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

WELLS FARGO BANK, N.A.,
Plaintiff,

Case No. 16CV03439

v.

WRIT OF EXECUTION

THE ESTATE OF DEBRA ANN YOUNG
AKA DEBRA ANN CRAMNER; THE
UNKNOWN HEIRS AND ASSIGNS OF
DEBRA ANN YOUNG AKA DEBRA ANN
CRAMNER; THE UNKNOWN DEVISEES
OF DEBRA ANN YOUNG AKA DEBRA
ANN CRAMNER; ANDREW J. COOK;
JACQUELINE A. VAN HOY; NATHAN
COOK; CHRISTOPHER SAMUEL COOK;
TIMOTHY Y. COOK; MARIE A. JONES;
STATE OF OREGON DEPARTMENT OF
JUSTICE; CASCADE CASH
MANAGEMENT dba SPEEDY CASH; RAY
KLEIN INC., AN OREGON CORPORATION
DBA PROFESSIONAL CREDIT SERVICE;
and ALL OTHER PERSONS OR PARTIES
UNKNOWN CLAIMING ANY RIGHT,
TITLE, LIEN, OR INTEREST IN THE REAL
PROPERTY COMMONLY KNOWN AS 353
E. MADISON AVE., COTTAGE GROVE,
OR 97424,

Defendants.

TO THE LANE COUNTY SHERIFF:

On May 22, 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: WELLS FARGO BANK, N.A., 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 353 E. Madison Ave., Cottage Grove, OR 97424 ("Subject Property"), and legally described as:

1 BEGINNING AT THE NORTHWEST CORNER OF LOT 4 IN BLOCK 1, PERKINS
2 ADDITION TO COTTAGE GROVE, LANE COUNTY, STATE OF OREGON, AND
3 RUNNING THENCE EAST 65 AND 8/10 FEET; THENCE SOUTH 104 FEET; THENCE
4 WEST 65 AND 8/10 FEET; THENCE NORTH 104 FEET TO THE PLACE OF BEGINNING,
5 ALL IN PERKINS ADDITION TO COTTAGE GROVE, LANE COUNTY, OREGON.

6 The total amount due and owing on the Judgment as of June 2, 2017;

7 Judgment:	Principal	\$84,547.08
8	Attorney Fees	\$2,917.50
9	Costs	\$2,684.72
	Prevailing Party Fee	\$300.00
10 Post-Judgment:	Interest (5.35%, \$7.34760 per diem)	\$257.16 (4/29/17 through 6/2/17)
11	Attorney Fees	\$305.00

12 **TOTAL: \$91,011.46**

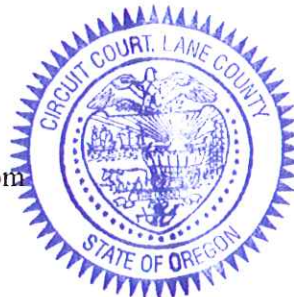
13 In the name of the State of Oregon, you are hereby directed to proceed to notice for sale
14 and sell the Subject Property. After the sale, you are directed to issue a certificate of sale to the
15 purchaser and file a return on the writ of execution, depositing the sale proceeds with the Court.
16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

18 June 6, 2017

19
20 By: D. Pierce
21 Court Clerk

22 Presented by:
23 ALDRIDGE PITE, LLP

24 Stephanie L. Beale
25 Stephanie L. Beale, OSB #136474
26 (503) 345-9466; sbeale@aldridgepite.com
Of Attorneys for Plaintiff



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

WELLS FARGO BANK, N.A.,

Plaintiff,

v.

THE ESTATE OF DEBRA ANN YOUNG
AKA DEBRA ANN CRAMNER; THE
UNKNOWN HEIRS AND ASSIGNS OF
DEBRA ANN YOUNG AKA DEBRA ANN
CRAMNER; THE UNKNOWN DEVISEES
OF DEBRA ANN YOUNG AKA DEBRA
ANN CRAMNER; ANDREW J. COOK;
JACQUELINE A. VAN HOY; NATHAN
COOK; CHRISTOPHER SAMUEL COOK;
TIMOTHY Y. COOK; MARIE A. JONES;
STATE OF OREGON DEPARTMENT OF
JUSTICE; CASCADE CASH
MANAGEMENT dba SPEEDY CASH; RAY
KLEIN INC., AN OREGON CORPORATION
DBA PROFESSIONAL CREDIT SERVICE;
and ALL OTHER PERSONS OR PARTIES
UNKNOWN CLAIMING ANY RIGHT,
TITLE, LIEN, OR INTEREST IN THE REAL
PROPERTY COMMONLY KNOWN AS 353
E. MADISON AVE., COTTAGE GROVE,
OR 97424,

Defendants.

