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

WESTVUE NPL TRUST II,

Case No. 161417920

Plaintiff,

**WRIT OF EXECUTION**

v.

THE ESTATE OF WILLIAM M.  
WAGSTAFF; THE UNKNOWN HEIRS AND  
ASSIGNEES OF WILLIAM M. WAGSTAFF;  
THE UNKNOWN DEVISEES OF WILLIAM  
M. WAGSTAFF; COLLEEN M.

WAGSTAFF; KATHERINE P. WAGSTAFF;  
MARGARET MAE WHITING; CARRIE F.  
HANSEN; MICHAEL W. WAGSTAFF;  
WENDY M. WAGSTAFF; DENNIS  
WAGSTAFF; and STATE OF OREGON,

Defendants.

TO THE LANE COUNTY SHERIFF:

On May 19, 2017, a General Judgment of Foreclosure and Declaration of Amount Due by Default was entered by the Lane County Circuit Court, foreclosing Plaintiff's Deed of Trust and directing that the property subject to the Deed of Trust be sold to satisfy the unpaid debt due to Plaintiff.

The mailing address for the judgment creditor is: WESTVUE NPL TRUST II c/o Aldridge Pite, LLP, 111 SW Columbia St., Ste. 950, Portland, OR 97201.

The real property to be sold at public auction is commonly known as 2630 Taylor St, Eugene, Oregon 97405 ("Subject Property"), and legally described as:

LOT 2, BLOCK 15, SIXTH ADDITION TO ELLENDALE, AS PLATTED AND RECORDED IN BOOK 37, PAGE 22, LANE COUNTY OREGON PLAT RECORDS, IN

1 LANE COUNTY, OREGON.

2 The total amount due and owing on the Judgment as of May 24, 2017;

3 Judgment:	Principal	\$157,792.41
4	Attorney Fees	\$3,075.00
5	Costs	\$2,008.50
6	Prevailing Party Fee	\$300.00
7 Post-Judgment:	Interest(8.100%,\$27.52/day)	\$7,650.56 (8/20/16 through 5/24/17)
8	Attorney Fees	\$305.00

9  
10 **TOTAL: \$171,131.47**

11 In the name of the State of Oregon, you are hereby directed to proceed to notice for sale  
12 and sell the Subject Property. After the sale, you are directed to issue a certificate of sale to the  
13 purchaser and file a return on the writ of execution, depositing the sale proceeds with the Court.  
14 Further, you are directed to execute, after the time for redemption has elapsed, a deed to the  
15 holder of the certificate of sale.

16  
17 June 20, 2017

18 By: Minnie  
19 COURT CLERK

20  
21 Presented by:  
ALDRIDGE PITE, LLP

22  
23   
Shannon K. Calt, OSB # 121855  
24 (858) 750-7600  
(503) 222-2260 (facsimile)  
25 scalt@aldridgepite.com  
111 SW Columbia Street Suite 950  
26 Portland, OR 97201  
Of Attorneys for Plaintiff



Page 2 – WRIT OF EXECUTION

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111 SW Columbia Street, Suite 950  
Portland, OR 97201  
(858) 750-7600

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

WESTVUE NPL TRUST II,  
Plaintiff,  
v.  
THE ESTATE OF WILLIAM M.  
WAGSTAFF; THE UNKNOWN HEIRS AND  
ASSIGNEES OF WILLIAM M. WAGSTAFF;  
THE UNKNOWN DEVISEES OF WILLIAM  
M. WAGSTAFF; COLLEEN M.  
WAGSTAFF; KATHERINE P. WAGSTAFF;  
MARGARET MAE WHITING; CARRIE F.  
HANSEN; MICHAEL W. WAGSTAFF;  
WENDY M. WAGSTAFF; DENNIS  
WAGSTAFF; and STATE OF OREGON,  
Defendants.

Case No. 161417920  
**GENERAL JUDGMENT OF  
FORECLOSURE AND DECLARATION OF  
AMOUNT DUE BY DEFAULT**  
ORCP Rule 69  
PURSUANT TO SB368, THIS IS A  
JUDGMENT OF FORECLOSURE AND DOES  
NOT CONSTITUTE A MONEY AWARD  
AGAINST ANY DEFENDANT

Based upon the Court’s Order of Default against defendants THE ESTATE OF WILLIAM M. WAGSTAFF; THE UNKNOWN HEIRS AND ASSIGNEES OF WILLIAM M. WAGSTAFF; THE UNKNOWN DEVISEES OF WILLIAM M. WAGSTAFF; COLLEEN M. WAGSTAFF; KATHERINE P. WAGSTAFF; MARGARET MAE WHITING; CARRIE F. HANSEN; MICHAEL W. WAGSTAFF; WENDY M. WAGSTAFF; and DENNIS WAGSTAFF; the Limited Stipulated Judgment with Defendant STATE OF OREGON, the records on file herein, and pursuant to the Motion for General Judgment and Declaration of Amount Due by Default by Plaintiff WESTVUE NPL TRUST II (“Plaintiff”),

**IT IS HEREBY ADJUDGED:**

1. Plaintiff’s security interest in the real property located at 2630 Taylor St, Eugene, Oregon 97405 (“Subject Property”), as evidenced by the Deed of Trust recorded March 9, 2005 in the official records of Lane County as instrument number 2005-016402 (“Deed of Trust”), is a

1 viable first priority lien, superior to the interests of all the Defendants. All rights, claims,  
2 ownerships, liens, titles and demands of all Defendants are subsequent to Plaintiff's lien as  
3 created by the Note and Deed of Trust. The Subject Property is legally described as follows:

4 LOT 2, BLOCK 15, SIXTH ADDITION TO ELLENDALE, AS PLATTED AND  
5 RECORDED IN BOOK 37, PAGE 22, LANE COUNTY OREGON PLAT RECORDS,  
6 IN LANE COUNTY, OREGON.

