

FILED

MAY 21 2024

KARMA SAPP
DELAWARE CO. COURT CLERK

**IN THE DISTRICT COURT IN AND FOR DELAWARE COUNTY
STATE OF OKLAHOMA**

Flint Ridge Property Owners Association, Inc.,)
an Oklahoma Corporation,)
)
Plaintiff,)

vs.)

Case No. CS-2024-106

Christi L. Rogers and the Unknown Heirs,)
Successors and Assigns of Mayes E. Rogers, II,)
Deceased, Joshua Rogers, Kyle Watkins,)
Devon Watkins and Delaware County Treasurer,)
)
Defendants.)

SPECIAL EXECUTION AND ORDER OF SALE

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

Greetings:

WHEREAS, on the 16th day of May, 2024, in the above entitled and numbered cause, Flint Ridge Property Owners Association, Inc. recovered judgment against the Defendant Christi L. Rogers *in personam* and *in rem* and all other Defendants *in rem* in the amount of \$4,720.00, together with additional assessments accruing from and after March 1, 2024, penalties, interest, costs and attorney fees of \$2,500.00 and all costs of the action accrued and accruing; and a further judgment finding that the Lien of Flint Ridge POA is a valid, subsisting first and prior lien upon the Real Property hereinafter described and ordering that if said judgment be not paid, that a Special Execution issue from the office of the Court Clerk, directed to the Sheriff of Delaware County, commanding such Sheriff to levy upon, advertise and sell said real property, with appraisement, as provided by law; and whereas, the judgment in favor of the Plaintiff remains wholly unpaid and the Plaintiff has requested a Special Execution and Order of Sale to issue in accordance with said judgment. Reference is made to the Journal Entry of Judgment for further particulars regarding the judgment and lien priorities.

NOW, THEREFORE, these are to command you to levy upon and cause to be appraised, advertised and sold, subject to unpaid taxes, if any, 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, to-wit:

**Lot One Hundred Eighty-Three (183), WALNUT HILL AREA,
FLINT RIDGE NO. 4, Block Sixteen (16), a Subdivision in**

Delaware County, Oklahoma, according to the recorded plat thereof; Together with Manufactured Housing: 1999 Fleetwood, Model Ston 4643C, 80 x 24, Serial No. TNFLW27AB18648SR13.

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. **YOU WILL** make due return of this writ, with your proceedings endorsed thereon.

21 WITNESS, my hand and official seal, at my office in Delaware County, Oklahoma, this day of May, 2024.

KARMA SAPP, Court Clerk

By:

R. Halestuit
Deputy

Tommy R. Dyer Jr., O.B.A. #13594
DAVIS & THOMPSON, PLLC
P.O. Box 487
Jay, Oklahoma 74346
Telephone: (918) 801-4454/(918)253-4220
Fax: (918) 801-4493
Email: tommy@davisandthompson.net
Attorney for Plaintiff

IN THE DISTRICT COURT IN AND FOR DELAWARE COUNTY
STATE OF OKLAHOMA

FILED

JUN 11 2024

KARMA SAPP
DELAWARE CO. COURT CLERK

Flint Ridge Property Owners Association, Inc.,)
an Oklahoma Corporation,)
)
Plaintiff,)
)
vs.)
)
Christi L. Rogers and the Unknown Heirs,)
Successors and Assigns of Mayes E. Rogers, II,)
Deceased, Joshua Rogers, Kyle Watkins,)
Devon Watkins and Delaware County Treasurer,)
)
Defendants.)

Case No. CS-2024-106

NOTICE OF SHERIFF'S SALE

NOTICE is hereby given that on the 5th day of August, 2024, at 10:00 a.m., at the front door of the Courthouse at Delaware County, Oklahoma, the undersigned Sheriff of said County of Delaware will offer for sale and sell for cash at time of sale at public auction to the highest and best bidder, with appraisalment, that certain real property situated in Delaware County, Oklahoma, to-wit:

Lot One Hundred Eighty-Three (183), WALNUT HILL AREA, FLINT RIDGE NO. 4, Block Sixteen (16), a Subdivision in Delaware County, Oklahoma, according to the recorded plat thereof; Together with Manufactured Housing: 1999 Fleetwood, Model Ston 4643C, 80 x 24, Serial No. TNFLW27AB18648SR13.