Case No. 16CV03439

**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 DEBRA
ANN YOUNG AKA DEBRA ANN CRAMNER; THE UNKNOWN HEIRS AND ASSIGNS
OF DEBRA ANN YOUNG AKA DEBRA ANN CRAMNER; THE UNKNOWN DEVISEES
OF DEBRA ANN YOUNG AKA DEBRA ANN CRAMNER; ANDREW J. COOK;
JACQUELINE A. VAN HOY; NATHAN COOK; CHRISTOPHER SAMUEL COOK;

Page 1 - GENERAL JUDGMENT AND DECLARATION OF AMOUNT DUE BY DEFAULT

1 TIMOTHY Y. COOK; MARIE A. JONES; STATE OF OREGON DEPARTMENT OF
2 JUSTICE; CASCADE CASH MANAGEMENT dba SPEEDY CASH; RAY KLEIN INC., AN
3 OREGON CORPORATION DBA PROFESSIONAL CREDIT SERVICE; and ALL OTHER
4 PERSONS OR PARTIES UNKNOWN CLAIMING ANY RIGHT, TITLE, LIEN, OR
5 INTEREST IN THE REAL PROPERTY COMMONLY KNOWN AS 353 E. MADISON AVE.,
6 COTTAGE GROVE, OR 97424, the records on file herein, and pursuant to the Motion for
7 General Judgment and Declaration of Amount Due by Default by Plaintiff WELLS FARGO
8 BANK, N.A. ("Plaintiff"),

9 **IT IS HEREBY ADJUDGED:**

10 1. Plaintiff's security interest in the real property located at 353 E. MADISON
11 AVE., COTTAGE GROVE, OR 97424 ("Subject Property"), as evidenced by the Deed of Trust
12 recorded April 28, 2003 in the official records of LANE County as instrument number 2003-
13 037360 ("Deed of Trust"), is a viable first priority lien, superior to the interests of all the
14 Defendants. All rights, claims, ownerships, liens, titles and demands of all Defendants are
15 subsequent to Plaintiff's lien as created by the Note and Deed of Trust. The Subject Property is
16 legally described as follows:

17 BEGINNING AT THE NORTHWEST CORNER OF LOT 4 IN BLOCK 1, PERKINS
18 ADDITION TO COTTAGE GROVE, LANE COUNTY, STATE OF OREGON, AND
19 RUNNING THENCE EAST 65 AND 8/10 FEET; THENCE SOUTH 104 FEET;
20 THENCE WEST 65 AND 8/10 FEET; THENCE NORTH 104 FEET TO THE PLACE
21 OF BEGINNING, ALL IN PERKINS ADDITION TO COTTAGE GROVE, LANE
22 COUNTY, OREGON.

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

26 ///

Page 2 – GENERAL JUDGMENT AND DECLARATION OF AMOUNT DUE BY DEFAULT

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

5 4. Plaintiff is owed reasonable attorney fees plus the remaining flat rate fees for an
6 uncontested execution on the Judgment, pursuant to the Note and Deed of Trust and ORCP Rule
7 68(C), which amount may be added to the outstanding obligation due and owing under the Note
8 and Deed of Trust and recovered from the proceeds of the sheriff's sale. Pursuant to the Deed of
9 Trust, these fees continue to accrue to the date of the execution sale. This amount to be satisfied
10 by sale of the Subject Property as directed under this Judgment;

11 5. Plaintiff is owed costs of suit pursuant to the Note and Deed of Trust, ORCP Rule
12 68(A)(2) and ORS 20.115(4), which may be added to the outstanding obligation due and owing
13 under the Note and Deed of Trust and recovered from the proceeds of the sheriff's sale. Pursuant
14 to the Deed of Trust, these costs continue to accrue to the date of the execution sale. This
15 amount to be satisfied by sale of the Subject Property as directed under this Judgment;

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

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

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

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

6 **DECLARATION OF AMOUNT DUE BY DEFAULT**

7 **(PURSUANT TO SB 368, THIS IS A JUDGMENT OF FORECLOSURE AND DOES**
8 **NOT CONSTITUTE A MONEY AWARD AGAINST ANY DEFENDANT)**

- 9 1. The amount of the judgment is \$84,547.08.
- 10 2. Simple interest at the variable rate currently at 5.35% (\$7.34760 *per diem*) after
11 April 28, 2017, through the date of sale.
- 12 3. Attorney fees of \$2,917.50, plus \$305.00, through the date of sale.
- 13 4. Costs of \$2,684.72, plus costs accrued through the date of sale.
- 14 5. Prevailing party fee: \$300.00.

15
16 **IT IS SO ADJUDGED**

17
18 Signed: 5/19/2017 11:37 AM

19
20 
21 **Suzanne B. Chaffi, Circuit Court Judge**

22 **CERTIFICATE OF READINESS**

23
24 This proposed Order or Judgment is ready for judicial signature because:

- 25 1. Each opposing party affected by this Order or Judgment has stipulated to the Order
26 or Judgment, as shown by each opposing party's signature on the document being

Page 4 – GENERAL JUDGMENT AND DECLARATION OF AMOUNT DUE BY DEFAULT

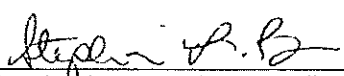
Aldridge Pite, LLP
111 SW Columbia Street, Suite 950
Portland, OR 97201
(858) 750-7600

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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


Stephanie L. Beale, OSB #136474
(503) 345-9466
(503) 222-2260 (Facsimile)
sbeale@aldridgepite.com

Date: May 15, 2017

111 SW Columbia Street, Suite 950
Portland, OR 97201

Of Attorneys for Plaintiff