

CLERK OF THE COURT
JENNIFER LINDENZWEIG
P.O. BOX 1316
GREENVILLE, TX 75403

Attorney or Person filing cause
CAITLIN M SULLIVAN
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2608 STONEWALL STREET BY *Valerie Bradley*
GREENVILLE TEXAS 75403-1353 FUTY

ESTATE OF: Frieda Branom
18852

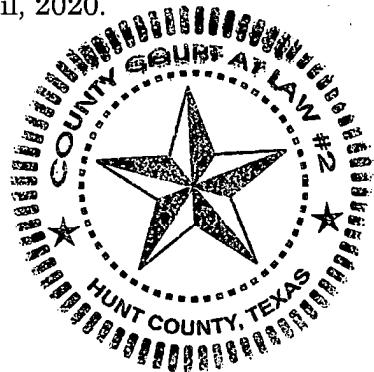
TO ALL PERSONS interested in the Estate of Frieda Branom, DECEASED: Arthur McCray filed in the County Court at Law #2 of Hunt County, Texas, on the on this the 28th day of April, 2020, an application for Letters of Independent Administration upon the estate of Frieda Branom, Deceased.

Said application may be heard and acted on by said Court after 10 o'clock a.m., on the first Monday next after the expiration of ten days from date of posting this citation, the same being the 05/11/2020, at the Hunt County Courthouse in Greenville, 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 Courthouse where public notices customarily are posted, for not less than 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.

Given under my hand and the seal of said court at office in Greenville, Texas, this on this the 28th day of April, 2020.



JENNIFER LINDENZWEIG, CLERK
County Court at Law #2
P.O. Box 1316
Greenville, Texas 75403
By: *Valerie Bradley* Deputy
Melissa Young/Valerie Bradley

SHERIFF'S RETURN

Came to hand on the 29 day of April, 2020 at 11 o'clock A.M. and executed on the 29 day of April, 2020, at 11 o'clock A.M. by posting a copy of the within notice for ten days, exclusive of the day of posting, before the return day hereof at the designated place in or near the courthouse of Hunt County, Texas, where public notices are posted.

RANDY MEEKS, SHERIFF
HUNT COUNTY, TEXAS

By: *Janell M. MEEKS*
Deputy

18852
No. _____

IN THE ESTATE OF

§ IN COUNTY COURT AT LAW

FRIEDA BRANOM,

§ Hunt County - County Court at Law 2

DECEASED

§ NO. _____

§

§ HUNT COUNTY, TEXAS

**APPLICATION TO PROBATE WILL AND
FOR ISSUANCE OF LETTERS OF INDEPENDENT ADMINISTRATION
PURSUANT TO SECTION 401.002(b) OF THE TEXAS ESTATES CODE**

TO THE HONORABLE JUDGE OF SAID COURT:

Arthur McCray (“Applicant”), furnishes the following information to the Court in support of this Application for the Probate of the Will of Frieda Branon (“Decedent”), and for issuance of Letters of Independent Administration pursuant to Section 401.002(b) of the Texas Estates Code:

1. Applicant Arthur McCray is an individual interested in this Estate, being domiciled in and residing in Virginia. Arthur McCray's address for service of citation is 807 Rugby Road, Charlottesville, Virginia 22903. The last three digits of the social security number of Arthur McCray are 129. The last three digits of the driver's license number of Arthur McCray are 724.

2. Decedent died on February 26, 2020, at Commerce, Hunt County, Texas, at the age of 103 years. Decedent's domicile at the time of her death was Commerce, Hunt County, Texas. The last three digits of the social security number of Decedent are 996. The last three digits of the driver's license number of Decedent are 032.

3. This Court has jurisdiction and venue is proper because Decedent was domiciled in Texas and had a fixed place of residence in this County on the date of her death.

4. Decedent owned property described generally as real estate, cash, personal effects and household goods of a probable value in excess of \$10,000.00.

5. Decedent left a valid Will dated December 18, 2013, which was never revoked.

The Will will be delivered to the County Clerk pursuant to the Texas Rules of Civil Procedure.

6. The Will was made self-proved in the manner prescribed by law and the subscribing witnesses to the Will are Sandra Johnson and Edith Harrison.

