

ORIGINAL
RETURN FOR FILING WITH
CUSTER COUNTY COURT CLERK

DO NOT RE-APPRAISE
IN THE DISTRICT COURT OF CUSTER COUNTY
STATE OF OKLAHOMA

PHH MORTGAGE CORPORATION,
Plaintiff,

v.

GERARDO PONCE TORRERO; EMMA J.
PONCE AKA EMMA JASMIN PONCE AKA
EMMA PONCE; JOHN DOE, OCCUPANT; AND
BANK OF AMERICA, N.A., SUCCESSOR BY
MERGER TO COUNTRYWIDE DOCUMENT
CUSTODY SERVICES
Defendant(s).

Case No. CJ-2016-38

Judge Jill C. Weedon

FOURTH ALIAS
SPECIAL EXECUTION AND ORDER OF SALE
WITH APPRAISEMENT

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

WHEREAS, on August 8, 2016, in the above-entitled cause, the Plaintiff recovered a judgment against the Defendant(s), Gerardo Ponce Torrero, in the sum of \$125,068.03 with interest thereon from July 1, 2015, at the rate of 3.5% per annum, until paid, plus late charges and for all cost of this action, including a reasonable attorney's fee and any advancements made during the pendency of this action; and recovered a further judgment decreeing the purchase money mortgage set up and sued upon by the Plaintiff therein to be a valid and subsisting first lien upon the real estate, hereinafter described for the amount of said judgment, including interest, attorney's fee and costs, and foreclosing said purchase money mortgage and ordering that if redemption be not made from said judgment forthwith, upon praecipe filed therefore, a special execution and order of sale issued from the office of the Court Clerk directed to the Sheriff of Custer County, Oklahoma, commanding said Sheriff to sell said real estate, with the sale being published as directed by the Plaintiff in the same manner as sales of real estate taken under general execution, with appraisal, and directing the manner of the distribution of the proceeds arising from said sale; and

WHEREAS, said judgment in favor of the Plaintiff remains wholly unpaid, and there is now due and owing thereon the full amount thereof, with interest, costs and attorney's fee as hereinabove set out.

NOW, THEREFORE, this is to command you that you forthwith advertise as directed by Plaintiff and sell the lands hereinabove referred to, situated in Custer County, State of Oklahoma, and described as follows, to-wit:

LOT SEVEN (7) IN BLOCK FOUR (4) OF KING ADDITION TO THE CITY OF
WEATHERFORD, CUSTER COUNTY, OKLAHOMA, ACCORDING TO THE
RECORDED PLAT THEREOF

PROPERTY ADDRESS: 216 Texas Street, Weatherford, OK 73096

with appraisal, and, in accordance with said judgment and from the proceeds thereof, pay:

- First. The costs of said sale and the cost of said action;
- Second. The judgment awarded the Plaintiff, PHH Mortgage Corporation, including interest and attorney's fees, as set forth herein;
- Finally and the residue, if any, to be paid into Court to await the further order of the Court or a Judge thereof.

You will make due return of this Writ, with your proceedings endorsed thereon, within sixty (60) days from the date hereof.

WITNESS MY HAND AND OFFICIAL SEAL, this 10 day of March, 2024.



COURT CLERK
BY: Staci Hunter
DEPUTY

LOGS LEGAL GROUP LLP
770 NE 63rd St.
Oklahoma City, OK 73105-6431
(405) 848-1819
Attorneys for Plaintiff
File No. 15-125946