

CLERK OF THE COURT
TABATHA FERGUSON
BOSQUE COUNTY CLERK
MERIDIAN, TEXAS

ATTORNEY FILING
M. BRYON BARNHILL
331 INDIAN TRAIL, SUITE 101
HARKER HEIGHTS, TX 76549

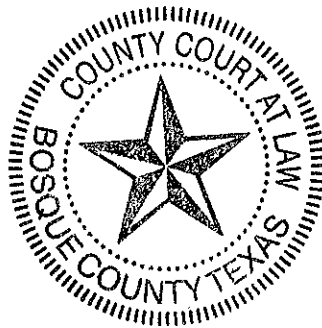
THE STATE OF TEXAS

TO ALL PERSONS INTERESTED IN THE ESTATE OF **PATSY NELL FOUNTAIN**, deceased, Docket No. **P08097** County Court at Law Bosque County, Texas, **KRISTI WATSON** filed in the County Court at Law of Bosque County, Texas, on the **25TH** day of **APRIL, 2022** an **APPLICATION TO REOPEN PROBATE, FOR AN ACCOUNTING, AND TO DISTRIBUTE THE ESTATE**. Said application will be heard and acted on by said Court **no earlier than 10:00 am** on the **first Monday** next after the expiration of ten days, from the date of posting this citation, the same being the **09th DAY MAY, 2022** at the County Courthouse in **MERIDIAN, 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.

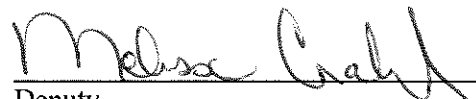
The officer executing this citation shall post the copy of the citation at the Courthouse Door of the county in which proceedings are pending, or at the place in or near said Courthouse where public notices customarily are posted, for not less than 10 days before the return day thereof, exclusive of 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 in Meridian, Texas. This the **25th** day of **APRIL, 2022**.





TABATHA FERGUSON
Bosque County Clerk



Deputy

OFFICER'S RETURN ON CITATION

Came to hand on the 26 day of April, 2022, at
8:29 o'clock A M. and executed on the 26 day of April, 2022
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 Bosque County,
Texas, or at the place in or near the said courthouse where public notices customarily are
posted, that is from 4/26, 2022, through 5/9,
2022, inclusive.


CONSTABLE
BOSQUE COUNTY, TEXAS

Printed name: Scott Ferguson

CAUSE NO. P08097

| | | |
|---------------------|---|----------------------|
| IN THE ESTATE OF | § | IN THE COUNTY COURT |
| | § | |
| PATSY NELL FOUNTAIN | § | AT LAW |
| | § | |
| DECEASED | § | BOSQUE COUNTY, TEXAS |

FIRST AMENDED APPLICATION TO REOPEN PROBATE, FOR AN ACCOUNTING,
AND TO DISTRIBUTE THE ESTATE

COMES NOW, Kristi Watson, heir and distribute of the Estate of Patsy Nell Fountain, Deceased, and files this Application to reopen probate, for an accounting, and to distribute the estate of Patsy Nell Fountain and would show the following:

Parties

1. Applicant, Kristi Watson, is an individual, and an heir and distributee to the Estate of Patsy Nell Fountain, deceased, being domiciled and residing in Jonesboro, Texas, and is a party to this suit. The last three digits of Applicants Texas Drivers License are 606. The last three numbers of Applicants Social Security Number are 974.
2. Jeannye Skinner is an individual and the named dependent administrator of the Estate of Patsy Nell Fountain, and an heir and distributee of the estate. She may be served process at her place of work, 620 E. Main St, Gatesville, TX, or wherever she may be found.
3. Rickey Taylor is an individual and an heir and distributee of the estate. He may be served process at 14955 North FM 219, Dublin, TX 76446 or wherever he may be found.

Jurisdiction

4. This Court has jurisdiction over this case because it is the Court that issued the order to distribute and close the estate and retains jurisdiction.

Facts

5. The Estate of Patsy Nell Fountain was administered by this Court.
6. On March 9th, 2020, the parties participated in mediation and reached a Rule 11 agreement that was signed by all parties.
7. On March 23, 2020, the Court signed an order to distribute the estate and discharge the dependent administrator according to the terms of the Rule 11 agreement which was attached to the order to distribute the assets of the estate and is attached to this petition as Exhibit A and incorporated herein.

8. The Rule 11 contemplated that Kristi Watson should receive as her share of the estate, the real property located at 608 E Leon, Gatesville, TX be put in her name. Ms. Watson was to execute a promissory note to Ricky Taylor for \$70,000 and payable over 15 years.
9. After the estate was ordered closed, and before Kristi executed the note contemplated by the Rule 11 agreement, Rickey Taylor, by and through the attorney for the dependent administrator, Nancy Yates, caused a deed to be executed on the subject property transferring the property to Kristi Watson and Rickey Taylor jointly, in conflict with the Mediated Settlement Agreement.
10. The property at issue is a commercial property and has at all times had a tenant that is required to pay rent of \$1500.00 under a lease agreement. Rickey Taylor has intercepted rental payments and instructed the tenant not to pay rents in the contractual amount or speak with Kristi Watson.

Request for Relief

11. Applicant, Kristi Watson requests that this court reopen the estate and enforce the Court ordered distribution of the estate as ordered by this court on March 23, 2020.
12. Specifically, Applicant requests this court to immediately set aside the deed referenced above and order the administrator to execute the appropriate deed to Kristi Watson. Applicant requests this court order Rickey Taylor to account for the intercepted rents that should have been paid to Kristi Watson. Applicant requests that this court order Kristi Watson to execute the note contemplated by the Rule 11 agreement in this case, with an offset for intercepted rents, costs of court, attorneys fees incurred to bring this action, and any and all other fees this court determines in law and equity that Kristi Watson should be entitled to.

Prayer

13. Kristi Watson, Applicant, prays this court reopen the estate, enforce the distribution of the estate according to the terms of the Rule 11 agreement and award the applicant all relief requested and that she is entitled to in law and in equity.

Respectfully Submitted

The Law Office of M. Bryon Barnhill, PLLC
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Harker Heights, TX 76548



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