

IN THE DISTRICT COURT WITHIN AND FOR CUSTER COUNTY
STATE OF OKLAHOMA

MORTGAGE CLEARING CORPORATION)
)
Plaintiff,)
)
vs.) No. CJ-2019-41
)
TONY STOWE, et al.)
)
Defendants.)

FIRST ALIAS
SPECIAL EXECUTION AND ORDER OF SALE

THE STATE OF OKLAHOMA TO THE SHERIFF OF CUSTER, OKLAHOMA:
GREETINGS:

WHEREAS, on September 16, 2019, in the above entitled and numbered cause, the Plaintiff recovered a judgment for the sum of \$237,018.27, with 4.875% interest thereon from January 1, 2016, until paid, and the further sum of \$200.00, with interest per annum thereon, until paid for abstract expense; title search and examination expense of \$50.00 with interest per annum thereon, until paid; and the further sum of \$3,500.00 attorney's fee, and for all the costs of this action, and recovered a further judgment decreeing the Plaintiff's mortgage set up and sued upon therein to be a valid, subsisting first and prior lien upon the real estate hereinafter described, for the full amount of the judgment, above set forth, and foreclosing said lien, and ordering that if said judgment be not paid, an alias special execution may issue from the office of the Court Clerk, directed to the Sheriff of Custer County, commanding said Sheriff to levy upon, and sell said real estate, with appraisalment, after notice as provided by law, and

WHEREAS, the judgment in favor of the Plaintiff remains wholly unpaid, and the Plaintiff has demanded a first special execution and order of sale to issue in accordance with said judgment.

NOW, THEREFORE, THESE ARE TO COMMAND YOU to levy upon and cause to be sold, subject to unpaid taxes, advancements by Plaintiff heretofore or hereafter made for taxes, insurance premiums, or expenses necessary for the preservation of the subject property, or protection of the priority of Plaintiff's first mortgage lien including costs, expenses and attorneys fees incurred in any bankruptcy and all expenses and costs of execution and sale, including poundage upon sale hereafter incurred, if any, in accordance with said judgment, and as by law required, the following described lands and tenements situated in Custer County, State of Oklahoma, and described as follows, to-wit:

SURFACE RIGHTS ONLY IN AND TO: LOT 7, RIVERSIDE SUBDIVISION OF THE S/2E/2E/2NE/4SW/4 AND E/2E/2SE/4SW/4 OF SECTION 12, TOWNSHIP 12 NORTH, RANGE 17 W.I.M, CUSTER COUNTY, OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF;

with the buildings, improvements, appurtenances, hereditaments, and all other rights thereunto appertaining or belonging, and pay the proceeds thereof to the Clerk of this Court, as provided by law.

WITNESS my hand and official seal at my office in Arapaho, Oklahoma, this 27th day of Dec, 2019.



STACI HUNTER, Court Clerk
BY: Staci Hunter
DEPUTY

(S E A L)
Property Address: 113 Riverview Drive, Clinton, OK 73601

NOTICE OF SHERIFF'S SALE
(First Alias)

Notice is given that on February 11, 2020, at 10:00 o'clock a.m. at S.E. Front door of the County Courthouse, in Arapaho, Custer County, Oklahoma, the Sheriff of said County will offer for sale and sell, for cash, at public auction, to the highest and best bidder, all that certain real estate in Custer County, Oklahoma, to-wit:

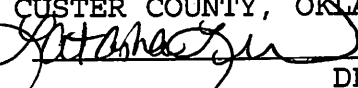
SURFACE RIGHTS ONLY IN AND TO: LOT 7, RIVERSIDE SUBDIVISION OF THE S/2E/2E/2NE/4SW/4 AND E/2E/2SE/4SW/4 OF SECTION 12, TOWNSHIP 12 NORTH, RANGE 17 W.I.M, CUSTER COUNTY, OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF;

subject to unpaid taxes, assessments, advancements by Plaintiff for taxes, insurance premiums, and expenses necessary for the preservation of the subject property, if any, said property having been appraised at \$ 265,000⁰⁰. Sale will be made pursuant to the First Special Execution and Order of Sale issued in accordance with judgment entered in the District Court of Custer County, Oklahoma.

Pursuant to judgment, Plaintiff reserves the right to recall the Special Execution and Order of Sale and to cancel this scheduled sale orally or in writing at any time prior to sale without notice or leave of Court.

PERSONS OR OTHER ENTITIES HAVING AN INTEREST IN THE PROPERTY WHOSE INTEREST IS SOUGHT TO BE EXTINGUISHED INCLUDING THOSE WHOSE ACTUAL ADDRESS IS UNKNOWN AND PERSONS OR OTHER ENTITIES WHOSE UNKNOWN SUCCESSORS ARE HEREBY NOTIFIED ARE: Tony Stowe, whether living or dead, and if dead, his Unknown Successors, if any, Spouse of Tony Stowe, if married, whether living or dead, and if dead, his/her Unknown Successors, if any, and Deanna Dawn Stowe.

MAEGAN WHELCHER #33303
LAMUN MOCK CUNNYNGHAM & DAVIS, P.C.
Attorneys for Plaintiff
5613 N. Classen Blvd.
Oklahoma City, OK 73118
(405) 840-5900

KENNETH TIDWELL, SHERIFF OF
CUSTER COUNTY, OKLAHOMA
BY:  DEPUTY

MORTGAGE CLEARING CORPORATION vs. TONY STOWE, et al.; Case No. CJ-2019-41

DO NOT PUBLISH BELOW THIS LINE

INSTRUCTIONS TO SHERIFF

Please deliver the above Notice to the following newspaper for publication:

Clinton Daily News

INSTRUCTIONS TO PUBLISHER

If the above Notice is published in a weekly paper, publish two (2) consecutive weeks. If published in a daily paper, publish once a week for two (2) consecutive weeks. Furnish one printed copy of Notice to MAEGAN WHELCHER, 5613 N. Classen Blvd., Oklahoma City, Oklahoma 73118, IMMEDIATELY AFTER FIRST PUBLICATION AND PRIOR TO THE SECOND PUBLICATION FOR PROOFING PURPOSES.

THE FIRST PUBLICATION MUST BE ON OR BEFORE 30 DAYS PRIOR TO THE SALE DATE.

THANK YOU!!