

SUIT NO. TAX22669

CITY OF COMMERCE

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IN THE DISTRICT COURT

VS.

354TH JUDICIAL DISTRICT

VIRGINIA DAFFT

HUNT COUNTY, TEXAS

THE STATE OF TEXAS  
HUNT COUNTY

CITATION BY POSTING

In the name and authority of the State of Texas  
Notice is hereby given as follows:

To Estate of Raylon Eugene Dafft the heirs, unknown heirs, executors, administrators and legal representatives of the Estate of Raylon Eugene Dafft (In Rem Only), if living, and if any or all of the above named Defendant(s) be deceased, the unknown heirs of each or all of the said above named deceased persons; and the unknown owner or owners of the following described property; and the executors, administrators, guardians, legal representatives, devisees of the above named persons, unknown lienholders and any and all other persons, including adverse claimants, owning or having or claiming any legal or equitable interest in or lien upon the following described property delinquent to Plaintiffs herein, for taxes and/or miscellaneous liens to wit:

Account No. 52920; 510 HARRISON ST 75428-2322, THE CITY OF COMMERCE, HUNT COUNTY, TEXAS

The amount of taxes and other liens for Plaintiff(s) exclusive of interest, penalties and costs is: \$1,851.55, payable to Hunt County (City Of Commerce \$1,851.55), on said property being described as S4220 NORTH SIDE ADDITION BLK 14 LOT 13-14 ACRES .3099 MORE OR LESS AND BEING MORE PARTICULARLY DESCRIBED IN THAT CERTAIN DEED OF RECORD IN VOLUME 651 PAGE 274 IN THE DEED RECORDS OF HUNT COUNTY, TEXAS..

You have been sued. You may employ an attorney. You are hereby commanded to appear and defend such suit on the first Monday after the expiration of forty-two (42) days from and after the date of issuance hereof. If you or your attorney do not file a written answer with the clerk who issued this citation, a judgment may be taken against you. In addition to filing a written answer with the clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than 30 days after you file your answer with the clerk. Find out more at TexasLawHelp.org.

You are hereby notified that suit has been brought by the Hunt County Tax Collector, CITY OF COMMERCE, hereinafter called Plaintiffs, against Virginia Dafft (In Rem Only), Estate of Raylon Eugene Dafft the heirs, unknown heirs, executors, administrators and legal representatives of the Estate of Raylon Eugene Dafft (In Rem Only), Jesse Eugene Dafft (In Rem Only) and Raymond Dafft (In Rem Only), as Defendants, by the Plaintiffs' Original Petition

filed on 26th day of January, 2024, in a certain suit styled **CITY OF COMMERCE vs. VIRGINIA DAFFT**, for collection of the taxes and/or miscellaneous liens on said property and that said suit is now pending in the District Court of Hunt County, Texas, 354th Judicial District, and the file number of said suit is **TAX22669**, that the names of all taxing units which assess and collect taxes on the property hereinabove described, not made parties to this suit, are HUNT COUNTY; COMMERCE INDEPENDENT SCHOOL DISTRICT and HUNT MEMORIAL HOSPITAL DISTRICT.

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

All parties to this suit, including plaintiff(s), defendant(s), and intervenors, shall take notice that claims not only for any taxes and/or miscellaneous liens which were delinquent on said property at the time this suit was filed but all taxes and/or miscellaneous liens becoming delinquent thereon at any time thereafter, 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 on the first Monday after the expiration of forty-two (42) days from and after the date of issuance hereof, the 2nd day of DECEMBER, A.D., 20 24 (which is the return day of such citation), before the honorable 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, miscellaneous liens and costs, and condemning said property and ordering foreclosure of the statutory constitutional and tax liens thereon for taxes and miscellaneous liens due the plaintiff(s) and the taxing units parties hereto, and those who may intervene herein, together with all interest, penalties, and costs allowed by law and all costs of this suit.

Issued and given under my hand and seal of said court, in the City of Greenville, Hunt County, Texas this 16th day of OCTOBER, A.D., 20 24.

