

**FILED**

**IN THE DISTRICT COURT OF DELAWARE COUNTY**

SEP 11 2023

**STATE OF OKLAHOMA**

DELAWARE CO. COURT CLERK

**CARSON COMMUNITY BANK,** )  
**Plaintiff;** )

vs. )

**Case No. CJ-2023-82**

**CLARENCE L. NEWBY,** )  
**Defendant.** )

**SPECIAL EXECUTION AND ORDER  
OF SALE WITH APPRAISEMENT**

THE STATE OF OKLAHOMA TO: The Sheriff of Delaware County,  
Oklahoma

GREETINGS:

**WHEREAS,** Plaintiff above named, on the 7th day of September, 2023, in an action then pending in the District Court of Delaware County, Oklahoma, to enforce the mortgage lien upon the following described premises situated in said County, Oklahoma, to-wit:

The N½ NE¼ NW¼ NW¼ and the N½ NW¼ NE¼ NW¼ of Section 25, Township 21 North, Range 24 East, Delaware County, Oklahoma. Subject to any and all easements.  
LESS AND EXCEPT:

A tract of land located in the NW¼ NE¼ NW¼ of Section 25, Township 21 North, Range 24 East, Delaware County, Oklahoma, described as: Beginning at the NE corner of the said NW¼ NE¼ NW¼; thence West 417.42 feet; thence South 104.35 feet; thence East 417.42 feet; thence North 104.35 feet to the point of beginning.

recovered judgment in its cause of action against the Defendants, finding there was due the sum of **\$44,379.35** plus attorney's fees, abstract costs, court costs, and all fees accrued and accruing, all of which remains unpaid, and for the foreclosure on the said property to satisfy said judgment, same to be sold free and clear of claims of all Defendants.

**NOW, THEREFORE**, you are hereby commanded to cause the said land and tenements of said Defendant to be appraised, advertised and sold according to law, subject to real property ad valorem taxes, if any, and you are to make return of this order with your certificate thereon showing the manner in which you have executed the same within sixty (60) days from the date thereof.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of said Court at my office in said county this 11 day of September, 2023.

**Delaware County Court Clerk**

R. Hopkins

(SEAL)

Approved as to Form:

J. Lance Hopkins

J. Lance Hopkins, OBA No. 14852  
219 W. Keetoowah  
Tahlequah, OK 74464  
Tel. (918) 456-8603 918-630-7547  
Lance.hopkinslaw@yahoo.com  
Attorney for Plaintiff

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CARSON COMMUNITY BANK, )  
Plaintiff; )

vs. )

Case No. CJ-2023-82

CLARENCE L. NEWBY, )  
Defendant. )

PRAECIPE FOR ORDER OF SALE

TO: The Court Clerk of Delaware County, Oklahoma:

You will please issue an Order of Sale in mortgage foreclosure against the described property situated in Delaware County, Oklahoma, to-wit:

The N½ NE¼ NW¼ NW¼ and the N½ NW¼ NE¼ NW¼ of Section 25, Township 21 North, Range 24 East, Delaware County, Oklahoma. Subject to any and all easements.  
LESS AND EXCEPT:

A tract of land located in the NW¼ NE¼ NW¼ of Section 25, Township 21 North, Range 24 East, Delaware County, Oklahoma, described as: Beginning at the NE corner of the said NW¼ NE¼ NW¼; thence West 417.42 feet; thence South 104.35 feet; thence East 417.42 feet; thence North 104.35 feet to the point of beginning.

as ordered in the Journal Entry of Judgment on behalf of Plaintiff rendered and entered in the above-entitled cause dated 7th day of September, 2023, and direct the same to the Sheriff of Delaware County, Oklahoma, to be executed according to law with appraisalment, same to be sold as requested by the Plaintiff.

DATED 11 day of September, 2023.

  
\_\_\_\_\_

J. Lance Hopkins  
Oklahoma Bar No. 14852  
219 W. Keetoowah  
Tahlequah, OK 74464  
Tel. (918) 456-8603  
Attorney for Plaintiff

IN THE DISTRICT COURT OF DELAWARE COUNTY  
STATE OF OKLAHOMA

**FILED**

SEP 20 2023

KARMA SAPP  
DELAWARE CO. COURT CLERK

CARSON COMMUNITY BANK, )  
Plaintiff; )  
)  
vs. )  
)  
CLARENCE L. NEWBY, )  
Defendant. )

Case No. CJ-2023-82

**NOTICE OF SHERIFF'S SALE**

Notice is hereby given that in pursuance of a Special Execution and Order of Sale issued out of the District Court of Delaware County, Oklahoma, in an action wherein Carson Community Bank was the Plaintiff and Clarence L. Newby was the Defendants, directed to me, the undersigned Sherriff of said County commanding him to levy upon and sell with appraisalment the following described real property in said County to-wit:

The N½ NE¼ NW¼ NW¼ and the N½ NW¼ NE¼ NW¼ of Section 25, Township 21 North, Range 24 East, Delaware County, Oklahoma. Subject to any and all easements.  
LESS AND EXCEPT:

A tract of land located in the NW¼ NE¼ NW¼ of Section 25, Township 21 North, Range 24 East, Delaware County, Oklahoma, described as: Beginning at the NE corner of the said NW¼ NE¼ NW¼; thence West 417.42 feet; thence South 104.35 feet; thence East 417.42 feet; thence North 104.35 feet to the point of beginning.

to satisfy a judgment and decree of mortgage foreclosure in favor of said Carson Community Bank, obtained and made in said Court on the 7th day of September, 2023, on its cause of action.

