

ORIGINAL
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CUSTER COUNTY COURT CLERK*

**IN THE DISTRICT COURT OF CUSTER COUNTY
STATE OF OKLAHOMA**

21st Mortgage Corporation,)	
Plaintiff,)	
v.)	Case No. CJ-2017-34
)	
ROBERT M. BARTON, JR.;)	
)	
SHAREN K. BARTON;)	
)	
OCCUPANTS OF PREMISES, If Any;)	
)	
STATE OF OKLAHOMA, ex rel OKLAHOMA TAX)	
COMMISSION;)	
Defendants.)	

ALIAS SPECIAL EXECUTION AND ORDER OF SALE IN FORECLOSURE

THE STATE OF OKLAHOMA TO:

The Sheriff of Custer County, Oklahoma; Greetings:

WHEREAS, in the District Court of Custer County, Oklahoma on the 6th day of October, 2017 in an action then pending in said Court wherein 21st Mortgage Corporation was Plaintiff and Robert M. Barton, Jr.; Sharen K. Barton; State of Oklahoma, ex rel Oklahoma Tax Commission; and Occupants of Premises, if any were Defendants, Plaintiff recovered in rem judgment upon its mortgage in said Court against said Defendants, and further judgment and decree of foreclosure of said mortgage given to secure said debt on the property hereinafter described was rendered; and

WHEREAS, on said date in said Court, it was further ordered, adjudged and decreed by the Court that an order of sale should issue forthwith to the Sheriff of Custer County, Oklahoma, commanding him to advertise and sell, as upon execution, with appraisal according to law, the following described premises situated in Custer County, Oklahoma, to wit:

A TRACT OF LAND LYING IN THE WEST HALF OF THE NORTHWEST QUARTER (W/2 NW/4), OF SECTION 20, TOWNSHIP 12 NORTH, RANGE 14 WEST OF THE INDIAN MERIDIAN, CUSTER COUNTY, OKLAHOMA, DESCRIBED BY METES AND BOUNDS AS FOLLOWS: BEGINNING AT A POINT 584.00 FEET N 0°00'00" E AND 746.00 FEET S 89°47'24" E OF THE SOUTHWEST CORNER (SW/C) OF SAID NORTHWEST QUARTER (NW/4), THENCE S 89°47'24" E A DISTANCE OF 568.13 FEET TO A POINT ON THE EAST LINE OF SAID WEST HALF NORTHWEST QUARTER (W/2 NW/4), THENCE N 0°00'06" W AND ALONG SAID EAST LINE A DISTANCE OF 839.00 FEET, THENCE N 89°47'24" W A DISTANCE OF 768.11 FEET, THENCE S 0°00'00" W A DISTANCE OF 459.00 FEET, THENCE S 89°47'24" E A DISTANCE OF 200.00 FEET; THENCE S 0°00'00" W A DISTANCE OF 380.00 FEET TO THE POINT OF BEGINNING, CONTAINING 13.05 ACRES; LESS AND EXCEPT A TRACT OF LAND LYING IN THE NW/4 OF SECTION 20, TOWNSHIP 12 NORTH, RANGE 14 WEST INDIAN MERIDIAN, CUSTER COUNTY, OKLAHOMA, DESCRIBED BY METES AND BOUNDS AS FOLLOWS: BEGINNING AT A POINT 964.00 FEET N 0°00'00" E AND 546.00 FEET S 89°47'24" E OF THE SOUTHWEST CORNER OF SAID NW/4; THENCE S 89°47'24" E A DISTANCE OF 256.00 FEET THENCE N 0°00'00" E A DISTANCE OF 459.00 FEET; THENCE N 89°47'24" W A DISTANCE OF 256.00

