

NOTICE OF SALE

STATE OF TEXAS

X

BY VIRTUE OF AN ORDER OF SALE

X

UPSHUR COUNTY

X

DATED APRIL 6, 2000

and issued pursuant to judgment decree(s) of the District Court of Upshur County, Texas, by the Clerk of said Court on said date, in the hereinafter numbered and styled suit(s) and to me directed and delivered as Sheriff of said County, I have on April 6, 2000, seized, levied upon, and will, on the first Tuesday in May, 2000, the same being the 2nd day of said month, at the South Door of the Courthouse of said County, in the City of Gilmer Texas, between the hours of 10 o'clock a.m. and 4 o'clock p.m. on said day, beginning at 10:30 a.m., proceed to sell for cash to the highest bidder all the right, title, and interest of the defendants in such suit(s) in and to the following described real estate levied upon as the property of said defendants, the same lying and being situated in the County of Upshur and the State of Texas, to-wit:

SUIT NO.

STYLE OF SUIT AND PROPERTY DESCRIPTION

1070

City of Ore City vs. Tony L. Whitlock, et al, 115th Judicial District, Upshur County

100 feet by 150 feet, out of the William Murry Survey, Abstract 297, Volume 472, Page 619, Deed Records of Upshur County, Texas (Acct #R07409 Ore City ISD, Upshur CED, City of Ore City & Upshur Co.)

93-54TX

Upshur County vs. Cade L. Burr, Ind/DBA Rod's Bait & Tackle, et al, 115th Judicial District, Upshur County

Tract 1

0.250 acre, more or less, part of Block 21, City of Gilmer, being more particularly described by metes and bounds in Volume 53, Page 710, Official Records of Upshur County, Texas (Acct #R03482 Gilmer ISD, City of Gilmer, Upshur Co. & Upshur CED)

94-39TX

Upshur County vs. Dossie L. Robertson, et al, 115th Judicial District, Upshur County

94.38 acres, more or less, out of the William Brittain Headright Survey, Abstract 95, being the residue of a 100 acre tract, said 100 acres, being more particularly described in Volume 351, Page 269; SAVE AND EXCEPT, 0.7162 acres, more or less, being more particularly described in Volume 372, Page 338, Deed Records of Upshur County, Texas (Acct #R51917 Ore City ISD, Upshur Co. Fire Dist. #1 & Upshur Co.)

95-10TX

Upshur County vs. Theaster Skinner, et al, 115th Judicial District, Upshur County

36.25 acres, more or less, out of the John L. Lowery Survey, Abstract 273, as described in Volume 188, Page 317, Deed Records of Upshur County, Texas (Acct. #R07773 - Ore City ISD, Upshur CED, Upshur Co. Fire Dist. #1 & Upshur Co.)

97-14TX

Upshur County vs. Larry Dale Newsome, et al, 115th Judicial District, Upshur County

Lots 17, 18, 19, 27 and 28, of Serenity Place, according to the map or plat thereof, recorded in Volume 4, Page 641, Plat Records of Upshur County, Texas (Acct #'s R51609 & R51610 Gilmer ISD, Upshur Co. Fire Dist. #1, Upshur CED & Upshur Co.)

97-74TX

Upshur County vs. Dale Rickett, 115th Judicial District, Upshur County

5.00 acres, more or less, out of the Charles Duncombe HR Survey, Abstract #144, being more particularly described in Volume 84, Page 263, Official Records of Upshur County, Texas (Acct #R66876 Harmony ISD, Upshur CED, Upshur Co. Fire Dist. #1 & Upshur Co.)

pulled

97-75TX

Upshur County vs. Donna Ward Gaspear, et al, 115th Judicial District, Upshur County

1.00 acre, more or less, out of the A. E. Marlor Survey, Abstract 345, being more particularly described in Volume 27, Page 617, Official Records of Upshur County, Texas (Acct #R22357 Harmony ISD, Upshur CED, Upshur Co. Fire Dist. #1 & Upshur Co.)

pulled

97-85TX

Upshur County vs. Marshall Odom, Sr., et al, 115th Judicial District, Upshur County

4.77 acres, more or less, in the E. T. Howard Survey, Abstract 215, as described in Volume 123, Page 195, Deed Records of Upshur County, Texas (Acct #R03727 Gilmer ISD, Upshur Co. Fire Dist. #1, Upshur CED & Upshur Co.)

97-88TX

Upshur County vs. Charles Tennison, et al, 115th Judicial District, Upshur County

0.206 acre, more or less, being comprised of a 0.122 acre tract and a 0.08 acre tract in the Geo. W. Terrence Survey, Abstract 484, described by metes and bounds in Volume 410, Page 845 and 849, Deed Records of Upshur County, Texas (Acct #R42888 Gilmer ISD, Upshur Co. Fire Dist. #1, Upshur CED & Upshur Co.)

