

226023 C.J.

COMPARED

SHERIFF'S DEED ON EXECUTION.

INTERNAL REVENUE

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Cancelled

442

This Indenture, Made this 28th day of March, 1923, between R. D. Sanford, as Sheriff of the county of Tulsa, in the State of Oklahoma, party of the first part, and E. T. Witty, of the county of Tulsa, Oklahoma, party of the second part;

WITNESSETH: That, whereas, by virtue of a writ of execution issued out of and under the seal of the District Court of the Tulsa County, of the State of Oklahoma, in and for Tulsa County, attested the 16th day of February, 1923, upon a judgment for the sum of \$6328.49 and costs \$50.00, recovered in said court on the 5th day of December, 1921, in case No. 12768, and duly docketed in said court, said judgment being in favor of Mid Continent Motor Securities Company, and against R. B. Drake; said writ being to the sheriff of said county directed and delivered, commanding him that of the personal property of the said judgment debtor in his county, he should cause to be made certain moneys in said writ specified, and if sufficient personal property of the said judgment debtor, R. B. Drake, could not be found, then he should cause the amount of said judgment, with costs, to be made of the real property in said county belonging to said judgment debtor, not exempt from execution, on the 5th day of December, 1921, or at any time thereafter.

And whereas, sufficient personal property of said judgment debtor could not be found, whereof he, the said Sheriff, could cause to be made the money specified in the writ, therefore he, the said sheriff, did in obedience to said command, levy on, take and seize all the right, title and interest which the said judgment debtor so had, in and to the lands, tenements, real estate and premises hereinafter particularly set forth and described, with the appurtenances, said levy being made on the 19th day of February, 1923; and said sheriff thereupon on the said date did call an inquest of three disinterested householders resident within the said county of Tulsa, State of Oklahoma, and administered to them an oath impartially to appraise the property so levied, upon actual view thereof, and the said householders having duly and as directed appraised the said property, to-wit:

an undivided one half interest in and to Lot Nineteen (19) of Block Five (5) of Maywood addition to the City of Tulsa, Tulsa County, Oklahoma, according to the recorded plat thereof,

forthwith made and returned to said Sheriff under their hands, an estimate and appraisement of the real value of said property; which said appraisers fixed at One Thousand dollars, and on receipt of said appraisement, the sheriff deposited a copy thereof with the clerk of said court.

And, whereas, said sheriff thereupon advertised said property for sale by giving due and legal notice of the time and place of sale, and the property to be sold, by advertising the same in the Tulsa Daily Legal News, a newspaper of general circulation, printed and published in said county of Tulsa, once a week for at least thirty days prior to the day of sale, which was the 26th day of March, 1923; and by posting an advertisement of said sale at the court house door, and at five other public places in the County, two of which were in the township where said property was situated.

And whereas, on the 26th day of March, 1923, pursuant to said notice of sale, the sheriff did offer the said property for sale at public auction at the west front door of the Court House in the City of Tulsa, in said County of Tulsa, at the hour of two o'clock P. M. at which sale the said property was sold and struck off to the said E. T. Witty, the party of the second part, for Six Hundred Sixty Seven dollars (\$667.00), the said E. T. Witty, being the highest bidder, and that being the highest sum bidden, and the whole price paid for same, and being more than two-thirds of the appraised value thereof.

And, whereas, the said sheriff having made return of said execution into said