

CAUSE NO. G08269

GUARDIANSHIP OF  
MARY ENSMINGER  
AN INCAPACITATED PERSON

IN THE COUNTY COURT AT  
LAW  
OF  
BOSQUE COUNTY TEXAS

STATE OF TEXAS

To any Sheriff or any Constable within the State of Texas:

YOU ARE HEREBY commanded to cause to be posted at the County Courthouse, Meridian, Bosque County, Texas, at the place in or near where public notices customarily are posted, a copy of the following notice:

STATE OF TEXAS

TO ALL PERSONS INTERESTED IN THE WELFARE OF THE PERSON OF MARY ENSMINGER, AN INCAPACITATED PERSON.

An APPLICATION FOR APPOINTMENT OF GUARDIAN OF THE ESTATE, filed by SHARON GEPHART has been entered in the records of said Court; cause number G08269 on the 23<sup>rd</sup> day of July, 2024.

Applicant requests that SHARON GEPHART be appointed Permanent Guardian of the Estate of MARY ENSMINGER.

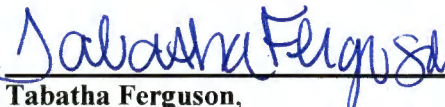
Hearing on said APPLICATION FOR APPOINTMENT OF GUARDIAN OF THE ESTATE will be held on or after the 5<sup>th</sup> day of August, 2024, at the County Court at Law Judicial Annex, Bosque County, Texas.

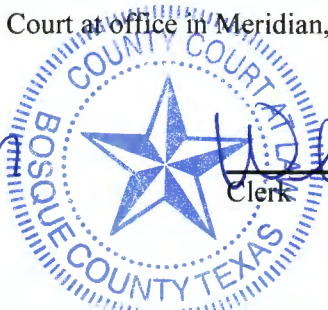
All persons interested in said cause are hereby cited to appear before said Honorable Court at said above mentioned time and place by filing a written answer contesting said request if they so desire.


You are notified that you have the right under Texas Estates Code Section 1051.252 (Texas Probate Code Section 632 (j)) to file with the clerk a written request that you be notified of any or all specifically designated motions, applications, or pleadings filed by any person, or by a person specifically designated in your request, relating to the application for the guardianship that has been filed or relating to any subsequent guardianship proceeding involving the ward after the guardianship is created, if any. If you make such a request, you are responsible for the fees and costs associated with furnishing you the documents specified in the request. The clerk may require a deposit to cover the estimated costs of furnishing you with the request notice.

The officer executing this Writ shall promptly post the same and make due return as the law directs.

Given under my hand and seal of said Court at office in Meridian, Texas the 24<sup>th</sup> day of July, 2024.

  
Tabatha Ferguson,  
Bosque County Clerk



  
Clerk

**OFFICER'S RETURN ON CITATION**

Came to hand on the 24 day of July, 2024, at 12:49 o'clock P M. and executed on the 24 day of July, 2024 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 7/24, 2024, through 8/5, 2024, inclusive.

  
\_\_\_\_\_  
CONSTABLE  
BOSQUE COUNTY, TEXAS

Printed name: Scott Ferguson



6. Persons to receive notice by certified or registered mail, return receipt requested, pursuant to section 1051.104 of the Texas Estates Code are:

ERNIE D. ENSMINGER 800 CR 1100, Meridian, Texas 76665

KAREN N. ROSEBERRY 404 Rudasill, Meridian, Texas 76665

WALTER E. ENSMINGER 5500 Aspen Lane, Ft. Worth, Texas 76112

HILLTOP ON MAIN 1015 N. Main Street, Meridian, Texas 76665

7. Persons to receive notice by a private delivery service designated as a designated delivery service by the United States Secretary of the Treasury under Section 7502(f)(2), Internal Revenue Code of 1986, pursuant to section 1051.104 of the Texas Estates Code, are: NONE

8. Proposed Ward is currently incapacitated to care for herself, and unable to manage her property and financial affairs without a legal guardian of her estate. It is necessary and will be advantageous for Proposed Ward to have a guardian of her estate appointed to manage, control, protect, and prevent waste of the assets of her estate.

9. Alternatives to guardianship and available supports and services to avoid the guardianship were considered. No alternatives or supports and services are available to Proposed Ward or are feasible to avoid the need for a guardianship.