97-106TX

Upshur County vs. Clarence Bernard Fitzner, Jr., et al, 115th Judicial District, Upshur County

9.1 acres, more or less, in the Chas. W. Whitaker Survey, Abstract 512, described as follows: all that certain 24-1/10th acres more particularly described in Volume 71, Page 255; SAVE & EXCEPT, 5.00 acres as conveyed in Volume 333, Page 222 and 10.00 acres as conveyed in Volume 349, Page 9, Deed Records of Upshur County, Texas (Acct #R00304 Gilmer ISD, Upshur Co. Fire Dist. #1, Upshur CED & Upshur Co.)

98-5TX

Upshur County vs. Paul Burnett, et al, 115th Judicial District, Upshur County

Tract 1

0.58 acre, more or less, out of the William R. King Survey, Abstract 264, as described in deed dated December 23, 1981 from Freddy Garrett, et ux to Paul Burnett, et ux, in Volume 430, Page 919, Deed Records of Upshur County, Texas (Acct #R46692 Gilmer ISD, Upshur CED, Upshur Co. Fire Dist. #1 & Upshur Co.)

Tract 2

3.00 acres, more or less, out of the William King Survey, Abstract 264, as described in deed dated March 31, 1981, from Earl Adkins, et ux to Paul Burnett, et ux, in Volume 419, Page 790, Deed Records of Upshur County, Texas (Acct. #R70160 Gilmer ISD, Upshur Co. Fire Dist. #1, Upshur CED & Upshur Co.)

Tract 3

1.00 acre, more or less, out of the William King Survey, Abstract 264, as described in Tract I, and 5.00 acres, more or less, as described in Tract II, both described in deed dated December 31, 1984 from Spring Hill State Bank to Paul C. Burnett, et ux, in Volume 461, Page 747, Deed Records of Upshur County, Texas (Acct #R53121 Gilmer ISD, Upshur CED, Upshur Co. Fire Dist. #1 & Upshur Co.)

98-23TX

Upshur County vs. James Clay Henry, et al, 115th Judicial District, Upshur County

Tract 1

All that certain 38.40 acres, more or less, out of the Wilson L. Palmer Survey, Abstract 392 as described in Tract 1, and all that certain 1.13 acre, more or less, out of the I. Moody Survey, Abstract 312 and the Wilson L. Palmer Survey, Abstract 392 as described in Tract 2, in deed dated May 26, 1994, from Jerrye Lynne Rash, et al to James Clay Henry, in Volume 186, Page 78, Official Records of Upshur County, Texas; SAVE AND EXCEPT, however, that certain 12.782 acres of land described in deed dated December 6, 1986, from Avvaleen Henry to James Clay Henry, in Volume 483, Page 3, Deed Records of Upshur County, Texas, leaving herein a residue of 26.748 acres, more or less (Acct #R16718 Union Grove ISD, Upshur Co. Fire Dist. #1 & Upshur Co.)

Tract 2

12.782 acres, more or less, out of the Isaac Moody Survey, Abstract 312, and the Wilson Parmer Survey, Abstract 392, as described in deed dated December 6, 1986, from Avvaleen Henry to James Clay Henry, in Volume 483, Page 3, Deed Records of Upshur County, Texas (Acct. #R16716 Union Grove ISD, Upshur Co. Fire Dist. #1 & Upshur Co.)

98-46TX

Upshur County vs. Marvin E. White, et al, 115th Judicial District, Upshur County

Lot 43, Pine Acres Addition, according to the map or plat thereof, recorded in Volume 2, Page 226, Plat Records of Upshur County, Texas (Acct #R42153 Gilmer ISD, City of Gilmer & Upshur Co.)

(any volume and page references, unless otherwise indicated, being to the Deed Records, Upshur County, Texas, to which instruments reference may be made for a more complete description of each respective tract.)

or, upon the written request of said defendants or their attorney, a sufficient portion of the property described above shall be sold to satisfy said judgment(s), interest, penalties, and cost; and any property sold shall be subject to the right of redemption of the defendants or any person having an interest therein, to redeem the said property, or their interest therein, within the time and in the manner provided by law, and shall be subject to any other and further rights to which the defendants or anyone interested therein may be entitled, under the provisions of law. Said sale to be made by me to satisfy the judgment(s) rendered in the above, styled and numbered cause(s), together with interest, penalties, and costs of suit, and the proceeds of said sales to be applied to the satisfaction thereof, and the remainder, if any, to be applied as the law directs.

Dated at Gilmer, Texas, the 6th day of April, 2000.

R. D. Cross
R. D. "Buck" Cross, Sheriff
Upshur County, Texas

Clayton
By: Deputy