

ORIGINAL
RETURN TO COURT CLERK

ISSUED 9/18/23
On _____
Donna Howell, Court Clerk
Deputy _____

IN THE DISTRICT COURT OF BECKHAM COUNTY
STATE OF OKLAHOMA

**DEUTSCHE BANK NATIONAL TRUST
COMPANY, AS TRUSTEE FOR
AMERIQUEST MORTGAGE SECURITIES
INC., ASSET-BACKED PASS-THROUGH
CERTIFICATES, SERIES 2004-R9,**

Plaintiff,

vs.

**RICHARD NOYES;
MELISSA NOYES;
STATE OF OKLAHOMA ex rel
OKLAHOMA TAX COMMISSION; and
UNKNOWN OCCUPANTS, if any, of 115
MITCHELL DRIVE, ELK CITY, OK 73644;**

Defendants.

Case No. CJ-2023-80
Judge Jill C. Weedon

SPECIAL EXECUTION AND ORDER OF SALE

THE STATE OF OKLAHOMA TO THE SHERIFF OF BECKHAM COUNTY, OKLAHOMA:

GREETINGS:

WHEREAS, on August 15, 2023, in the above styled cause, the Court entered judgment to enforce a mortgage lien upon the following described real property, to-wit:

All of Lot Eight (8) in Block Six (6) of the PARKVIEW ANNEX ADDITION to the City of Elk City and East Eleven (11) Feet of Lot Nine (9) in Block Six (6) of the PARKVIEW ANNEX ADDITION to the City of Elk City, Beckham County, State of Oklahoma

Property Address: 115 Mitchell Drive, Elk City, OK 73644

the Plaintiff having a judgment *in personam* against Richard Noyes and *in rem* against the real estate and premises herein sued upon in the sum of \$100,707.93 comprised of a principal balance of \$87,677.51, accrued interest thereon through August 08, 2023 in the sum of \$3,020.84; accruing interest thereafter at 3.125% per annum or as adjusted by the Note and Mortgage until paid; the further sum of \$3,000.00 as a reasonable attorney's fee; and for all advances by the Plaintiff, if any, for taxes, insurance premiums, or expenses necessary for the preservation of the subject property; and for all costs of this action; and for any reasonable attorney's fees and costs incurring during the enforcement of the judgment; and a judgment of foreclosure of its first mortgage lien against the Defendant and to have said mortgage declared a valid first, prior and superior lien upon the real property, improvements, buildings, appurtenances, hereditament and all other rights appertaining thereto, as hereinabove described, for and in the amounts above set forth, and ordering said real property sold with appraisal, as provided in said mortgage by law, subject to real estate ad valorem taxes, if any, to satisfy said indebtedness secured thereby, and forever barring the Defendants from any right, title, equity or interest in or to said real estate therein described adverse to the

title of the purchaser at said sale, and that said lien be and the same is hereby foreclosed and the mortgage is hereby canceled in judgment; and,

WHEREAS, the judgment in favor of the Plaintiff remains wholly unpaid, and the Plaintiff has demanded a Special Execution and Order of Sale to issue in accordance with said judgment.

NOW, THEREFORE, you are hereby commanded to cause the said real property to be appraised and sold according to the judgment and law, subject to unpaid taxes and advanced preservation expenses, if any, and make return of this Order with your certificate thereon show the manner in which you have executed the same within sixty (60) days from the date hereof.

DATED this 18 day of Sept, 2023.

DONNA HOWELL, Court Clerk
Beckham County, Oklahoma

BY: DONNA HOWELL

