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IN THE CIRCUIT COURT OF THE STATE OF OREGON  
IN AND FOR THE COUNTY OF LANE

DEUTSCHE BANK NATIONAL TRUST  
COMPANY, AS TRUSTEE FOR FFMLT  
TRUST 2006-FF4, MORTGAGE PASS-  
THROUGH CERTIFICATES, SERIES  
2006-FF4

Case No. 15CV26410

Plaintiff,

WRIT OF EXECUTION

vs.

CHARLES M. ANDREWS; PARTIES IN  
POSSESSION

Defendants.

TO: LANE COUNTY SHERIFF

WHEREAS, on June 7, 2017, in the above-entitled court, a General Judgment of Foreclosure and Sale, with said Judgment containing therein a Declaration of Amount Due and was duly entered and docketed in the above-entitled cause

NOW, THEREFORE, IN THE NAME OF THE STATE OF OREGON, you are hereby commanded to sell, in the manner prescribed by law for the sale of real property upon execution (subject to redemption) all of the interest which the defendants had on December 29, 2005, the date of the deed of trust, and also all of the interest which the defendants acquired thereafter, in the real property described in the judgment:

1- WRIT OF EXECUTION  
S&S No. 15-116844

SHAPIRO & SUTHERLAND, LLC  
1499 SE Tech Center Place, Suite 255, Vancouver, WA 98683  
Telephone (360)260-2253 (800)970-5647  
Fax (360)260-2285  
ksutherland@logs.com

1 LOT 4, BLOCK 6, SECOND ADDITION TO SEEGER ESTATES, AS PLATTED AND  
2 RECORDED IN BOOK 67, PAGE 7, LANE COUNTY OREGON PLAT RECORDS, IN LANE  
3 COUNTY, OREGON.

4 and commonly known as 6591 E Street, Springfield, OR 97478 to satisfy the sum of \$178,482.12,  
5 as of June 9, 2017, together with additional post judgment interest of 9.00% from that date  
6 (\$43.99 per day), and costs of this execution, making due return within 60 days after you receive  
7 this writ.

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25 2- WRIT OF EXECUTION  
26 S&S No. 15-116844

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1 Deutsche Bank National Trust Company, as Trustee for FFMLT Trust 2006-FF4,  
2 Mortgage Pass-Through Certificates, Series 2006-FF4 is the Judgment Creditor, and its address  
3 for purpose of this writ only is: C/O Shapiro & Sutherland, LLC, 1499 SE Tech Center Place,  
4 Suite 255, Vancouver, WA 98683 (360)260-2253. Shapiro & Sutherland, LLC is the attorney for  
5 the Judgment Creditor.  
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June 12, 2017

By: Phine  
Court Clerk

13 Submitted by:  
14 Attorneys for Plaintiff,  
SHAPIRO & SUTHERLAND, LLC

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

- 16  James A. Craft #090146 [jcraft@logs.com]  
17  Kelly D. Sutherland #873575 [ksutherland@logs.com]  
18  Cara J. Richter #094855 [crichter@logs.com]  
19  Holger Uhl #950143 [huhl@logs.com]\*  
20  Joshua R. Orem # 116872 [jorem@logs.com]\*

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7632 SW Durham Road, Suite 350, Tigard, OR 97224\*  
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26 3- WRIT OF EXECUTION  
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IN THE CIRCUIT COURT OF THE STATE OF OREGON  
IN AND FOR THE COUNTY OF LANE

DEUTSCHE BANK NATIONAL TRUST  
COMPANY, AS TRUSTEE FOR FFMLT TRUST  
2006-FF4, MORTGAGE PASS-THROUGH  
CERTIFICATES, SERIES 2006-FF4,

Case No. 15CV26410

Plaintiff,

GENERAL JUDGMENT OF  
FORECLOSURE AND SALE

vs.

CHARLES M. ANDREWS; PARTIES IN  
POSSESSION,

Defendants.