10. Approximate values and descriptions of Proposed Ward's property are:

a) Homestead \$2,085,219.00

b) Checking Account \$2,000.00

11. The requested term of this guardianship is for such time as Proposed Ward's medical condition necessitates the guardianship.

12. The specific facts that require a guardian to be appointed and Applicant's interest in the appointment are: The proposed Ward has been diagnosed with dementia. She is unable to make responsible decisions regarding her estate.

13. Proposed Ward is totally incapacitated as set forth in the examination and report under section 1101.103 of the Texas Estates Code from advanced practice registered nurse, Kerry Zacharias, acting under physician Timothy Montalvo's delegation authority and supervision, attached hereto and incorporated in this application as Exhibit A.

14. The Court should find Proposed Ward totally incapacitated for all purposes. Applicant requests that the Court's order of appointment include termination of the right of Proposed Ward to vote in a public election, to hold or obtain a license to operate a motor vehicle under chapter 521 of the Texas Transportation Code and make personal decisions regarding residence.

15. No guardianship for Proposed Ward exists in this or any other state.

16. The name and address of the institution having care and custody of Proposed Ward and which is required by law to receive notice by certified mail, return receipt requested, is: The Hilltop on Main 1015 N. Main Street, Meridian, Texas 76665

17. Sharon G. Gephart holds a durable power of attorney signed by Proposed Ward.

The names and addresses, to the best of Applicant's knowledge, of Proposed Ward's spouse, parents, siblings, and children or, if none living, of Proposed Ward's next of kin, pursuant to section 1100.001(13) of the Texas Estate Code, are:

- a. Name: ERNIE D. ENSMINGER, Age: 56  
Relationship to Proposed Ward: Child  
Address: 800 CR 1100, Meridian, Texas 76665

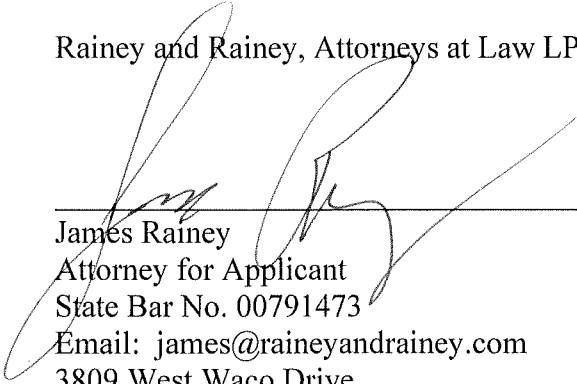
- b. Name: KAREN N. ROSEBERRY, Age: 55  
Relationship to Proposed Ward: Child  
Address: 404 Rudasill, Meridian, Texas 76665
- c. Name: WALTER E. ENSMINGER, Age: 51  
Relationship to Proposed Ward: Child  
Address: 5500 Aspen Lane, Ft. Worth, Texas 76112
- d. Name: SHARON G. GEPHART, Age: \_\_\_\_  
Relationship to Proposed Ward: Child  
Address: 800 CR 1100, Meridian, Texas 76665

18. Applicant brings this application in good faith and for just cause and requests payment of attorney's fees and expenses from Proposed Ward's estate as allowed by section 1155.054 of the Texas Estates Code.

Applicant prays that notice of this application be given as required by law; that Proposed Ward be personally served with citation to appear and answer this application; that an attorney ad litem be appointed to represent Proposed Ward; that on hearing Applicant be appointed guardian of the estate of Proposed Ward; that letters of guardianship be issued to SHARON G. GEPHART on her taking the oath or making the declaration and giving bond as required by law; and for all further relief to which Applicant may be entitled.

Respectfully Submitted,

Rainey and Rainey, Attorneys at Law LP



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STATE OF TEXAS

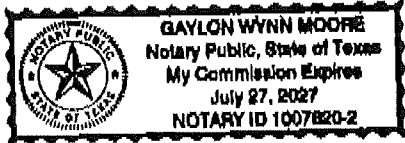
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COUNTY OF MCLENNAN

BEFORE ME, the undersigned authority, on this day personally appeared SHARON G. GEPHART, who being by me duly sworn on her oath deposed and said that she has read the above and foregoing Application for Appointment of Guardian of the Person and Estate, and that the matters contained therein are within her personal knowledge and are true and correct.

*Sharon G. Gephart*  
SHARON G. GEPHART

SIGNED under oath before me on July 15, 2024.



*Gaylon Wynn Moore*  
Notary Public, State of Texas