LINEBARGER GOGGAN  
BLAIR & SAMPSON, LLP  
2613 Stonewall, Suite A (75401-4257)  
PO Box 8248  
Greenville, TX 75404-8248  
(903) 454-2059  
(903)454-9856 FAX  
ATTORNEY FOR PLAINTIFF(S)

SUSAN SPRADLING  
CLERK OF THE DISTRICT COURTS  
OF HUNT COUNTY, TEXAS  
PO BOX 1437  
GREENVILLE, TX 75403



BY: Shana Lee  
DEPUTY

**SUIT NO. TAX22669**

**CITY OF COMMERCE  
VS.  
VIRGINIA DAFFT**

**DIRECTED TO:  
Estate of Raylon Eugene Dafft  
the heirs, unknown heirs, executors,  
administrators and legal  
representatives of the Estate of  
Raylon Eugene Dafft (In Rem Only)**

**OFFICER'S RETURN**

CAME TO HAND on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_  
o'clock \_\_\_\_\_.M., and I executed the foregoing citation by posting a copy thereof at the courthouse  
door of the Hunt County Courthouse, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, at  
\_\_\_\_\_ o'clock \_\_\_\_\_.M. which day was at least 28 days prior to the return day fixed in the  
citation.

A copy of said Citation by Posting is hereto attached and made a part of Officer's Return on this  
Writ.

To certify which witness my hand.

Officer's Fee..... \$ \_\_\_\_\_

\_\_\_\_\_  
Officer \_\_\_\_\_ County, Texas  
By \_\_\_\_\_  
Deputy

Subscribed and sworn to before me, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Notary Public  
State of Texas  
Commission Expires: \_\_\_\_\_

SUIT NO. TAX22669

CITY OF COMMERCE

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**IN THE DISTRICT COURT**  
Hunt County - 354th District Court

VS.

\_\_\_\_\_ **JUDICIAL DISTRICT**

VIRGINIA DAFFT

**HUNT COUNTY, TEXAS**

**ORIGINAL PETITION**

**TO THE HONORABLE JUDGE OF SAID COURT:**

I.

**PLAINTIFF(S)**

This suit is brought under TEXAS PROPERTY TAX CODE § 33.41 by the following named Plaintiff(s), whether one or more, each of which is a taxing unit and legally constituted and authorized to impose and collect taxes on property:

**CITY OF COMMERCE**

The Plaintiff(s) intends discovery to be conducted under Level 2 of Rule 190, Texas Rules of Civil Procedure.

**DEFENDANT(S)**

The following are named as Defendant(s) in this suit and may be served with notice of these claims by service of citation at the address and in the manner shown as follows:

**Virginia Dafft (In Rem Only), 510 Harrison Street, Commerce, TX 75428;**

**Estate of Raylon Eugene Dafft, the heirs, unknown heirs, executors, administrators and legal representatives of the Estate of Raylon Eugene Dafft (In Rem Only)**

if living, and if any or all of the above named Defendant(s) be deceased, the unknown heirs of each or all of the said above named deceased persons; and the unknown owner or owners of the following described property; and the executors, administrators, guardians, legal representatives, devisees of the above named persons; and any and all other persons, including adverse claimants, owning or having any legal or equitable interest in or lien upon the below described property located in the county in which this suit is brought.

The following taxing unit(s), whether one or more, is joined as a party herein as required by TEX. TAX CODE § 33.44(a) because it may have a claim for delinquent taxes against all or part of the same property described below: **HUNT COUNTY; COMMERCE INDEPENDENT SCHOOL DISTRICT and HUNT MEMORIAL HOSPITAL DISTRICT.** The foregoing named taxing unit(s), if any, is invited to add its claim by intervening herein.

II.

Claims for all taxes becoming delinquent on said property at any time subsequent to the filing of this suit, up to the day of judgment, including all penalties, interest, attorney's fees, and costs on same, are incorporated in this suit, and Plaintiff(s) is entitled to recover the same, upon proper proof, without further citation or notice. Plaintiff(s) is further entitled to recover each penalty that is incurred and all interest that accrues on all delinquent taxes imposed on the property from the date of judgment to the date of sale. .

III.