Default having been entered against Defendant(s), Charles M. Andrews and  
Defendant(s), Parties in Possession, having been dismissed:

It is hereby

ORDERED AND ADJUDGED:

1. The real property to which this judgment relates (hereafter the "Property") is situated in  
Lane County, Oregon is commonly known as 6591 E Street, Springfield, OR 97478 and is  
legally described as follows:

1 - GENERAL JUDGMENT OF FORECLOSURE AND  
SALE  
S&S No. 15-116844

*SHAPIRO & SUTHERLAND, LLC*  
1499 SE Tech Center Place, Suite 255, Vancouver, WA 98683  
Telephone (360)260-2253 (800)970-5647  
Fax (360)260-2285  
ksutherland@lojs.com

1 Lot 4, Block 6, SECOND ADDITION TO SEEGER ESTATES, as platted and  
2 recorded in Book 67, Page 7, Lane County Oregon Plat Records, in Lane County,  
3 Oregon.

- 4 2. The Deed of Trust executed and delivered by Defendant, Charles M. Andrews, a single  
5 person ("Borrower") on or about December 29, 2005 and recorded on December 29, 2005 as  
6 Reception No. 2005-103216 in the official records of Lane County, Oregon, is a valid and  
7 perfected lien against all of the Property for the amount of Plaintiff's judgment as provided  
8 herein.
- 9 3. The Plaintiff is the holder of the original note dated December 29, 2005 and made by  
10 Charles M. Andrews in the amount of \$134,000.00. A copy of the Note was attached to the  
11 complaint as Exhibit. Plaintiff is the holder of the Note and the beneficial interest in the  
12 Deed of Trust (together the "Loan").
- 13 4. The interest of each of the Defendant(s) subject to this Judgment and any successor in  
14 interest in the Property is foreclosed and terminated excepting only any statutory right of  
15 redemption as provided by Oregon law.
- 16 5. The lien of the Plaintiff is superior to any interest, lien, or claim of the remaining  
17 Defendants and shall remain in effect until issuance of a Sheriff's Deed. Upon Motion to  
18 the Court and good cause shown, Plaintiff may move to rescind the foreclosure judgment  
19 and to reinstate the Loan prior to the Sheriff's sale, returning the parties to their prejudgment  
20 interests and priorities.
- 21 6. The Defendant(s) are not entitled to a homestead exception as against Plaintiff's judgment.  
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1 7. All of the rights, title and interest that Borrower(s) had as of the date of the Deed of Trust or  
2 thereafter acquired in the subject Property, is hereby ordered to be sold by the Lane County  
3 Sheriff's Office in accordance with the process for sale upon execution, and the proceeds of  
4 sale shall be applied; first to the costs of sale; second to satisfaction of the amounts awarded  
5 Plaintiff herein; with the surplus, if any, to the Defendants in the priority as their interest  
6 may appear or to the clerk of the court to be distributed to such party of parties as may  
7 establish their right thereto.  
8

9 8. Plaintiff or any junior lienholders may become purchaser at the sale of the Property.

10 9. The purchaser at the sale is entitled to exclusive and immediate possession of the Property  
11 from and after the date of the sale and is entitled to such remedies as are available at law or  
12 in equity to secure possession.  
13

14 10. The purchaser at the sale may apply to the Court for a writ of assistance if any Defendant or  
15 any person holding possession under or through such Defendant(s) shall refuse to surrender  
16 possession to the purchaser immediately on the purchaser's demand for possession.

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1 11. Under the terms of the Loan there is now due and owing to Plaintiff the following amounts:

2	Principal		\$123,612.79	
3	Prejudgment interest at 8.625% through			\$38,846.83
4	April 23, 2017			
5	(accruing thereafter until entry of judgment			
6	at \$29.21 per diem)			
7	Late Charges		\$0.00	
8	Other Costs and fees (recoverable)		11,401.07	
9	Appraisal/BPO	\$115.00		
10	Property Inspections	\$418.75		
11	Escrow Advanced	\$13,902.73		
12	Suspense Balance	(\$3,035.41)		
13		Subtotal		\$135,013.86
14	Total plus Prejudgment Interest			\$173,860.69

45

12. Attorney Fees and Costs are awarded to Plaintiff as follows:

13	Costs			\$619.00
14	Filing Fee		\$531.00	
15	Lis Pendens Recording Fee		\$52.00	
16	Service Costs		\$36.00	
17	Attorney fees			\$2,600.00
18	Total			\$3,219.00

13. Post judgment interest on the aggregate of all amounts declared due above shall accrue from the date of judgment at the legal rate of 9% per annum pursuant to ORS 82.010.