7. After the date of the Will, no child was born to or adopted by Decedent.

8. No marriage of the Decedent was ever dissolved after the will was made.

9. The following state, governmental agency of the state, or charitable organization is named by the Will as a devisee:

Name: First Presbyterian Church of Commerce, Texas
Address: 1216 Monroe Street, Commerce, Texas 75428

10. A necessity exists for the administration of the estate, specifically the collection of assets, payment of debts, and distribution of the remaining estate, including the transfer of real property.

11. Decedent's Will nominated her sister, Emily Geraldine Branom, to serve as Independent Executrix. However, Emily Geraldine Branom predeceased the Decedent. Decedent's Will then nominated John Edward McCray as alternate Independent Executor to act independently. However, John Edward McCray is unable and unwilling to serve. Attached hereto is an affidavit of John Edward McCray declining to serve as executor.

12. Because Administrator Arthur McCray resides in Virginia, he has appointed David Carwell who resides at 1309 Aldridge Street, Commerce, Hunt County, Texas 75428, as the resident agent.

13. There exists a necessity for administration of the Estate, all of the Distributees agree on the advisability of having an independent administration and also agree that Arthur McCray should be appointed Independent Administrator without bond. The Distributees therefore request that no action shall be had in the county court at law in relation to the settlement of the Decedent's estate other than the probating and recording of the Will and the return of an inventory, appraisement and list of claims of the estate, or an affidavit in lieu of the inventory, appraisement and list of claims. Arthur McCray is not disqualified by law from serving as such or from accepting Letters of Administration, and would be entitled to such letters.

14. John McCray, Arthur McCray, First Presbyterian Church of Commerce, Texas and Juillard School of Music are the distributees of the Estate and are the only persons required to receive notice under Section 401.004 of the Texas Estates Code. John McCray, Arthur McCray, First Presbyterian Church of Commerce, Texas and Juillard School of Music will each file a Distributee's Consent to Application for Independent Administration and Waiver of Notice. An independent administration of the Decedent's estate pursuant to Section 401.002(b) of the Texas Estates Code is advisable and in the best interests of the Decedent's estate and of the heirs and distributees of the Decedent's estate.

WHEREFORE, Applicant prays that citation with respect to this Application to Probate Will and for Issuance of Letters of Independent Administration pursuant to Section 401.002(b) of the Texas Estates Code be issued and served as required by law to all persons interested in this Estate; that the Will be admitted to probate; that it be adjudged to be advisable and in the best interests of the Decedent's estate for Arthur McCray to be appointed to serve as Administrator under the Will and under the provisions of Section 401.002(b) of the Texas Estates Code; that

*Application to Probate Will and for
Issuance of Letters of Independent Administration*

Letters of Independent Administration be issued to Arthur McCray that grants Arthur McCray full power and authority to take possession of Decedent's property, wherever it may be found, and to sell and partition, lease, encumber, or otherwise dispose of or convert any or all of Decedent's property to settle Decedent's estate, as Independent Administrator, when qualified according to law; and that no action be had in this court in relation to the settlement of such estate other than the probating and recording of such Will and the return of an inventory, appraisement, and list of claims of such estate, or an affidavit in lieu of the inventory, appraisement and list of claims; and that all other Orders be entered as the Court may deem proper.

Respectfully submitted,

/s/ Caitlin M. Sullivan
Caitlin M. Sullivan
Attorney for Applicant
State Bar No.: 24100485
Post Office Box 1353
2608 Stonewall Street
Greenville, Texas 75403-1353
Telephone: (903) 454-0044
Facsimile: (903) 454-1514
E-mail: caitlin@scottraylaw.com

18852

LAST WILL AND TESTAMENT

THE STATE OF TEXAS

COUNTY OF HUNT

KNOW ALL MEN BY THESE PRESENTS:

I, Frieda Branon of Hunt County, Texas, being of sound mind and memory, and desiring to so provide for the disposition of my estate that there may be no confusion concerning the same after my death, do hereby make, declare and publish this, my Last Will and Testament, hereby revoking all wills by me at any time heretofore made.

I.

I will and direct that at the time of my death I be given a Christian like funeral suitable to my circumstances and station in life.

II.

I will and direct that all my just debts be paid out of my estate by my Independent Executrix herein named, as soon as deemed convenient to do so by said Independent Executrix, but with as little delay as possible.

III.

