOTICE OF TRUSTEE'S SALE

## DEED OF TRUST INFORMATION:

Grantor(s)	Christopher Lee Hosmann A/K/A Chris Hosmann and Meri Hosmann	Deed of Trust Date	February 2, 2018
Original Mortgagee	Prosperity Bank	Original Principal	\$54,400.00
Recording Information	Instrument #: 223420 Book #: 367 Page #: 301 in Live Oak County, Texas	Original Trustee	David Zalman
Property Address	100 Wagon Trail, Sandia, TX 78383	Property County	Live Oak

## MORTGAGE SERVICER INFORMATION:

Current Mortgagee	Prosperity Bank	Mortgage Servicer	Prosperity Bank
Current Beneficiary	Prosperity Bank	Mortgage Servicer Address	2101 Custer Road, Plano, TX 75075

## SALE INFORMATION:

Date of Sale	06/06/2023
Time of Sale	01:00 PM or no later than 3 hours thereafter
Place of Sale	The front porch of the Live Oak County Courthouse in Live Oak County, Texas, or if the preceding area is no longer the designated area, at the area most recently designated by the Live Oak County Commissioner's Court.
Substitute Trustees	Jo Woolsey, Bob Frisch, Vicki Hammonds, Arnold Mendoza, Sandra Mendoza, Jodi Steen, W.D. Larew, Leslye Evans, Alexis Mendoza, Susana Sandoval, Elizabeth Anderson, Janice Stoner, Selim Taherzadeh, or Michael Linke, any to act
Substitute Trustees' Address	15851 N. Dallas Parkway, Suite 410, Addison, TX 75001

## PROPERTY INFORMATION:

**Legal Description as per the Deed of Trust:**  
**LOT NOS. SEVEN (7), EIGHT (8) AND NINE (9), BLOCK NO. "F", PERNITAS POINT UNIT 2, ACCORDING TO MAP OR PLAT THEREOF RECORDED IN VOLUME 2, PAGE 51 OF THE PLAT RECORDS OF LIVE OAK COUNTY, TEXAS, REFERENCE TO WHICH MAP OR PLAT AND ITS RECORD BEING HERE MADE FOR ALL PERTINENT PURPOSES.**

The Mortgage Servicer, if not the Current Mortgagee, is representing the Current Mortgagee pursuant to a Mortgage Servicing Agreement.

Default has occurred under the Deed of Trust and all sums secured by the Deed of Trust were declared immediately due and payable. The Beneficiary has, or caused another to, removed the Original Trustee and appointed Substitute Trustees. On behalf of the Mortgagee, Mortgage Servicer, and Substitute Trustees, the undersigned is providing this Notice of Trustee's 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.

The sale will be made expressly subject to any title matters set forth in the Deed of Trust, but prospective bidders are reminded that by law the sale will necessarily be made subject to all other matters of record affecting the property, if any, to the extent that they remain in force and effect and have not been subordinated to the Deed of Trust. The sale shall not cover any part of the property that has been released from the lien of the Deed of Trust. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

CAUSE NUMBER LCV230004

IN RE: ORDER FOR FORECLOSURE  
CONCERNING

100 WAGON TRAIL  
SANDIA, TX 78383

UNDER TEX. R. CIV. PROC. 736

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IN THE DISTRICT COURT

156TH JUDICIAL DISTRICT OF

LIVE OAK COUNTY, TEXAS

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DEFAULT ORDER ALLOWING FORECLOSURE

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Prosperity Bank, Petitioner, on behalf of itself, its successors and assigns, has brought before this Court for consideration its Application for Court Order Allowing Foreclosure of a Lien Under Texas Constitution Article XVI, Section 50(a)(6)(D) ("Application"). Having considered the evidence presented, the Court finds that:

- 1) the Application complies with Texas Rules of Civil Procedure ("TRCP") 736.1;
- 2) the Application was properly served in accordance with TRCP 736.3;
- 3) a respondent did not file a response to the Application by the due date; and
- 4) the return of service has been on file with the Clerk of the Court for at least 10 days; and
- 5) Petitioner has established the basis for foreclosure and finds that:

(a) Petitioner is the holder of a Texas Home Equity Note secured by a lien created under Texas Constitution Article XVI, Section 50(a)(6). A debt exists.

(b) Installment payments have not been made when due and owing pursuant to the terms of the Note and Deed of Trust.

(c) The obligation secured by the lien sought to be foreclosed is in default.

(d) The requisite notice to cure the default has been mailed to each person as required under applicable law and the loan agreement, contract, or lien sought to be foreclosed and the opportunity to cure has expired. Before the Application was filed, any other action required under applicable law and the loan agreement, contract, or lien sought to be foreclosed was performed.

IT IS THEREFORE ORDERED that:

1. Prosperity Bank, together with its successors and assigns, is hereby authorized to serve Notice of Sale on each Respondent and may proceed with a foreclosure sale in accordance with the security agreement and Texas Property Code Section 51.002 concerning the property with a commonly known mailing address of 100 Wagon Trail, Sandia, TX 78383 and legal description as described in the Real Property Records of Live Oak County, Texas as follows:

LOT NOS. SEVEN (7), EIGHT (8) AND NINE (9), BLOCK NO. "F",  
PERNITAS POINT UNIT 2, ACCORDING TO MAP OR PLAT THEREOF  
RECORDED IN VOLUME 2, PAGE 51 OF THE PLAT RECORDS OF LIVE  
OAK COUNTY, TEXAS, REFERENCE TO WHICH MAP OR PLAT AND  
ITS RECORD BEING HERE MADE FOR ALL PERTINENT PURPOSES.

2. The name and last known address of each respondent subject to the order are:

Christopher Lee Hosmann A/K/A Chris Hosmann, Deceased  
15991 W. Fisher Rd.  
Lena, IL 61048

Meri Hosmann  
15991 W Fisher Rd.  
Lena, IL 61048

3. The recording or indexing information of each lien to be foreclosed is as follows:

Instrument #: 223420 Book #: 367 Page #: 301 in the Real Property  
Records of Live Oak County, Texas.

4. A conformed copy of an Order Allowing Foreclosure must be attached to the trustee or substitute trustee's foreclosure deed in accordance with Rule 736.12 of the Texas Rules of Civil Procedure.

5. Petitioner may communicate with each Respondent and all third parties as reasonably necessary to conduct a foreclosure sale.

6. Notice of Foreclosure Sale must be mailed to respondent's counsel by certified mail if a respondent is represented by counsel.

Signed, this \_\_\_\_ day of \_\_\_\_\_, 2023.

Signed by Judge on 05/15/2023

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Judge Presiding