7 2. The Deed of Trust is foreclosed and upon entry of this Judgment the court  
8 administrator shall upon request of Plaintiff issue a writ of execution for the sale, by the Sheriff,  
9 in the manner provided by law;

10 3. Plaintiff has submitted a Declaration of Amount Due and is owed the total amount  
11 due under the Note and Deed of Trust and any future advances and/or fees that may be made or  
12 incurred pursuant to the terms of the Note and Deed of Trust up to the date of the execution sale.  
13 This amount is to be satisfied by sale of the Subject Property as directed under this Judgment;

14 4. Plaintiff is owed reasonable attorney fees plus the remaining flat rate fees for an  
15 uncontested execution on the Judgment, pursuant to the Note and Deed of Trust and ORCP Rule  
16 68(C), which amount may be added to the outstanding obligation due and owing under the Note  
17 and Deed of Trust and recovered from the proceeds of the sheriff's sale. Pursuant to the Deed of  
18 Trust, these fees continue to accrue to the date of the execution sale. This amount to be satisfied  
19 by sale of the Subject Property as directed under this Judgment;

20 5. Plaintiff is owed costs of suit pursuant to the Note and Deed of Trust, ORCP Rule  
21 68(A)(2) and ORS 20.115(4), which may be added to the outstanding obligation due and owing  
22 under the Note and Deed of Trust and recovered from the proceeds of the sheriff's sale. Pursuant  
23 to the Deed of Trust, these costs continue to accrue to the date of the execution sale. This  
24 amount to be satisfied by sale of the Subject Property as directed under this Judgment;

25 6. Plaintiff is owed the prevailing party fee of \$300.00, this amount to be satisfied by  
26 sale of the Subject Property as directed under this Judgment.

1           7.       The Sheriff shall make a return on the writ of execution to the court administrator  
2 along with the proceeds of the sale, if any. The proceeds of the sale, if any, shall be applied first  
3 toward the costs of the sale; then toward the satisfaction of Plaintiff's Judgment of Foreclosure  
4 awarded herein; and the surplus, if any, to the clerk of the court to be distributed to such party or  
5 parties as may establish their right thereto. The Defendants and all persons claiming through or  
6 under Defendants, whether lien claimants, judgment creditors, claimants arising under junior  
7 mortgages or deeds of trust, purchasers, encumbrances or otherwise, shall be barred and  
8 foreclosed from all rights, claims, interest or equity of redemption in the Subject Property and  
9 every part of the Subject Property when the time for redemption has elapsed;

10           8.       Plaintiff or any other party to this action may become a purchaser at the  
11 foreclosure sale, and such purchaser shall be immediately let into possession of the subject  
12 property, until redemption of the property, if any. The purchaser at the foreclosure sale or any  
13 successor in interest may apply to this Court for a writ of assistance to gain possession of the  
14 subject property if Defendants or any other party or person refuses to surrender possession;

15                               DECLARATION OF AMOUNT DUE BY DEFAULT  
16                               (PURSUANT TO SB 368, THIS IS A JUDGMENT OF FORECLOSURE AND DOES NOT  
17                               CONSTITUTE A MONEY AWARD AGAINST ANY DEFENDANT)

- 18           1.       The amount of the judgment is \$157,792.41.
- 19           2.       Simple interest at the variable rate currently at 8.100% (\$27.52 *per diem*) after  
20 8/19/2016, through the date of sale.
- 21           3.       Attorney fees of \$3,075.00, plus \$305.00, through the date of sale.
- 22           4.       Costs of \$2,008.50, plus costs accrued through the date of sale.
- 23           5.       Prevailing party fee: \$300.00.

Signed: 5/19/2017 09:22 AM

24           **IT IS SO ADJUDGED**

  
25                               Suzanne B. Chaffin, Circuit Court Judge

26       ///

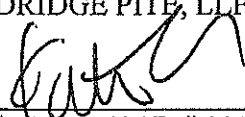
Page 3 – GENERAL JUDGMENT AND DECLARATION OF AMOUNT DUE BY DEFAULT

CERTIFICATE OF READINESS

This proposed Order or Judgment is ready for judicial signature because:

1.  Each opposing party affected by this Order or Judgment has stipulated to the Order or Judgment, as shown by each opposing party's signature on the document being submitted.
2.  Each opposing party affected by this Order or Judgment has approved the Order or Judgment, as shown by signature on the document being submitted or by written confirmation of approval sent to me.
3.  I have served a copy of this Order or Judgment on all parties entitled to service and:
  - a.  No objections have been served on me within that time frame;
  - b.  I received objections that I could not resolve with the opposing party despite reasonable efforts to do so. I have filed with the Court a copy of the objections I received and indicated which objections remain unresolved;
  - c.  After conferring about objections, **[Opposing Party]** agreed to independently file any remaining objection with the Court.
4.  The relief sought is against an opposing party who has been found in default.
5.  An order of default is being requested with this proposed judgment.
6.  Service is not required pursuant to subsection (3) of this rule, or by statute, rule, or otherwise.
7.  This is a proposed judgment that includes an award of punitive damages and notice has been served on the Director of the Crime Victims' Assistance Section as required by subsection (4) of this rule.

Presented By:  
ALDRIDGE PITE, LLP



Date: \_\_\_\_\_

2/15/17

Katie Riggs (OSB # 095861)  
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Of Attorneys for Plaintiff