

**CITATION BY POSTING**

CAUSE NO. TAX22636

THE STATE OF TEXAS  
HUNT COUNTY, TEXAS

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS NOTICE IS  
HEREBY GIVEN AS FOLLOWS:

TO: ARTHUR SMART JR, DECEASED, HEIRS AND UNKNOWN  
HEIRS OF ARTHUR SMART JR

ELSIE L SMART, DECEASED, HEIRS AND UNKNOWN  
HEIRS OF ELSIE L SMART

KENNETH SMART SR, DECEASED, HEIRS AND UNKNOWN  
HEIRS OF KENNETH SMART SR (SON OF ARTHUR & ELSIE  
SMART)

PAUL SMART DECEASED, HEIRS AND UNKNOW HEIRS OF  
PAUL SMART (SON OF KENNETH SMART SR)

GINGER SMART ZEDA (DAUGHTER OF KENNETH SMART  
SR), IF LIVING AND UNKNOWN HEIRS IF DECEASED

NICOLE SMART ROY (DAUGHTER OF KENNETH SMART  
SR), IF LIVING AND UNKNOWN HEIRS IF DECEASED

and the unknown owner or unknown owners, and any and all other persons, including adverse claimants, owning or having or claiming any legal or equitable interest in or lien upon the real property hereinafter described; the heirs and legal representatives and unknown heirs and legal representatives of each of the above named and mentioned persons who may be deceased; and the corporate officers, trustees, receivers and stockholders of any of the above named and mentioned parties which may be corporations, foreign or domestic, defunct or otherwise, together with the successors, heirs and assigns of such corporate officers, trustees, receivers or stockholders, own or have or claim an interest in the hereinafter described real property on which taxes are due, owing, unpaid and delinquent to said Plaintiffs, said year and amount set out in Plaintiffs Original Petition on file herein:

The property is specifically described as follows:

Property Code: R73941

TRACT #1: BEING .448 ACRES, LOT 2, BLOCK 7, ORIGINAL TOWN OF  
LONE OAK (AKA ETTER ADDITION) AS DESCRIBED IN WARRANTY  
DEED, VOLUME 506 PAGE 23, RECORDED JANUARY 18, 1951 AND  
AFFIDAVITS OF HEIRSHIP, VOLUME 1603 PAGES 598 AND 600  
RECORDED MAY 29, 2007 IN THE DEED RECORDS OF HUNT COUNTY  
TEXAS - R73941

Property Code: MH225466

TRACT #2: BEING PERSONAL PROPERTY CONSISTING OF A 1987  
REDMAN RIDGEDALE MOBILE HOME, SN1 12514101A; SN2 12514101B;  
HUD# TEX0403314; HUD#2 TEX0403315; TITLE # 00982581 - MH225466

Which said property is delinquent to Plaintiff for taxes in the following amounts:

\$2,232.54, exclusive of interest, penalties, and costs, and there is included in this suit in addition to the taxes all said interest, penalties, and costs thereon, allowed by law up to and including the day of judgment herein.

You are notified that this suit has been brought by the CITY OF LONE OAK, HUNT COUNTY and HUNT MEMORIAL HOSPITAL DISTRICT as Plaintiffs against ARTHUR SMART JR, ELSIE L SMART, RANDY WAYNE SMART, KENNETH SMART SR, KENNETH RAY SMART JR, PAUL SMART, CHRISTOPHER SMART, GINGER SMART ZEDA, NICOLE SMART ROY, BRETT SMART, as Defendants by Original Petition filed on the DECEMBER 1, 2023 styled CITY OF LONE OAK ET AL vs. RANDY SMART & KENNETH SMART. This suit is for the collection of taxes on said real property, and is now pending in the District Court of HUNT COUNTY, TEXAS 196TH Judicial District as cause number TAX22636. The names of all taxing units which assess and collect taxes on the property hereinabove described which are not listed above and may be made parties to this suit are: None.

Plaintiffs and all other taxing units who may set up their tax claims herein seek recovery of delinquent ad valorem taxes on the property hereinabove described, and in addition to the taxes, all interest, penalties, and costs allowed by law thereon, up to and including the day of judgment herein, and the establishment and foreclosure of liens, if any, securing the payment of same, as provided by law.