As to each separately described property shown below, there are delinquent taxes, penalties, interest, attorney's fees, and costs justly due, owing and unpaid to Plaintiff(s) for the tax years and in the amounts follows, if paid in January, 2024:

**PROPERTY AND AMOUNTS OWED**

**ACCT. NO.52920; S4220 NORTH SIDE ADDITION BLK 14 LOT 13-14 ACRES .3099 MORE OR LESS AND BEING MORE PARTICULARLY DESCRIBED IN THAT CERTAIN DEED OF RECORD IN VOLUME 651 PAGE 274 IN THE DEED RECORDS OF HUNT COUNTY, TEXAS.**

**CITY OF COMMERCE**

<b>Tax Year(s)</b>	<b>Tax Amount</b>	<b>Penalties and Interest</b>	<b>Total Due</b>
<b>2016</b>	<b>\$26.51</b>	<b>\$35.83</b>	<b>\$62.34</b>
<b>2018</b>	<b>\$245.12</b>	<b>\$260.81</b>	<b>\$505.93</b>
<b>2019</b>	<b>\$274.55</b>	<b>\$252.57</b>	<b>\$527.12</b>
<b>2020</b>	<b>\$306.92</b>	<b>\$238.17</b>	<b>\$545.09</b>
<b>2021</b>	<b>\$342.54</b>	<b>\$216.47</b>	<b>\$559.01</b>
<b>2022</b>	<b>\$358.12</b>	<b>\$174.75</b>	<b>\$532.87</b>
<b>TOTALS:</b>	<b>\$1,553.76</b>	<b>\$1,178.60</b>	<b>\$2,732.36</b>
<b>TOTAL DUE</b>			<b>\$2,732.36</b>

The total aggregate amount of taxes, penalties, interest, and attorney's fees (if any) for which Plaintiff(s) sues is **\$2,732.36**, subject to additional taxes, penalties, interest, and attorney's fees that accrue subsequent to the filing of this petition.

IV.

All of the taxes were authorized by law and legally imposed in the county in which this suit is brought. The taxes were imposed in the amount(s) stated above on each separately described property for each year specified and on each person named, if known, who owned the property on January 1 of the year for which the tax was imposed. Plaintiff(s) now has and asserts a lien on each tract of real property and each item of personal property described herein to secure the payment of all taxes, penalties, interest and costs due. Pursuant to Rule 54 of the Texas Rules of Civil Procedure, Plaintiff(s) affirmatively avers that all things required by law to be done have been done properly by the appropriate officials and all conditions precedent have been met.

V.

All of the property described above was, at the time the taxes were assessed, located within the territorial boundaries of each taxing unit in whose behalf this suit is brought. All Defendants named in this suit either owned the property that is the subject of this suit on January 1 of the year in which taxes were imposed on said property, or owned or claimed an interest in or lien upon said property at the time of the filing of this suit. The value of any personal property that may be described above, and against which the tax lien is sought to be enforced, is in excess of FIVE HUNDRED AND NO/100 DOLLARS (\$500.00).

VI.

The Law Firm represented by the attorney whose name is signed hereto is legally authorized and empowered to institute and prosecute this action on behalf of Plaintiff(s). Plaintiff(s) should recover attorney's fees as provided by law for the prosecution of this case, and such attorney's fees should be taxed as costs.

VII.

Plaintiff(s) may have incurred certain expenses in the form of abstractor's costs in procuring data and information as to the name, identity and location of necessary parties, and in procuring necessary legal descriptions of the property that is the subject of this suit. Said expenses, if incurred, are reasonable and are in the following amount: **\$175.00**. The abstractor's costs, if any be shown, should be taxed as costs herein.

VIII.

That, as to said property, the Plaintiff, The City of Commerce, did determine the necessity of and order the abating high grass, weeds and/or substandard structures of property, and Plaintiff now has, and asserts a lien in the amounts stated below on Defendant(s) property described below to secure the payment of the labor and services performed in abating high grass, weeds and substandard structures of said property under the ordinances and laws of the state of Texas and City of Commerce against the real property and any improvement on the property described below and were filed and recorded as with the Hunt County Clerk's records of Hunt County, Texas, the resulting lien under the laws of the State of Texas.

The property on which said lien was levied, date of lien, type of instrument, date of instrument, and filing, volume and page of recording of instrument in Hunt County Public Records, is as follows, along with the delinquent amounts assessed due, plus interest.

