



**Sterling County Sheriff's Office**

**Sheriff Russell Irby**

**609 4th St.  
Sterling City, TX 76951**

**P: 325-378-4771**

**F: 325-378-2071**

**E: russell.irby@co.sterling.tx.us**

## **NOTICE OF SALE**

STATE OF TEXAS

BY VIRTUE OF AN ORDER OF SALE

STERLING COUNTY

DATED 17th DAY OF January 2023

And issued pursuant to judgement decree(s) of the District Court of Sterling County, Texas, by the Clerk of said Court on said date, in the hereinafter numbered and styled suit(s) and to me directed and delivered as Sheriff or Constable of said County, I have on January 17<sup>th</sup>, 2023 seized and levied upon, and will on the first Tuesday in February, 2023 the same being the 7<sup>th</sup> day of said month, at the North Door, Sterling County Courthouse, 609 4<sup>th</sup> Avenue, Sterling City, Texas between the hours of 10 o'clock a.m. and 4 o'clock p.m. on said day 10:00am, proceed to sell for cash to the to the highest bidder all the right, title, and interest of the defendants in such suit(s) in and to the following described real estate levied upon as the property of said defendants, the same lying and being situated in the County of Sterling and the State of Texas, to-wit:

**All of Block 5 of original plat of the ROBERTSON & HARRIS ADDITION (which Addition is sometimes called "CONCHO TOWN COMPANY ADDITION") to the City of Sterling City, Texas which plat of said ROBERTSON & HARRIS ADDITION is of record in Book 1, Pages 250-251 of the deed Records of Sterling County, Texas.**

**Save and except: The North 345' of Block 5 of the original plat of the ROBERTSON & HARRIS ADDITION (which Addition is sometimes called "CONCHO TOWN COMPANY ADDITION") to the Sterling City, Texas, which plat of said ROBERTSON & HARRIS ADDITION is of record in Book 1, pages 250-251 of the Deed Records of Sterling County, Texas**

(any volume and page references, unless otherwise indicated, being to the Deed Records, Sterling County, Texas, to which instruments reference may be made for a more complete description of each respective tract.) or, upon the written request of said defendants or their attorney, a sufficient portion of the property described above shall be sold to satisfy said judgement(s), interest, penalties, and cost; and any property sold shall be subject to the right of redemption of the defendants or any person having interest therein, to redeem the said property, or the interest therein, within the time and in the manner provided my law, and shall be subjects to any other and further rights to which the defendants or anyone interested therein may be entitled, under the provisions of law. Said sale to be made by me to satisfy the judgement(s) rendered in the above style and numbered cause(s), together with interest, penalties, and cost of suit, and the proceeds of said sales to be applied to the satisfaction thereof, and the remainder in any, to be applied as law directs.

Dated at Sterling City, Texas January 17<sup>th</sup>, 2022

Sheriff Russell Irby

Sterling County, Texas

Notes:

FILED August 15, 2022  
At 8:35 o'clock PM  
JERRI McCUTCHEN  
District Clerk, Sterling County, Texas  
By [Signature] Deputy

No. 2568

GRIMMETT BROTHERS, INC  
Plaintiff

IN THE 51<sup>ST</sup> DISTRICT COURT

VS.

OF

JAY LAFRANCE  
Defendant.

STERLING COUNTY, TEXAS

**ORDER OF SALE**

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

On April 4, 2022, GRIMMETT BROTHERS, INC., Plaintiff, recovered a Final Summary Judgment against JAY LAFRANCE, Defendant for the principal amount of \$36,500.00, together with attorneys' fees in the amount of \$12,750.00, prejudgment interest in the amount of \$12,013.98, costs of court, and post judgment interest at a rate of five percent (5%) per annum, compounded annually from the date of Judgment until paid.

Plaintiff's Judgment included the foreclosure of its mechanic's lien on the following property:

All of Block 5 of the original plat of the ROBERTSON & HARRIS ADDITION (which Addition is sometimes called "CONCHO TOWN COMPANY ADDITION") to the City of Sterling City, Texas, which plat of said ROBERTSON & HARRISON ADDITION is of record in Book 1, Pages 250-251 of the Deed Records of Sterling County, Texas.

Save and except The North 345' of Block 5 of the original plat of the ROBERTSON & HARRIS ADDITION (which Addition is sometimes called "CONCHO TOWN COMPANY ADDITION") to the City of Sterling City, Texas, which plat of said ROBERTSON & HARRIS ADDITION is of record in Book 1, Pages 250-251 of the Deed Records of Sterling County, Texas.

Therefore, you are commanded to seize and sell the property described above as under a writ of execution, and to apply the proceeds of that sale to the payment and satisfaction of the judgment

of GRIMMETT BROTHERS, INC. together with the interest accrued and all costs of suit. If the proceeds of the sale are more than sufficient to satisfy the judgment, you are directed to pay the excess to any potential mortgagor, and if none, the remainder to JAY LAFRANCE. If the proceeds of the sale are insufficient to satisfy this judgment, you shall take the money, or any balance remaining unpaid, out of any other property of defendant as in the case of ordinary executions;

You are further ordered to put the purchaser of the property under this order of sale in possession of the property within 30 days after date of sale.

You are ordered to make a showing how you have executed the above within 90 days from this date.

Signed on this the 14th day of August, 2022.



JUDGE PRESIDING

Jerri McCutchen

REQUEST FOR POST-JUDGMENT WRITS

DATE: August 3, 2022

Please Process this request for the following:

Writ of Supersedeas  
Writ of Execution  
Order of Sale in Tax Suit  
Writ of Possession  
Execution and Order of Sale  
Writ of Execution for Turnover  
Execution for Costs

Returnable in:  30 days  60 days  90 days

Party requesting: Plaintiff, Grimmatt Brothers, Inc.

Cause No: 2568 Court: 51<sup>st</sup> District Court of Sterling County, Texas

Style: Grimmett Brothers, Inc. v. Jay LaFrance

Name & Last Known Address of Judgment Debtor(s) to be served:

Jay LaFrance  
3824 Cedar Springs Road, # 229  
Dallas, Texas 75219

Date of Judgment: June 30, 2022  
Amount of Judgment: \$36,500.00 + prejudgment interest of \$12,013.98 + costs of court  
Interest Percentage: 5%  
Amount of attorneys fees, if any: \$12,750.00  
Judgement credit, if any: \$-0-

Writ Requested By: Boerner, Dennis & Franklin, PLLC  
William A. (Bill) Franklin [bfranklin@bdflawfirm.com](mailto:bfranklin@bdflawfirm.com)  
State Bar # 24007200  
P.O. Box 1738, Lubbock, Texas 79408  
Tel: (806) 763-0044

THIS REQUEST IS MADE IN ACCORDANCE WITH THE TIME FRAMES SET OUT IN RULE 627, T.R.O.C.