I nominate and appoint my sister, Emily Geraldine Branon, Independent Executrix of this, my Last Will and Testament, and direct that no bond or other security be required of her as such, and that the courts take no further action hereon than to admit this will to probate and record.

In the event that my sister, Emily Geraldine Branon, should fail, refuse or become unable to serve as Independent Executrix of my estate as herein provided, then I hereby appoint my nephew, John Edward McCray, as Independent Executor of this, my Last Will and Testament, and direct that no bond or other security be required of said Independent Executor as such and that the Courts take no further action hereon than to admit this will to probate and record.

SJ EH

Frieda Branon

Frieda Branon, Testatrix

IV.

I will and bequeath all of the property, both real and personal, I may die seized and possessed of, of whatsoever kind and wheresoever situated as follows, to-wit:

1. I give, devise, and bequeath to the First Presbyterian Church of Commerce, Texas, the sum of \$5,000.00 for the care and maintenance of the church organ.
2. I give, devise, and bequeath to the Juilliard School of Music in New York City, New York, the sum of \$5,000.00.
3. I give, devise, and bequeath to Frances Robinson, a friend, the sum of \$5,000.00.
4. All the rest, residue and remainder of my estate, both real and personal of whatsoever kind and wheresoever situated which I may own or have any interest in at the time of my death, I give, devise and bequeath unto my sister, Emily Geraldine Branom, in fee simple forever.
5. In the event my sister, Emily Geraldine Branom, should predecease me, then I will and direct that all of the property herein bequeathed to Emily Geraldine Branom shall pass and vest in my nephews, to-wit: William Arthur McCray and John Edward McCray, share and share alike.

V.

I further authorize my hereinabove named Independent Executrix/Executor, at the discretion of said Independent Executrix/Executor, to sell any and all property which I may have or own at the time of my death and to convert same into cash for whatsoever price and upon whatsoever terms as said Independent Executrix/Executor may see fit, and following payment of all my debts, to divide the estate as hereinabove set forth, or to divide the estate in kind.

VI.

I further direct that the law firm of SMITH McDOWELL GINN of Sulphur Springs, Texas, handle the probate and administration as well as tax matters pertaining to my will and estate.

IN TESTIMONY WHEREOF I have hereto signed my name in the presence of my attesting witnesses, who, at my request and in my presence and in the presence of each other, sign their names

SJ

EH

Frieda Branom

Frieda Branom, Testatrix

on this the 19th day of December, 2013.

Frieda Branom

Frieda Branom, Testatrix

The above instrument was herenow subscribed by Frieda Branom, the Testatrix, in our presence, and we, at her request and in her presence, and in the presence of each other, sign our names hereto as attesting witnesses on the date above written.

Sandra Johnson

WITNESS

Edith Harrison

WITNESS

THE STATE OF TEXAS
COUNTY OF HOPKINS

Before me, the undersigned authority, on this day personally appeared Frieda Branom, Sandra Johnson and Edith Harrison, known to me to be the Testatrix and the witnesses, respectively, whose names are subscribed to the foregoing instrument in their respective capacities, and all of said persons being by me duly sworn, the said Frieda Branom, the Testatrix, declared to me and to the said witnesses in my presence that said instrument is her Last Will and Testament, and that she had willingly made and executed it as her free act and deed for the purposes therein expressed: and the said witnesses, each on oath, stated to me in the presence and hearing of the said Testatrix, that the said Testatrix had declared to them that said instrument is her Last Will and Testament, and that she executed the same as such and wanted each of them to sign it as a witness: and upon their oaths, each witness stated further that they did sign the same as witnesses in the presence of the said Testatrix and at her request: and that she was at that time over the age of nineteen years and was of sound mind: and that each of said witnesses was then at least fourteen years of age.

Frieda Branom

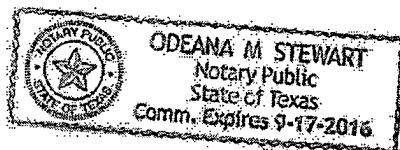
Frieda Branom, Testatrix

Sandra Johnson
WITNESS

Edith Morrison
WITNESS

Subscribed and sworn to before me by the said Frieda Branon, the Testatrix, and by the said,
Sandra Johnson and Edith Morrison,
witnesses, on this the 18th day December, 2013.

(seal)



ODEANA M STEWART
Notary Public, State of Texas