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25 4 - GENERAL JUDGMENT OF FORECLOSURE AND  
26 SALE  
S&S No. 15-116844

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1 14. This Judgment shall not create a personal lien or liability against Borrower except as is  
2 customary or necessary to execute on such Judgment and for purposes of redemption. In no  
3 event should it be construed as establishing personal liability for any persons whose debt has  
4 been extinguished in bankruptcy or by an In Rem order granting relief from stay, but only to  
5 foreclose the deed of trust mortgage. In the event the proceeds of sale are insufficient to pay  
6 the amounts due to Plaintiff, no general execution shall be issued and Plaintiff shall not be  
7 entitled to any further judgment, including a judgment for deficiency.  
8

9 15. Execution may issue against the subject property for the aggregate amount found due  
10 Plaintiff herein as detailed in Paragraphs 11 through 13 together (together "Amounts Due").  
11 Plaintiff may credit bid up to the Amounts Due plus such additional amounts as provided by  
12 ORS 18.936 or other applicable law.  
13

14 16. If before sale such amount, including sheriff's fees for the execution, is tendered to the  
15 Court and paid to the clerk, the execution, if issued, shall be recalled and the effect of the  
16 judgment as to the amounts due shall be terminated.

17 17. The Clerk of the Court is hereby ordered to issue a Writ of Execution in Foreclosure for the  
18 sale of the Property. Plaintiff may credit bid the amounts determined in Paragraphs 11  
19 through 13 plus such additional amounts as provided in Paragraph 16 for purposes of ORS  
20 18.936.  
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25 5 - GENERAL JUDGMENT OF FORECLOSURE AND  
26 SALE  
S&S No. 15-116844

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1 18. This Court shall retain jurisdiction to enter such additional order, judgment or decree  
2 necessary to enforce this judgment, the writ of execution or for the purchaser at the  
3 foreclosure sale to obtain possession.

4  DENIED

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6  GRANTED  
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Signed: 8/5/2017 12:41 PM



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13 **Charles D. Carlson, Circuit Court Judge**

14 **Certificate of Readiness under UTCR 5 100**

15 This proposed order or judgment is ready for judicial signature because:

- 16 1.  Each party affected by this order or judgment has stipulated to the order or judgment, as  
17 shown by each party's signature on the document being submitted.  
18 2.  Each party affected by this order or judgment has approved the order or judgment, as  
19 shown by each party's signature on the document being submitted or by written confirmation of  
20 approval sent to me.  
21 3.  I have served a copy of this order or judgment on each party entitled to service and:  
22 a.  No objection has been served on me.  
23 b.  I received objections that I could not resolve with a party despite reasonable efforts to do  
24 so. I have filed a copy of the objections I received and indicated which objections remain  
25 unresolved.  
26 c.  After conferring about objections, [role and name of objecting party] agreed to  
27 independently file any remaining objection.  
28 4.  Service is not required pursuant to subsection (3) of this rule, or by statute, rule, or  
otherwise. UTCR 8/1/16 5.5 (including out-of-cycle amendment of 5.100)

6 - GENERAL JUDGMENT OF FORECLOSURE AND  
SALE  
S&S No. 15-116844

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1 5.  This is a proposed judgment that includes an award of punitive damages and notice has  
2 been served on the Director of the Crime Victims' Assistance Section as required by subsection  
3 (5) of this rule.

4 6.  Other: \_\_\_\_\_

5 Dated: June 1, 2017.

6 Submitted by:  
7 Attorneys for Plaintiff,  
8 SHAPIRO & SUTHERLAND, LLC

9 By: 

10  James A. Craft #090146 [jcraft@logs.com]  
11  Kelly D. Sutherland #873575 [ksutherland@logs.com]  
12  Cara J. Richter #094855 [crichter@logs.com]  
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