subject to taxes and tax sales, said property being duly appraised at a value of \$ 6,000.-

Sale will be made pursuant to an Order of Sale issued upon a Judgment entered in the District Court of Delaware County, Oklahoma, in Case No. CS-2024-106 in favor of Flint Ridge Property Owners Association, Inc. and against the Defendant Christi L. Rogers *in personam* and *in rem* and all other Defendants *in rem* in the amount of \$4,720.00, together with additional assessments accruing from and after March 1, 2024, penalties, interest, costs and attorney fees of \$2,500.00 and all costs of the action accrued and accruing; and a further judgment finding that the lien of Flint Ridge POA is a valid, subsisting first and prior lien upon the real property above described, and ordering that if said judgment be not paid, that a Special Execution issue from the office of the Court Clerk, directed to the Sheriff of Delaware County, commanding such Sheriff to levy upon, advertise and sell said real property, with appraisalment, as provided by law; and whereas, the judgment in favor of the Plaintiff remains wholly unpaid and the Plaintiff has requested a Special Execution and

Order of Sale to issue in accordance with said judgment.

WITNESS my hand this 4th day of June, 2024.



~~James Beck~~ Nick O'Neal
Under Sheriff of Delaware County, Oklahoma

Tommy R. Dyer Jr., O.B.A. #13594
DAVIS & THOMPSON, PLLC
P.O. Box 487
Jay, Oklahoma 74346
Telephone: (918) 801-4454/(918)253-4220
Fax: (918) 801-4493
Email: tommy@davisandthompson.net
Attorney for Plaintiff

Publish 2 times—the first publication must be 30 days before sale date.

PLEASE PUBLISH IN *THE GROVE SUN*

INSTRUCTIONS TO PUBLISHER: *THE GROVE SUN*, Please contact above office and request that *Notice of Sheriff's Sale* **be emailed to you** to insure correct legal description. 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 this Notice must be more than thirty (30) days prior to the date of the Sheriff's Sale, in accordance with 12 O.S. § 764.

FILED

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

KARMA SAPP
DELAWARE CO. COURT CLERK

Flint Ridge Property Owners Association, Inc.,)
an Oklahoma Corporation,)
)
Plaintiff,)
)
vs.)
)
Christi L. Rogers and the Unknown Heirs,)
Successors and Assigns of Mayes E. Rogers, II,)
Deceased, Joshua Rogers, Kyle Watkins,)
Devon Watkins and Delaware County Treasurer,)
)
Defendants.)

Case No. CS-2024-106

OATH OF APPRAISERS

I, individually, am a resident householder of Delaware County, Oklahoma, and am not interested in this matter; I will, upon actual view thereof, make and return a fair and impartial estimate of the real value of the property as described in the Special Execution and Order of Sale, so help me God.







STATE OF OKLAHOMA)
) ss
COUNTY OF DELAWARE)

I do certify that the above-named appraisers are disinterested householders, residents of Delaware County in said State and were by me duly summoned and sworn impartially to appraise the above-described real property upon actual view thereof this 4th day of JUNE, 2024.


~~James Book~~ Nick ONeal
Under Sheriff of Delaware County, Oklahoma

FILED

IN THE DISTRICT COURT IN AND FOR DELAWARE COUNTY
STATE OF OKLAHOMA

JUN 11 2024

KARMA SAPP
DELAWARE CO. COURT CLERK

Flint Ridge Property Owners Association, Inc.,)
an Oklahoma Corporation,)

Plaintiff,)

vs.)

Case No. CS-2024-106

Christi L. Rogers and the Unknown Heirs,)
Successors and Assigns of Mayes E. Rogers, II,)
Deceased, Joshua Rogers, Kyle Watkins,)
Devon Watkins and Delaware County Treasurer,)

Defendants.)

