

FILED

IN THE DISTRICT COURT WITHIN AND FOR DELAWARE COUNTY JUN 11 2024
STATE OF OKLAHOMA

KARMA SAPP
DELAWARE CO. COURT CLERK

CHICKASAW COMMUNITY BANK, F/K/A
BANK2

Plaintiff,

vs.

UNKNOWN SUCCESSORS OF SARAH
RABBIT, DECEASED, et al.

Defendant(s)

No: CJ-2023-12

BILL OF APPRAISERS

RE: Compensation for Appraisers in appraising the following described real estate situated in Delaware County, State of Oklahoma:

Legal description as given on SPECIAL EXECUTION AND ORDER OF SALE (With Appraisement), No. CJ-2023-12.

Physical Address: 20277 E 578 Road, Colcord, OK 74338

We, the undersigned appraisers, in valuation and appraisement of the above described real property, state that we have valued and appraised said property as set forth in the Report of Appraisers attached hereto and our charges for appraising the same are as follows:

| | | |
|-------------------------|--------------------------------------|----------------------------|
| <u>LeRoy Hendren</u> | <u>PO Box 373 Jay, OK 74346</u> | <u>150⁰⁰</u> |
| Name | Address | Charges |
| <u>Virginia Hendren</u> | <u>P.O. Box 373, Jay, OK 74346</u> | <u>\$150.⁰⁰</u> |
| Name | Address | Charges |
| <u>VIRGIL McLAIN</u> | <u>2506 SUMAC RD. GRANE OK 74341</u> | <u>150.⁰⁰</u> |
| Name | Address | Charges |

Dated this 4TH day of June, 2024.

LeRoy Hendren
Appraiser

Virginia Hendren
Appraiser

Virgil McLain
Appraiser

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Defendant(s)

No: CJ-2023-12

APPRAISEMENT OF REAL ESTATE UNDER EXECUTION

THE STATE OF OKLAHOMA TO:

1. Le Roy Hendren
2. Virginia Hendren
3. VIRGIL MCLAIN

APPOINTMENT: YOU ARE HEREBY APPOINTED as appraisers to inquire into and, upon actual view, make and return to me a fair and impartial estimate of the real value of the lands and tenements below described, by me levied upon by virtue of a special execution issued in the above entitled cause.

Dated this 4th day of June, 2024.

Delaware County Sheriff
Delaware County, Oklahoma

By: [Signature]
DEPUTY

OATH: I am not interested in the above matter, and I will, upon actual view thereof make and return a fair and impartial estimate of the real value of the lands and tenements.

[Signature]
APPRAISER

Virginia Hendren
APPRAISER

Virgil McLain
APPRAISER

COPY

| DESCRIPTION OF LANDS LEVIED UPON | APPRAISED VALUE: |
|---|--|
| Lot 4, Cedar Creek Estates #2, a Subdivision, according to the recorded plat thereof, Delaware County, Oklahoma | \$ <u>36,000⁰⁰</u> |
| 20277 E 578 ROAD COLCORD, OK 74338 | Occupied _____ Vacant <input checked="" type="checkbox"/> |

APPRAISERS RETURN: We, the undersigned appraisers, hereby certify that we have upon actual view thereof, appraised the described lands and tenements and estimated the real value thereof to be the sums set opposite the description of each tract set forth in the above inventory, and estimated at the total sum of \$ 36,000⁰⁰.

Witness our hands this 4TH day of JUNE, 2024.

[Signature]
APPRAISER

[Signature]
APPRAISER

[Signature]
APPRAISER

COPY

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JUN 11 2024

NOTICE OF SHERIFF'S SALE
CJ-2023-12

KARMA SAPP
DELAWARE CO. COURT CLERK

Notice is given that on the 5TH day of August, 2024, at 10:00 a.m., at the North door of the County Courthouse, Delaware County, Oklahoma, the Sheriff will offer for sale and sell, with appraisal, at public auction, to the highest and best bidder, all that certain real estate in Delaware County, Oklahoma,:

Lot 4, Cedar Creek Estates #2, a Subdivision, according to the recorded plat thereof, Delaware County, Oklahoma

subject to unpaid taxes, and all amounts set forth in the judgment granted herein, said property having been duly appraised at \$ 36,000 -. Sale will be made pursuant to a Special Execution and Order of Sale issued in accordance with judgment entered in the District Court of Delaware County, Oklahoma, in Case No. CJ-2023-12, titled **Chickasaw Community Bank F/K/A Bank2 vs Kevin Rabbit, Cherokee Nation, LVNV Funding, LLC, Evelyn Proctor, Co-Special Administrator of the Estate of Sarah Ann Rabbit, Deceased, Phillip Proctor, Co-Special Administrator of the Estate of Sarah Ann Rabbit, Deceased and Sarah Rabbit**, being all of the Defendants and persons holding or claiming any interest in lien in the subject property.

