

**CITATION – SECOND APPLICATION FOR SALE OF REAL PROPERTY  
UNDER SECTION 356.251 OF THE ESTATE CODE  
NO. 14P086**

**THE STATE OF TEXAS  
COUNTY OF MONTAGUE**

TO ALL PERSONS INTERESTED IN THE ESTATE OF BILLY JOE MCCLAIN SR, DECEASED,  
No. 14P086, COUNTY COURT, MONTAGUE COUNTY, TEXAS.

BRANDON S EARP filed in the COUNTY COURT of MONTAGUE COUNTY, TEXAS on 2<sup>ND</sup> day of  
July, 2024 a SECOND APPLICATION FOR SALE OF REAL PROPERTY UNDER SECTION 356.251  
OF THE ESTATE CODE of said Estate, situated in COUNTY OF MONTAGUE.

Description: All that certain tract or parcel of land, situated in Montague County, Texas described as follows: to-wit:

Being the Northeast one-half of Block No. 33, of Panola County School Land Survey, Abstract No. 587,  
said Block No. 33 is described by metes and bounds as follows: to-wit:

Beginning at the North corner of Block No. 24, and the West corner of Block No. 25, and the South corner of Block No. 32, a  
stake set on the North bank of a branch, from which a black jack bears S. 72 W. 1 varas and an elm brs. S 72 W. 1 ½ varas, a post  
oak brs. N. 52 E. 3 varas;

THENCE South 45 West 950 varas to the North corner of Block No. 23, and the West corner of Block No. 24, a stake from  
which a post oak brs. S. 31-1/2 E, 4 varas;

THENCE N. 45 W. 950 varas to a pile of rock in small prairie from which a large p.o. brs. No. 4 ½ W. 25 varas;

THENCE N. 45 E 950 varas to the West corner of Block No. 32, a stake from which a post oak brs. N. 13 ½ varas;

THENCE S. 45 E. 950 varas to the place of BEGINNING, continuing within said metes and bounds 160 acres, but the N. E. one-  
half thereof containing 80 acres, more or less

LESS SAVE AND EXCEPT that certain undivided one-third (1/3) interest deeded to Brandon S. Earp for Attorney's fees owed  
for recovery of title to the property

Estate's Interest: 66.66 %

Said application and any opposition will be heard and acted on by said Court at any call of the docket on  
or after 10 o'clock A.M. on the first Monday next after the expiration of ten days from the date of posting  
of this citation, the same being the 15th day of July, 2024, at the County Courthouse Annex in Montague,  
Texas.

All persons interested in said estate are hereby cited to appear before said Honorable Court at said above  
mentioned time and place by filing a written answer contesting such application should they desire to do  
so.

The officer executing this citation shall post the copy of this citation at the courthouse door of the county  
in which this proceeding is pending, or at the place in or near said court house where public notices  
customarily are posted, for not less that 10 days before the return day thereof, exclusive of the date of  
posting and return the original copy of this citation to the clerk stating in a written return thereon the time  
when and the place where he posted such copy.

ISSUED AND GIVEN UNDER MY HAND AND SEAL OF SAID COURT at Montague, Texas, on  
this the 2nd day of July, 2024.



**KIM JONES, COUNTY CLERK  
MONTAGUE COUNTY, TEXAS**

By Laura A Uselton  
LAURA A USELTON, DEPUTY

**SHERIFF'S RETURN**

Came to hand on the \_\_\_\_\_ day of \_\_\_\_\_ A.D. \_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_ M., and executed on the  
\_\_\_\_\_ day of \_\_\_\_\_ A.D. \_\_\_\_\_, by posting a copy of the within citation for ten days, exclusive of the  
day of posting, before the return day hereof, at the County Courthouse door of Montague County, Texas, or at the  
place in or near the said courthouse where public notices customarily are posted.

FEE - - -Posting Citation - - - - - \$ \_\_\_\_\_

Marshall Thomas, SHERIFF  
MONTAGUE COUNTY, TEXAS

By \_\_\_\_\_