VALUATION AND APPRAISAL OF PROPERTY

We, LeRoy Hendren, Virginia Hendren and VIRGIL MCCLAIN, disinterested householders residing in Delaware County, State of Oklahoma, having been by the Sheriff of said County of Delaware, duly summoned to appraise the property levied on in this case, 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 the total value as set forth to-wit:

Lot One Hundred Eighty-Three (183), WALNUT HILL AREA, FLINT RIDGE NO. 4, Block Sixteen (16), a Subdivision in Delaware County, Oklahoma, according to the recorded plat thereof; Together with Manufactured Housing: 1999 Fleetwood, Model Ston 4643C, 80 x 24, Serial No. TNFLW27AB18648SR13.

Appraised Value: \$ 6,000⁰⁰

Dated: 6-4-2024

Bill of Appraisers:

Fee: 150⁰⁰

LEROY HENDREN
PO BOX 373
JAY OK 74346

Fee: \$150.⁰⁰


Virginia Hendren
P.O. Box 373
Jay, OK 74346

Fee: 150.⁰⁰

VIRGIL McILAIN
2506 SUMAC RD.
GROVE OK 74344

STATE OF OKLAHOMA)
) ss
COUNTY OF DELAWARE)

I do certify that the above-named appraisers are disinterested householders, residents of Delaware County in said State and were by me duly summoned and sworn impartially to appraise the above-described real property upon actual view thereof this 4~~th~~ day of JUNE, 2024.


~~James Book~~ Nick O'Neal
under Sheriff of Delaware County, Oklahoma

FILED

IN THE DISTRICT COURT IN AND FOR DELAWARE COUNTY
STATE OF OKLAHOMA

MAY 16 2024

KARMA SAPP
DELAWARE CO. COURT CLERK

Flint Ridge Property Owners Association, Inc.,)
an Oklahoma Corporation,)

Plaintiff,)

vs.)

Case No. CS-2024-106

Christi L. Rogers and the Unknown Heirs,)
Successors and Assigns of Mayes E. Rogers, II,)
Deceased, Joshua Rogers, Kyle Watkins,)
Devon Watkins and Delaware County Treasurer,)

Defendants.)

JOURNAL ENTRY OF JUDGMENT

NOW, on this 16 day of May, 2024, the above-styled and numbered action came on for hearing before the undersigned District Judge. The Plaintiff appeared by and through its attorney, Tommy R. Dyer, Jr., the Defendant Christi L. Rogers, having been duly served with Summons and Petition on March 9, 2024, appears not and is in default, the Defendants Joshua Rogers, Kyle Watkins and Devon Watkins, having each been duly served with Summons and Petition on March 9, 2024, appear not and are each in default; and Defendant Delaware County Treasurer, having been duly served with Summons and Petition on March 8, 2024, appears not and is in default. The Defendants, the Unknown Heirs, Successors and Assigns of Mayes E. Rogers, II, deceased, all having been served by publication notice, appear not.

The Court conducted a judicial inquiry into the sufficiency of Plaintiff's search to determine the whereabouts of the Defendants Unknown Heirs, Successors and Assigns of Mayes E. Rogers, II, deceased, said Defendants having been served herein by publication, and based on the evidence produced, the Court FINDS that the Plaintiff has exercised due diligence and has conducted a meaningful search of all reasonably available sources at hand. The Court approves the publication service given herein as meeting both statutory requirements and the minimum standards of state and federal due process. Said nonappearing Defendants are hereby adjudged to be in default.

Having carefully examined the pleadings and records on file in this action, and being fully advised in the premises, the Court FINDS that all of the allegations of Plaintiff's Petition are true, and the Court specifically FINDS, and it is **THEREFORE ORDERED, ADJUDGED AND DECREED:**

1. Flint Ridge POA is an Oklahoma corporation with its principal place of business in Delaware County, Oklahoma.

COPY

2. Mayes E. Rogers, II, now deceased, and Christi L. Rogers (“Rogerses”) are the owners of real property located in the Flint Ridge Subdivision located in Delaware County, Oklahoma.

3. Pursuant to the Deed of Dedication covering the Flint Ridge Subdivision, Rogerses are obligated to pay monthly assessments to Flint Ridge POA. Rogerses failed to pay the sums due and owing to Flint Ridge POA and Flint Ridge POA filed a Lien against the real property.

4. The real property which is the subject matter of this lawsuit is located in Delaware County, Oklahoma, and thus venue is proper.

