

FILED IN DISTRICT COURT
OKLAHOMA COUNTY

IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

SEP - 7 2016

RICK WARREN
COURT CLERK

34 _____

OKLAHOMA DEPARTMENT OF SECURITIES)
ex rel. IRVING L. FAUGHT, administrator,)
)
Plaintiff,)
)
v.)
)
SEABROOKE INVESTMENTS, LLC, an Oklahoma)
limited liability company, et al.,)
)
Defendants.)

Case No. CJ-2014-4515

**AGREED ORDER CLARIFYING FINAL ORDER AS TO THE WEATHERFORD-
TIMBER CREEK PROPERTIES AND RELEASING THOSE
PROPERTIES FROM THE RECEIVERSHIP ESTATE**

This matter comes on for consideration pursuant to the Application to Clarify Final Order and Permanent Injunction as to the Weatherford-Timber Creek Properties and Releasing Those Properties from the Receivership Estate (hereafter, the "Application") filed by Bank SNB, an Oklahoma state banking corporation, successor by merger with First Commercial Bank ("Bank SNB").

In the Application, Bank SNB requested that the Court Clarify the Final Order and Permanent Injunction (the "Final Order") filed on December 21, 2015. Specifically, Bank SNB requested that the Court clarify that no injunction remains which would prevent Bank SNB from foreclosing its mortgage or otherwise enforcing its contractual rights with respect to the defendants and/or following described real property:

A tract of land lying the NE/4 of Section (9), Twonship (12), Range (14) West, I.M., Custer County, State of Oklahoma.

-and-

Lots (20-24) of Block One; Lots (1, 12, 14) of Block Two; Lots (1, 2, 3), the N/2 of Lot (4), and all of Lots (6-8) of Block Three; and

Lots (2) and (3) of Block Four, all in the Timber Creek II Addition – Phase I, an Addition to the City of Weatherford, Custer County, State of Oklahoma, according to the recorded plat thereof.

-and-

A tract of land lying in the NE/4 of Section (9), Township (12), Range (14) West, I.M., Custer County, State of Oklahoma.

(hereafter, the “*Weatherford-Timber Creek Properties*”).

The Court finds that such a clarifying order should be entered.

IT IS THEREFORE, ORDERED AND DECREED as follows:

1. All Injunctions related to the Weatherford-Timber Creek Properties are hereby modified to allow Bank SNB to exercise its state law remedies to the fullest extent allowed by applicable law including, but not limited to, foreclosing the same by judicial and/or power of sale foreclosure;

2. The Weatherford-Timber Creek Properties are hereby released from this Receivership Estate, free and clear of any lien(s), claim(s), right(s), charge(s), and/or interest(s), regardless of the form or type, of the Receiver and/or the Receivership Estate;

3. The Weatherford-Timber Creek Properties are no longer an Asset, as defined in the Temporary Injunction or Permanent Injunction, of the Receivership, and said properties are further released from any terms, conditions and/or restrictions placed upon them by the Temporary Injunction;

4. Bank SNB is authorized to serve the Receiver with any foreclosure-related notices (judicial and/or non-judicial) for the Weatherford-Timber Creek Properties that it reasonably deems necessary and/or advisable;

5. Any *lis pendens* notice(s) filed against the Weatherford-Timber Creek Properties related to the Receivership proceeding are hereby released;

6. Subject to applicable law, Bank SNB is hereby authorized to seek and obtain *in personam* deficiency money judgments against the appropriate Defendants. However, no such judgment, if obtained, shall be binding against the Receiver or the receivership estate, or in any way be evidence of any liability of the Receiver or receivership estate.

7. The Receiver is further released from any and all liability, of any nature whatsoever, by Bank SNB related in any way to the Weatherford-Timber Creek Properties.

IT IS SO ORDERED this the 6th of Sept ~~June~~, 2016.

PATRICIA G. PARRISH

Hon. Patricia Parrish
Oklahoma County District Court Judge

CERTIFIED COPY
AS FILED OF RECORD
IN DISTRICT COURT

SEP - 7 2016

RICK WARREN COURT CLERK
Oklahoma County

Rick Warren

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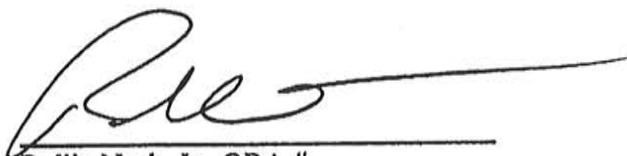
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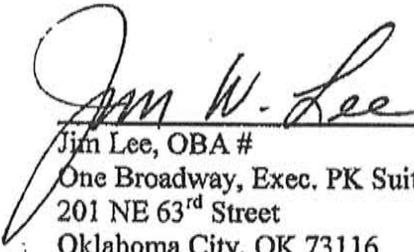
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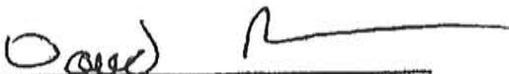
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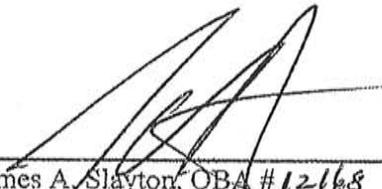
(Agreed Order Classifying Final Order as to
Weatherford - Timber Creek Properties)

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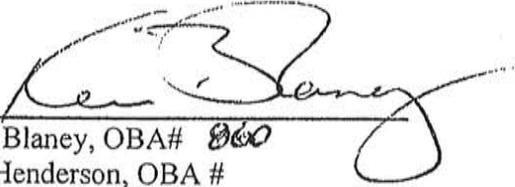
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