aka

EXCEPTED TRACT.
OF BEGINNING, CONTAINING 2.6975 ACRES MORE OR LESS IN FEET; THENCE S 0°00'00" W A DISTANCE OF 459.00 FEET TO THE POINT DISTANCE OF 459.00 FEET; THENCE N 89°47'24" W A DISTANCE OF 256.00 S 89°47'24" E A DISTANCE OF 256.00 FEET THENCE N 0°00'00" E A DISTANCE OF 459.00 FEET; THENCE N 89°47'24" W A DISTANCE OF 256.00 FEET S 89°47'24" E OF THE SOUTHWEST CORNER OF SAID NW/4; THENCE FOLLOWS: BEGINNING AT A POINT 964.00 FEET N 0°00'00" W AND 546.00 CUSTER COUNTY, OKLAHOMA, DESCRIBED BY METES AND BOUNDS AS TOWNSHIP 12 NORTH, RANGE 14 WEST OF THE INDIAN MERIDIAN, AND EXCEPT A TRACT OF LAND LYING IN THE NW/4 OF SECTION 20, FEET TO THE POINT OF BEGINNING, CONTAINING 13.05 ACRES; LESS DISTANCE OF 200.00 FEET; THENCE S 0°00'00" W A DISTANCE OF 380.00 0°00'00" W A DISTANCE OF 459.00 FEET, THENCE S 89°47'24" W A FEET, THENCE N 89°47'24" W A DISTANCE OF 768.11 FEET, THENCE S 0°00'00" W AND ALONG SAID EAST LINE A DISTANCE OF 839.00 EAST LINE OF SAID WEST HALF NORTHWEST QUARTER (W/2 NW/4), THENCE N 0°00'06" W AND ALONG SAID EAST LINE A DISTANCE OF 839.00 FEET, THENCE N 89°47'24" W A DISTANCE OF 768.11 FEET, THENCE S 0°00'00" W A DISTANCE OF 459.00 FEET, THENCE S 89°47'24" W A DISTANCE OF 200.00 FEET; THENCE S 0°00'00" W A DISTANCE OF 380.00 FEET TO THE POINT OF BEGINNING, CONTAINING 13.05 ACRES; LESS AND EXCEPT A TRACT OF LAND LYING IN THE NW/4 OF SECTION 20, TOWNSHIP 12 NORTH, RANGE 14 WEST OF THE INDIAN MERIDIAN, CUSTER COUNTY, OKLAHOMA, DESCRIBED BY METES AND BOUNDS AS FOLLOWS: BEGINNING AT A POINT 584.00 FEET N 0°00'00" E AND 746.00 FEET S 89°47'24" E OF THE SOUTHWEST CORNER (SW/C) OF SAID NORTHWEST QUARTER (NW/4), THENCE S 89°47'24" E A DISTANCE OF 568.13 FEET TO A POINT ON THE EAST LINE OF SAID WEST HALF NORTHWEST QUARTER (W/2 NW/4), THENCE N 0°00'06" W AND ALONG SAID EAST LINE A DISTANCE OF 839.00 FEET, THENCE N 89°47'24" W A DISTANCE OF 768.11 FEET, THENCE S 0°00'00" W A DISTANCE OF 459.00 FEET, THENCE S 89°47'24" W A DISTANCE OF 200.00 FEET; THENCE S 0°00'00" W A DISTANCE OF 380.00 FEET TO THE POINT OF BEGINNING, CONTAINING 13.05 ACRES; LESS AND EXCEPTED TRACT.

FEET; THENCE S 0°00'00" W A DISTANCE OF 459.00 FEET TO THE POINT OF BEGINNING, CONTAINING 2.6975 ACRES MORE OR LESS IN EXCEPTED TRACT.

and

2001 REDMAN MOBILE HOME VIN: 12402670AB

(the "Property")

Subject to all property taxes, free, clear and discharged of and from all of the interests and liens of Defendants above-named, commanding the said Sheriff thereupon to apply the proceeds arising from said sale upon:

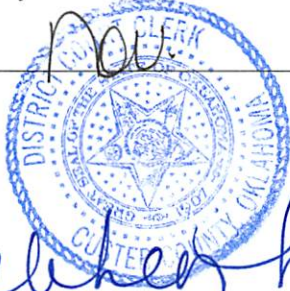
1. To the payment of the costs of said sale in this action;
2. To the Plaintiff, the principal sum of \$51,621.55, together with interest as of December 7, 2016 in the amount of \$2,863.05 thereon and accruing thereafter at 10.88% from November 2, 2016 until paid to the date of judgment; post-judgment interest thereafter at the contract rate, until paid; abstract expenses, late charges, advances for taxes and insurance, and all other expenses, fees, charges, advances, taxes, assessments, and costs of this action, including a reasonable attorney's fee in the amount of \$2,500.00, for which amounts said mortgage is a first, prior and superior lien upon the real estate and premises above described;
3. That the residue, if any, to be paid to the Clerk of this Court to await further Order of this Court.

WHEREAS, the judgment of Plaintiff, with interest, fees and costs, remains wholly unpaid, and no appeal from said Judgment and Decree has been taken, nor any supersedes bond filed;

NOW THEREFORE, this is to command you to levy upon and cause to be appraised, advertised and sold, in accordance with said judgment and as by law required, the lands and tenements hereinbefore described, subject to taxes and tax sales, and apply the proceeds arising from said sale as directed by said Judgment, as aforesaid.

You will make return of this Order of Sale with your proceedings endorsed thereon, within sixty (60) days from the date hereof, showing the manner in which you have executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Court at my office in Custer County, Oklahoma this 30 day of Nov., 2017.



Custer County Court Clerk:

By: Staci Hunter

~~Deputy~~

Gretchen M. Latham
Gretchen M. Latham - OBA No. 17523

Of the Firm:

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