5. Rogerses are the record owners of the following-described real property located in Delaware County, Oklahoma, to-wit:

Lot One Hundred Eighty-Three (183), WALNUT HILL AREA, FLINT RIDGE NO. 4, Block Sixteen (16), a Subdivision in Delaware County, Oklahoma, according to the recorded plat thereof; Together with Manufactured Housing: 1999 Fleetwood, Model Ston 4643C, 80 x 24, Serial No. TNFLW27AB18648SR13.

(hereinafter the “Real Property”).

6. The Real Property is subject to a Deed of Dedication and certain restrictive covenants which created Flint Ridge POA and imposed upon each owner a contractual obligation to pay monthly assessments. In accordance with the Declaration, Flint Ridge POA has adopted Bylaws and has, from time to time, established the amount of the monthly assessments due and owing by each owner.

7. Rogerses are presently indebted to Flint Ridge POA for assessments and penalties in the amount of \$4,720.00, together with additional assessments accruing from and after March 1, 2024, penalties, interest, costs and attorney fees.

8. As a result of Rogerses’ breach of their obligations imposed by the Deed of Dedication and Bylaws, Flint Ridge POA has been damaged and is entitled to judgment in the amount of \$4,720.00, together with additional assessments accruing from and after March 1, 2024, penalties, interest, costs and attorney fees.

9. In accordance with the Deed of Dedication and Bylaws, Flint Ridge POA recorded its Lien against the Real Property on August 24, 2022, in Book 2454 at Page 806 of the records of the Delaware County Clerk.

10. The amount presently due and owing to Flint Ridge POA under the Lien is \$4,720.00, together with additional assessments accruing from and after March 1, 2024, penalties, interest, costs and attorney fees.

11. As a result of default by Rogerses in payment of the sums owing in accordance with the Deed of Dedication and Bylaws, Flint Ridge POA is entitled to foreclosure of its Lien and sale of the Real Property.

12. Mayes E. Rogers, II departed this life on or about May 23, 2016. To the best of Flint Ridge POA's knowledge he was survived by his wife, Christi Rogers, and three sons, Joshua Rogers, Kyle Watkins and Devon Watkins.

13. The unknown heirs, successors and assigns of Mayes E. Rogers, II, deceased, including Christi Rogers, Joshua Rogers, Kyle Watkins, and Devon Watkins, may claim some right, title or interest in and to the Real Property but their claims are junior and inferior to the Lien of Flint Ridge POA.

14. The Delaware County Treasurer records indicate that all taxes have been paid.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that judgment should be and is hereby granted in favor of Flint Ridge Property Owners Association, Inc. and against the Defendant Christi L. Rogers *in personam* and *in rem* and all other Defendants *in rem* in the amount of \$4,720.00, together with additional assessments accruing from and after March 1, 2024, penalties, interest, costs and attorney fees of \$2,500.00.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Flint Ridge POA holds a valid first lien secured by the Real Property described above, together with all buildings and improvements situated thereon.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the lien of Flint Ridge POA should be and is hereby foreclosed and that the Sheriff of Delaware County, Oklahoma, should be and is hereby ordered to levy upon the above-described property and, after having the same appraised as provided by law, to proceed to advertise and sell the same according to law and to apply the proceeds arising from the sale as follows:


- (A) To the payment of the costs of said sale and the cost of this action;
- (B) To the payment of the judgment in favor of Flint Ridge POA together with their costs and attorney fees, accrued and accruing; and
- (C) The balance, if any, to be held by the Court pending the further Order of this Court.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that any right, title or interest in which the Defendants have or claim to have in or to said Real Property and premises is subsequent, junior and inferior to the lien of Flint Ridge POA and that from and after the sale of said Real Property, that said Defendants and all persons claiming under them be forever barred and

foreclosed of any and all liens, right, title, interest, equity or estate in and to said Real Property.



JUDGE OF THE DISTRICT COURT



Tommy R. Dyer Jr., O.B.A. #13594
DAVIS & THOMPSON, PLLC
P.O. Box 487
Jay, Oklahoma 74346
Telephone: (918) 801-4454/(918)253-4220
Fax: (918) 801-4493
Email: tommy@davisandthompson.net
Attorney for Plaintiff