All parties to this suit, including Plaintiffs, Defendants and Intervenors, shall take notice that claims not only for any taxes which were delinquent on said property at the time this suit was filed but all taxes becoming delinquent thereon up to the day of judgment, including all interest, penalties, and costs allowed by law thereon, may, upon request therefore, be recovered herein without further citation or notice to any parties herein, and all said parties shall take notice of and plead and answer to all claims and pleadings now on file and which may hereafter be filed in said cause by all other parties herein, and all of those taxing units above named who may intervene herein and set up their respective tax claims against said property.

YOU ARE HEREBY COMMANDED TO APPEAR AND DEFEND SUCH SUIT AT OR BEFORE 10 O'CLOCK A.M. ON THE FIRST MONDAY AFTER THE EXPIRATION OF FORTY-TWO (42) DAYS FROM AND AFTER THE DATE OF ISSUANCE HEREOF, THE SAME BEING THE JANUARY 30, 2025 (WHICH IS THE RETURN DAY OF SUCH CITATION), BEFORE THE HONORABLE 196TH DISTRICT COURT OF HUNT COUNTY, TEXAS to be held at the Courthouse thereof, then and there to show cause why judgment shall not be rendered for such taxes, penalties, interest and costs and condemning said property and ordering foreclosure of the constitutional and statutory tax liens thereon for taxes due the Plaintiffs and the taxing units parties hereto, and those who may intervene herein, together with all interest, penalties, and costs allowed by law up to and including the day of judgment herein, and all costs of this suit.

HEREIN FAIL NOT, but of this writ make answer as the law requires.

Issued but not prepared by District Clerk's Office and given under my hand & seal of office of said court of GREENVILLE, HUNT COUNTY, TEXAS on this the 20th day of DECEMBER, 2024.



*Susan Bradling*

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HUNT COUNTY DISTRICT CLERK  
PO BOX 1437  
GREENVILLE, TX 75403

BY *Shana Lee*

---

ACCT#: 12458  
File#: 230398  
pmcarthur@pbfc.com

CLERK: FILE WITH ORIGINAL PETITION:

CITY OF LONE OAK ET AL

§ IN THE 196TH DISTRICT COURT

§

VS.

§ IN AND FOR

§

RANDY SMART & KENNETH SMART

§ HUNT COUNTY, TEXAS

**AFFIDAVIT OF CITATION BY POSTING**

BEFORE ME, the undersigned authority, on this day personally appeared \_\_\_\_\_, who after being by me duly sworn, says upon his/her oath the following;

1. That he/she posted a true copy of the above citation by POSTING at the usual and customary place for posting public notices at the door of the county courthouse in HUNT COUNTY, TEXAS on \_\_\_\_\_, said date being at least twenty-eight days prior to the return day fixed in said citation.

\_\_\_\_\_

Sworn to and subscribed before me by \_\_\_\_\_

on \_\_\_\_\_.

\_\_\_\_\_  
Notary Public, State of Texas

File #: 230398

SIGN BOTH COPIES  
FILE ONE COPY  
POST ONE COPY

CITY OF LONE OAK ET AL

§ IN THE 196TH DISTRICT COURT

§

VS.

§ IN AND FOR

§

RANDY SMART & KENNETH SMART

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\_\_\_\_\_

Sworn to and subscribed before me by \_\_\_\_\_

on \_\_\_\_\_.

\_\_\_\_\_  
Notary Public, State of Texas

File #: 230398

SIGN BOTH COPIES  
FILE ONE COPY  
POST ONE COPY

NO. TAX22636 Hunt County - 196th District Court

CITY OF LONE OAK ET AL § IN THE \_\_\_\_\_ DISTRICT COURT

VS. § IN AND FOR

RANDY SMART & KENNETH SMART § HUNT COUNTY, TEXAS

**PLAINTIFFS ORIGINAL PETITION**

TO THE HONORABLE JUDGE OF SAID COURT

Now come(s) the taxing districts set out below:

CITY OF LONE OAK, HUNT COUNTY and HUNT MEMORIAL HOSPITAL  
DISTRICT

on behalf of themselves and all taxing districts for whom they collect. Each is a political subdivision of the State of Texas, each is legally constituted and authorized to impose and/or collect ad valorem taxes, and each is hereinafter called "Plaintiff", whether one or more, original or intervenor, and for such cause of action would show the following:

1. The name(s) and address(es) of Defendants is/are:

ARTHUR SMART JR , DECEASED, HEIRS AND UNKNOWN HEIRS OF  
ARTHUR SMART JR

ELSIE L SMART , DECEASED, HEIRS AND UNKNOWN HEIRS OF ELSIE L  
SMART

RANDY WAYNE SMART (SON OF ARTHUR & ELSIE SMART)  
W171S7592 LANNON DR APT H  
MUSKEGO, WI 53150

KENNETH SMART SR , DECEASED, HEIRS AND UNKNOWN HEIRS OF  
KENNETH SMART SR (SON OF ARTHUR & ELSIE SMART)

KENNETH RAY SMART JR (SON OF KENNETH SMART SR)  
2417 MULLIGAN LANE  
NAVASOTA, TX 77868

PAUL SMART DECEASED, HEIRS AND UNKNOW HEIRS OF PAUL SMART  
(SON OF KENNETH SMART SR)

CHRISTOPHER SMART (SON OF KENNETH SMART SR)  
302 VINE ST  
SCHRIEVER, LA 70395

GINGER SMART ZEDA (DAUGHTER OF KENNETH SMART SR)  
 5660 S LAKESHORE DR APT 505  
 SHREVEPORT, LA 71119

NICOLE SMART ROY (DAUGHTER OF KENNETH SMART SR)  
 104 JOHN THOMAS ST  
 PINEVILLE, LA 71360

BRETT SMART (SON OF KENNETH SMART SR)  
 1002 W 3RD ST  
 SWEETWATER, TX 79556

and the unknown owner(s) and any and all other persons unknown, including adverse claimants or heirs owning or claiming any legal or equitable interest in or lien upon the real property herein described, and the heirs and legal representatives known and unknown of the named defendants who may be stockholders of any of the named parties which may be corporations, foreign, domestic, defunct or otherwise, and any successors, heirs or assigns of such corporations.

Said Defendant(s) currently own(s) or claim(s) an interest in the property hereinafter described and/or owned the hereinafter described property on the first day of January of each of the years for which taxes are due and owing. Discovery is intended to be conducted under Level 2 pursuant to Rule 190 of the Texas Rules of Civil Procedure.

2. The taxes in the amounts and for the years shown below were legally imposed on each separately described property and on the respective person named (if known) who owned the property on January 1 of such years. Such taxes are delinquent and owing, along with penalties and interest authorized by law and detailed below:

Property Code: R73941 CPC: 4395-1070-0020-51

Description: Tract #1 - S4395 ORIG TOWN OF LONE OAK BLK 107 LOT 2 ACRES .448

Year	Taxes	Pen & Int	Total
2018	\$47.00	\$49.44	\$96.44
2019	\$44.95	\$40.81	\$85.76
2020	\$54.29	\$41.48	\$95.77
2021	\$56.64	\$35.11	\$91.75
2022	\$85.34	\$40.62	\$125.96
<b>Total For: CITY OF LONE OAK</b>			<b>\$495.68</b>

Year	Taxes	Pen & Int	Total
2018	\$44.94	\$47.28	\$92.22
2019	\$44.65	\$40.54	\$85.19
2020	\$52.87	\$40.39	\$93.26
2021	\$50.94	\$31.58	\$82.52
2022	\$72.39	\$30.01	\$102.40
<b>Total For: HUNT COUNTY</b>			<b>\$455.59</b>

Year	Taxes	Pen & Int	Total
2018	\$20.68	\$21.75	\$42.43
2019	\$20.19	\$18.33	\$38.52

2020	\$27.60	\$21.08	\$48.68
2021	\$28.04	\$17.38	\$45.42
2022	\$41.88	\$17.36	\$59.24
<b>Total For: HUNT MEMORIAL HOSPITAL DISTRICT</b>			<b>\$234.29</b>

Property Code: MH225466 CPC: 4395-0170-002A-51

Description: MOBILE HOME ONLY,\$4395 ORIG TOWN OF LONE OAK BLK 107 LOT 2B  
SN1 12514101A;SN2 12514101B;HUD# TEX0403314;HUD#2 TEX0403315;TITLE #  
00982581,MH

Year	Taxes	Pen & Int	Total
2018	\$56.26	\$59.18	\$115.44
2019	\$72.96	\$66.25	\$139.21
2020	\$99.81	\$76.25	\$176.06
2021	\$98.23	\$60.90	\$159.13
2022	\$104.41	\$49.69	\$154.10
<b>Total For: CITY OF LONE OAK</b>			<b>\$743.94</b>

