

ORIGINAL
RETURN TO COURT CLERK

ISSUED
On 6-5-23
Donna Howell, Court Clerk
Deputy

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

MILL CITY MORTGAGE LOAN TRUST
2019-GS1,

Plaintiff,

vs.

CASE NO. CJ-22-126

WILLIAM M. UPSHAW;
THRESA M. UPSHAW;
OCCUPANT(S) OF THE PREMISES;
STATE OF OKLAHOMA, EX REL.
OKLAHOMA TAX COMMISSION;
FARMERS UNION HOSPITAL
ASSOCIATION, INC., D/B/A GREAT
PLAINS REGIONAL MEDICAL
CENTER;
CITY OF ELK CITY;

Defendants.

ALIAS SPECIAL WRIT OF EXECUTION AND ORDER OF SALE

To the Sheriff of Beckham County, Oklahoma:

1. On February 1, 2023, the District Court for Beckham County, Oklahoma, entered a judgment, *in rem*, of and from William M. Upshaw & Thresa M. Upshaw, the balance due and owing on the note in the amount of \$72,574.69 in unpaid principal, with 4.275% fixed interest per annum thereon, or as adjusted by the Note and Mortgage, from January 1, 2021, until paid at the current amount of \$6,180.31, and a current per diem amount of \$8.31; accumulated late charges for each monthly payment not made when due in the amount of \$129.76; Insurance in the amount of \$31,858.96; Taxes in the amount of \$9,648.53; Corporate Advances in the amount of \$8,701.57; less and amount of \$23,548.90 in credits; less and amount of \$2,561.59 in Escrow funds at Loan Transfer; advances for taxes, insurance, and preservation expenses, accrued and accruing; abstracting expenses, accrued

and accruing; bankruptcy fees and costs, if any; and further judgment in rem, of and from all of the parties to this action, and each of them, and for all costs of this action and all necessary funds advanced by Plaintiff accrued and accruing hereafter through completion of this action.

2. The Court further ordered the following described real property to be foreclosed and directed the property to be sold with appraisalment:

Lot Four (4), in Block Two (2) of the CRESTVIEW ADDITION, to the City of Elk City, Beckham County, Oklahoma, less and except the South Eleven inches (11") of said Lot Four (4) according to the corrected plat of said Block Two (2).

with the buildings, improvements, appurtenances, hereditaments, and all other rights pertaining or belong to such real property.

3. The Court further ordered the proceeds of the sale applied as follows: first, to the payment of all costs and expenses of foreclosure; second to satisfy this judgment; and third, to the payment of the lien of the Defendant Farmers Union Hospital Association, Inc., d/b/a Great Plains Regional Medical Center in the amounts herein set out; and fourth, To the payment of the lien(s) of the Defendant State of Oklahoma, ex rel. Oklahoma Tax Commission in the amounts herein set out, and fifth, the surplus, if any, to be paid into Court.
4. YOU ARE HEREBY DIRECTED to cause the above described real property to be appraised and then sold according to law.
5. YOU ARE FURTHER DIRECTED to endorse on this Writ the date and time you received it. You are also directed to return this Writ to the Clerk of the Court within 60 days of the date shown below with a report showing how you executed it.

WITNESS my hand and seal of said Court this 5th day of June, 2023

DONNA HOWELL

Donna Howell, Court Clerk

by Audra Spurrance
Deputy Court Clerk



Received at 1 pm on this 7th day of June, 2023.

Derek Manning
Sheriff of Beckham County

by Sonya Blagg
Deputy Sheriff