**PROPERTY: Account No. 52920  
S4220 NORTH SIDE ADDITION BLK 14 LOT 13-14 ACRES .3099 MORE OR LESS AND  
BEING MORE PARTICULARLY DESCRIBED IN THAT CERTAIN DEED OF RECORD IN  
VOLUME 651 PAGE 274 IN THE DEED RECORDS OF HUNT COUNTY, TEXAS.**

TYPE OF INSTRUMENT: LABOR LIEN FOR ABATING RUBBISH & DEBRIS

INSTRUMENT NUMBERS	2022-13421
DATE OF INSTRUMENT	6/7/22
DATE OF FILING	6/8/22
AMOUNT DUE (PLUS INTEREST)	\$3,742.05

TYPE OF INSTRUMENT: LABOR LIEN FOR ABATING MOBILE HOME IN PROHIBITED LOCATION

INSTRUMENT NUMBERS	2022-26304
DATE OF INSTRUMENT	11/8/22
DATE OF FILING	11/9/22
AMOUNT DUE (PLUS INTEREST)	\$720.00

TYPE OF INSTRUMENT: LABOR LIEN FOR ABATING JUNKED VEHICLE

INSTRUMENT NUMBERS	2022-26305
DATE OF INSTRUMENT	11/8/22
DATE OF FILING	11/9/22
AMOUNT DUE (PLUS INTEREST)	\$720.00

TYPE OF INSTRUMENT: LABOR LIEN FOR ABATING JUNKED VEHICLE

INSTRUMENT NUMBERS	2022-26305
DATE OF INSTRUMENT	11/8/22
DATE OF FILING	11/9/22
AMOUNT DUE (PLUS INTEREST)	\$130.00

TYPE OF INSTRUMENT: LABOR LIEN FOR ABATING RUBBISH & DEBRIS

INSTRUMENT NUMBERS	2023-02803
DATE OF INSTRUMENT	2/20/23
DATE OF FILING	2/20/23
AMOUNT DUE (PLUS INTEREST)	\$1,294.51

Plaintiff further alleges that in making said instruments aforesaid, the City of Commerce and each officer whose duty it was under the law to have any part in the performance of any act in connection therewith, performed each act and thing required by law at the time and in the manner provided by law so as to make said order valid and cause said abatement to be performed and to make said liens valid, binding, and enforceable liens against the said property.

Plaintiff is the legal owner and holder of said liens; that said forced abating of high grass, weeds and substandard structures did cost the City the principal sum of **\$6,606.56** plus interest at 10% per annum; that default has been made by defendant owners in the payment of said labor and effort; that demand has been made upon said owners for payment of the past due principal and interest; Plaintiff has elected to exercise its option to declare said sum to be due and payable in full, with accrued interest, and has placed same with Linebarger Goggan Blair & Sampson, LLP Attorneys at Law, for collection and suit, and has promised to pay said attorneys a reasonable fee for such services.

PRAYER

WHEREFORE, PREMISES CONSIDERED, Plaintiff(s) requests that citation be issued and served upon each Defendant named herein, commanding them to appear and answer herein in the time and manner required by law. Plaintiff(s) further prays, upon final hearing in this cause, for foreclosure of the tax lien on the specific property of the defendants described herein, securing the total amount of all delinquent taxes, penalties and interest, including taxes, penalties and interest becoming delinquent during the pendency of this suit, costs of court, attorney's fees, abstract fees, and expenses of foreclosure sale. Plaintiff(s) further prays for personal judgment against Defendant(s) who owned the property on January 1 of the year for which the taxes were imposed for all taxes, penalties, interest, and costs that are due or will become due on the property, together with attorney's fees and abstractor's fees. Plaintiff(s) further prays for: (1) the appropriate order of sale requiring the foreclosed property to be sold, free and clear of any right, title, or interest owned or held by any named Defendant, at public auction in the manner prescribed by law, and (2) writs of execution, directing the sheriffs and constables for the State of Texas, to search out, seize, and sell sufficient property of the Defendant(s) against whom personal judgment may be awarded to satisfy the lawful judgment sought herein. Finally, Plaintiff(s) prays for such other and further relief, at law or in equity, to which it may show itself justly entitled.

Respectfully submitted,

LINEBARGER GOGGAN  
BLAIR & SAMPSON, LLP  
2613 Stonewall, Suite A (75401-4257)  
PO Box 8248  
Greenville, TX 75404-8248  
(903) 454-2059  
(903) 454-9856 - FAX



Brandon E. Lane  
State Bar No. 24039007  
Greenville.litigation@lgbs.com  
Attorneys for Plaintiff(s)