Said Sheriff will, on the 13<sup>TH</sup> day of November, 2023, at the hour of

10, A M. of said day at the front door of the County Courthouse in the

aforementioned County, offer for sale and sell to the highest bidder for cash, the said property above described, or as much thereof as will satisfy said judgment with interest, costs and attorney's fees accrued and accruing. Said property has been duly appraised at \$ 30,000 .

WITNESSETH my hand this 20<sup>TH</sup> day of September 2023.

**Delaware County Sherriff**

By: \_\_\_\_\_

J. Lance Hopkins  
Oklahoma Bar No. 14852  
219 W. Keetoowah  
Tahlequah, OK 74464  
Tel. (918) 456-8603  
Lance.hopkinslaw@yahoo.com  
Attorney for Plaintiff

NOTE TO PUBLISHER: \_\_\_\_\_

Publish once a week for two consecutive weeks, the first publication date to be at least thirty (30) days prior to the date of the Sheriff's Sale. On Publication, send copy to Plaintiff's attorney.

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STATE OF OKLAHOMA

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KARMA SAPP  
DELAWARE CO. COURT CLERK

CARSON COMMUNITY BANK, )  
Plaintiff; )

vs. )

Case No. CJ-2023-82

CLARENCE L. NEWBY, )  
Defendant. )

BILL OF APPRAISERS

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

The N $\frac{1}{2}$  NE $\frac{1}{4}$  NW $\frac{1}{4}$  NW $\frac{1}{4}$  and the N $\frac{1}{2}$  NW $\frac{1}{4}$  NE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 25, Township 21 North, Range 24 East, Delaware County, Oklahoma. Subject to any and all easements.  
LESS AND EXCEPT:

A tract of land located in the NW $\frac{1}{4}$  NE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 25, Township 21 North, Range 24 East, Delaware County, Oklahoma, described as: Beginning at the NE corner of the said NW $\frac{1}{4}$  NE $\frac{1}{4}$  NW $\frac{1}{4}$ ; thence West 417.42 feet; thence South 104.35 feet; thence East 417.42 feet; thence North 104.35 feet to the point of beginning.

We, the undersigned appraisers in appraising the above-described real property, state that we have appraised said property as set forth in the Appraisal attached hereto and our charges for appraising the same are as follows:

Sabrina Yocham P.O. Box 1564, Jay OK 74346 \$150.00  
Name Address Charges

Pam L Bohall 1107 Ridgerunner Ct Jay OK 74346  
Name Address Charges \$150.00

Lucinda Sixkiller 1812 E. 431 Rd. \$150.<sup>00</sup>  
Name Address Charges  
Encha, OK 74342



DATED this 18<sup>th</sup> day of September, 2023.

Quinn Boham  
Appraiser

Pam Boham  
Appraiser

Flora Kill  
Appraiser

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VALUATION AND APPRAISAL OF PROPERTY

STATE OF OKLAHOMA  
COUNTY OF DELAWARE

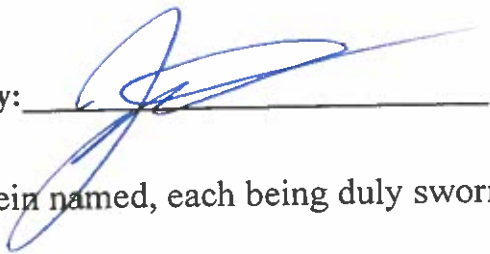
THE STATE OF OKLAHOMA TO:

Sabrina Yocham  
Pam Bohall  
Lucinda Sixkiller

**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 and Order of Sale issued in the above entitled cause.

Dated this 15th day of September, 2023.

Delaware County Sherriff

By: 

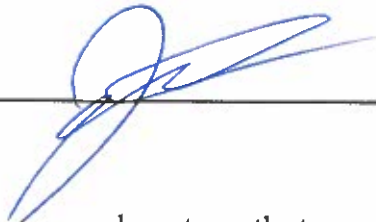
**OATH:** We, the undersigned appraisers herein named, each being duly sworn, upon oath say that we are disinterested householders, residents of Delaware County, Oklahoma, and that we impartially appraise upon actual view, the

property levied on by the Sheriff of said County for which we have been summoned.

Jacobus Cochran Pamela Bohall Al Sixkill  
APPRAISER APPRAISER APPRAISER

Subscribed and sworn to this 15<sup>th</sup> day of September, 2023.

**Delaware County Sherriff**

By: 

**APPRAISAL:** We, after being first sworn, do return that upon actual view of said premises and after having been on said premises, we find and estimate the same to be of total value and appraisement of \$ 30,000-, the said property being described and separately appraised as follows, to-wit:

Witness our hands this 15<sup>th</sup> day of September, 2023.

Jacobus Cochran Pamela Bohall Al Sixkill  
APPRAISER APPRAISER APPRAISER