Delaware County Sheriff
Delaware County, Oklahoma

By: 
DEPUTY

Don Timberlake - # 9021
Kim S. Jenkins - # 32809
Gina D. Knight - # 12996
Chynna Scruggs - # 32663
BAER & TIMBERLAKE, P.C.
5901 N. Western, Suite 300
Oklahoma City, OK 73118
Telephone: (405) 842-7722
Email: mail@baertimberlake.com

INSTRUCTIONS TO PUBLISHER: _____,
Publish once a week for two consecutive weeks. **Furnish one printed copy of the Notice to Attorney for Plaintiff immediately after the first publication.** First publication of the Notice must be more than thirty (30) days prior to the date of the Sheriff's Sale, in accordance with 12 O.S. §764.

COPY

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IN THE DISTRICT COURT WITHIN AND FOR DELAWARE COUNTY MAY 13 2024
STATE OF OKLAHOMA

KARMA SAPP
DELAWARE CO. COURT CLERK

CHICKASAW COMMUNITY BANK F/K/A
BANK2

Plaintiff,

vs.

UNKNOWN SUCCESSORS OF SARAH
RABBIT, DECEASED, et al.

Defendant(s)

No: CJ-2023-12

SPECIAL EXECUTION AND ORDER OF SALE
(WITH APPRAISEMENT)

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

GREETINGS:

WHEREAS, on the 2nd day of May, 2024, in the above action, the Plaintiff recovered a judgment **in personam** of and from Kevin Rabbit in the amount of \$40,271.17, with interest thereon at a rate of 5.500% per annum, from March 1, 2022, until paid; Plus abstract and title expenses; a reasonable attorney fee in the amount of \$4,000.00 as provided for in the Note and Mortgage, and further judgment **in rem**, of and from all of the parties to this action, and each of them, for all costs of this action, all necessary funds advanced by Plaintiff accrued and accruing hereafter through completion of this action and all other amounts that are recoverable under the Note and Mortgage, and that said amounts are secured by the Mortgage and constitute a first, prior and superior lien upon the Real Property, and that any and all right, title or interest which the parties have in and to this cause, or any of them have or claim to have in said Real Property, is subsequent, junior and inferior to the Mortgage and lien of the Plaintiff, except of any unpaid real property ad valorem taxes and/or special assessments which are superior by law.

YOU ARE HEREBY COMMANDED to levy upon and cause to be appraised and sold, subject to unpaid taxes, in accordance with said judgment, and as by law required, the following described lands and tenements situated in Delaware County, State of Oklahoma, and described as follows:

Lot 4, Cedar Creek Estates #2, a Subdivision, according to the recorded plat thereof, Delaware County, Oklahoma

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.

COPY

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 13th day of May, 2024.

Delaware County Court Clerk,

By: Matasha Isaac
DEPUTY

Property Address:

20277 E 578 ROAD
COLCORD, OK 74338

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SHERIFF'S RETURN

I RECEIVED this writ this ____ day of _____, 2024, and pursuant to the commands thereof, I did levy the upon the real estate described, and did cause the property to be appraised by three disinterested persons, after administering to them an oath of impartiality to appraise the property, upon actual view, and the persons did return an estimate of the real value of the property, and I did file a copy of the estimate with the Clerk of the District Court, whence the execution issued.

On the ___ day of _____, 2024 at ____:_____, I offered the property for sale pursuant to the notice of sale, at public auction, with appraisement, to the highest bidder, and sold the property to _____, for the sum of \$ _____, being the highest and best bid, and being in excess of two-thirds of the appraised value of the property.

I hereby certify the above to be the times and manner of executing the within writ.

Dated and returned into Court this ____ day of _____, 2024.

Delaware County Sheriff
Delaware County, Oklahoma

By: _____
DEPUTY