Year	Taxes	Pen & Int	Total
2018	\$53.80	\$56.60	\$110.40
2019	\$72.46	\$65.79	\$138.25
2020	\$97.18	\$74.24	\$171.42
2021	\$88.33	\$54.77	\$143.10
2022	\$88.56	\$36.71	\$125.27
<b>Total For: HUNT COUNTY</b>			<b>\$688.44</b>

Year	Taxes	Pen & Int	Total
2018	\$24.76	\$26.05	\$50.81
2019	\$32.78	\$29.76	\$62.54
2020	\$50.74	\$38.77	\$89.51
2021	\$48.63	\$30.15	\$78.78
2022	\$51.24	\$21.24	\$72.48
<b>Total For: HUNT MEMORIAL HOSPITAL DISTRICT</b>			<b>\$354.12</b>

Total Due For Properties	\$2,972.06
Research Fee:	\$450.00
Total for: December, 2023	\$3,422.06

(This amount does not include court costs which must be paid prior to dismissal).

The property is specifically described as follows:

Property Code: R73941

TRACT #1: BEING .448 ACRES, LOT 2, BLOCK 7, ORIGINAL TOWN OF LONE OAK (AKA ETTER ADDITION) AS DESCRIBED IN WARRANTY DEED, VOLUME 506 PAGE 23, RECORDED JANUARY 18, 1951 AND AFFIDAVITS OF HEIRSHIP, VOLUME 1603 PAGES 598 AND 600 RECORDED MAY 29, 2007 IN THE DEED RECORDS OF HUNT COUNTY TEXAS - R73941



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REDMAN RIDGEDALE MOBILE HOME, SN1 12514101A; SN2 12514101B;  
HUD# TEX0403314; HUD#2 TEX0403315; TITLE # 00982581 - MH225466

In addition to the amounts stated above, Plaintiff(s) sue(s) for costs of court, foreclosure sale expenses and research expenses for determining the name, identity and location of necessary parties and in procuring necessary legal descriptions of the property, and other costs, all as authorized by law. Further, Plaintiff(s) sue for all additional taxes which become delinquent on such property prior to judgment, as well as any additional penalties and interest which accrue prior to or after judgment, to the date of sale.

3. Plaintiff(s) would show that all conditions precedent to the right to levy said taxes were performed as required by law; that all of said taxes were authorized by law; and that all things required by law have been duly and legally performed by the proper officials.

4. Plaintiff(s) would further show that the Attorney signing this petition is legally authorized to prosecute this suit on behalf of the taxing unit and Plaintiff(s) therefore request(s) attorney fees as provided by law.

5. Each tract of the said above-described real estate and/or item of personal property was, on January 1st of the aforesaid years and at the time said taxes were imposed, located within the boundaries of each of said taxing units and within the boundaries of HUNT COUNTY, TEXAS. Each taxing unit asserts a lien on each separately described property listed above to secure the payment of all taxes, penalties, interest and costs due.

6. Defendant(s) shall take notice of all pleas and interventions which may be filed by Plaintiff(s) or any party intervening.

7. Plaintiff(s) would show that the party or parties who owned the property, described above, on January 1 of the years indicated are indebted to Plaintiff taxing units for said taxes, penalties and interest, and are liable for all costs herein. Plaintiff(s) seek personal liability against such owners, as well as foreclosure of the tax lien on each separately described property. As to all other Defendants, Plaintiffs' action is a proceeding in rem only, whereby Plaintiff(s) seek(s) to foreclose the tax lien(s) on each separately described property listed in satisfaction of the taxes, penalties, interest and all costs due or to become due herein.

WHEREFORE, Plaintiff(s) pray that Defendant(s) be cited to appear and answer herein and that on final hearing recover the following:

A. Personal judgment against such Defendant(s), except those designated otherwise above, who owned the property described herein on January 1st of the years indicated above, for all taxes, penalties, interest, attorney fees, and costs that are due or will become due;

B. Foreclosure of the tax lien(s), issuance of an order of sale and/or execution on the property described above and payment of all taxes, penalties, interest, and costs that are due or will become due and that are secured by such tax lien(s), which tax lien(s) is first, prior and/or superior to any other interest in said property; and

C. Such other and further relief to which Plaintiff(s) may be entitled.

Respectfully submitted,

PERDUE, BRANDON, FIELDER, COLLINS & MOTT, L.L.P.  
ATTORNEYS AT LAW  
PO BOX 2007  
TYLER, TX 75710  
(903) 597-7664 FAX:(903) 597-6298

BY



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File #: 230398

Acct#: 12458