1	11
2	Craig Peterson, OSB #120365 Jaimie Fender, OSB #120832
3	Kimberly Hood, OSB #123008
4	Michael Althouse, OSB #150793 Gregory Morphew, OSB #170214
5	Robinson Tait, P.S. 901 Fifth Avenue, Suite 400
6	Seattle, WA 98164
7	Phone: (206) 676-9640 Fax: (206) 676-9659
8	Email: cpeterson@robinsontait.com Email: jfender@robinsontait.com
9	Email: khood@robinsontait.com
10	Email: malthouse@robinsontait.com Email: gmorphew@robinsontait.com
11	
12	
13	CIRCUIT COURT OF OREGON FOR LANE COUNTY
14	THE BANK OF NEW YORK MELLON FKA
15	THE BANK OF NEW YORK, AS TRUSTEE FOR THE CERTIFICATEHOLDERS CWALT, NO. 16CV41385
16	INC., ALTERNATIVE LOAN TRUST 2006- 18CB, MORTGAGE PASS-THROUGH WRIT OF EXECUTION IN FORECLOSURE
17	CERTIFICATES, SERIES 2006-18CB,
18	Plaintiff,
19	v.
20	
21	RANDEEN M. CUMMINGS, AS A PERSONAL REPRESENTATIVE OF THE
22	ESTATE OF WILLIAM R. NELSON; RANDEEN M. CUMMINGS; AND PERSONS
23	OR PARTIES UNKNOWN CLAIMING ANY
24	RIGHT, TITLE, LIEN, OR INTEREST IN THE PROPERTY DESCRIBED IN THE
25	COMPLAINT HEREIN,
26	Defoudants
27	Defendants.
28	
l	

1	
2	
3	
4	
5	
6	
7	
8	
9	
10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	

28

	5.	THEREFORE, in the name of the State of Oregon you are hereby commanded to seize
and s	ell the a	bove described Property, in the manner prescribed by law; or so much thereof as may be
neces	sary to	satisfy the Judgment and Money Award, interest, fees and costs.

MAKE RETURN HEREOF within 60 days after you receive this writ.

DATED this day of you, 2017.

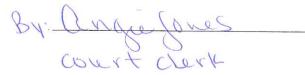




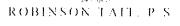
EXHIBIT A

] 2 3 4 5 6 7 CIRCUIT COURT OF OREGON FOR LANE COUNTY 8 THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE FOR THE CERTIFICATEHOLDERS CWALT, NO. 16CV41385 10 INC., ALTERNATIVE LOAN TRUST 2006-18CB. MORTGAGE PASS-THROUGH GENERAL JUDGMENT DETERMINING 11 CERTIFICATES, SERIES 2006-18CB. AMOUNT OWED AND FORECLOSURE 12 Plaintiff. 13 ٧. (Clerk's Action Required) 14 15 RANDEEN M. CUMMINGS, AS A PERSONAL REPRESENTATIVE OF THE ESTATE OF 16 WILLIAM R. NELSON; RANDEEN CUMMINGS: AND PERSONS OR PARTIES 17 UNKNOWN CLAIMING ANY RIGHT, TITLE 18 LIEN. OR INTEREST IN THE PROPERTY DESCRIBED IN THE COMPLAINT HEREIN. 19 20 Defendants. 21 THIS MATTER having come on for hearing this day before the undersigned Judge of the 22 23 above entitled court upon the motion of the plaintiff for judgment and forcelosure herein, the 24 plaintiff. THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS 25 TRUSTEE FOR THE CERTIFICATEHOLDERS CWALT, INC., ALTERNATIVE LOAN TRUST 26 2006-18CB, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2006-18CB, appearing and 27

being represented by CRAIG PETERSON, Attorney of Robinson Tait, and after considering the

GENERAL JUDGMENT DETERMINING AMOUNT OWED AND FORECLOSURE - 1 60137-00023-31-D-OR1698984

28



601 faft, Vermee Same (20) South (CA 20) for Local College (Ca College) GENERAL JUDGMENT DETERMINING AMOUNT OWED AND FORECLOSURE - 2

pleadings and affidavits on file herein, findings of fact and conclusion of law being unnecessary under Civil Rule 69D, the court finds that the allegations contained in the plaintiff's Complaint are true, that there are no material issues of fact, that the plaintiff is entitled to judgment as a matter of law, and that the judgment should be entered in favor of the plaintiff forthwith as more particularly hereafter set forth. Therefore,

IT IS HEREBY ORDERED AND ADJUDGED THAT:

- 1. Plaintiff, THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE FOR THE CERTIFICATEHOLDERS CWALT, INC., ALTERNATIVE LOAN TRUST 2006-18CB, MORTGAGE PASS-THROUGH CERTIFICATES. SERIES 2006-18CB be awarded judgment in the sum of \$335,677.75, together with interest at a rate as provided in the Note from February 1, 2013 through April 3, 2017 in the amount of \$89,010.62 with additional pre-judgment interest at the per diem rate of \$55.63 as provided in the Note to the date of entry of judgment; plus reasonable attorneys' fees in the amount of \$2,600.00, plus other recoverable amounts of \$25,312.92 which includes the amounts itemized in the declaration of the lender in support of motion for judgment plus allowable costs of \$1,003.48 as itemized in the bill of disbursements and an additional amount for post-judgment sheriff's fees. Said judgment to bear interest until paid at the statutory rate or at the contract rate, whichever is greater; and.
- Plaintiff's Deed of Trust on real property in Lane County. Oregon, legally described as follows:

LOT 10. SILVER ACRES, AS PLATTED AND RECORDED JANUARY 30, 2004, RECEPTION NO. 2004-006549, LANE COUNTY OREGON RECORDS, IN LANE COUNTY, OREGON.

ROBINSON TAIT, P.S

500 Litch Assessor Store 199 Deathful A 50-bit

20

21 22

23 24

25

26

27 28

which was recorded on April 17, 2006, under Auditor's File No. 2006-025794, records of Lane County, Oregon, be adjudged and decreed to be a first and paramount lien upon the above described real estate and the whole thereof as security for the payment of the judgment herein set forth, and that said Deed of Trust be foreclosed and the property therein described is hereby ordered sold by the Sheriff of Lane County in the manner provided for by law, and the proceeds therefrom shall be applied to the payment of the judgment, interest, attorneys' fees and costs, and such other sums as plaintiff has advanced prior to judgment, and that such sums shall constitute a first and specific lien and charge upon said real estate, prior and superior to any right, title, estate, lien or interest of the defendant and of any one claiming by, through or under them; and

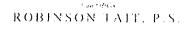
- 3. Any and all persons acquiring any right, title, estate, lien or interest in or to the property described above or any part thereof subsequent to April 5, 2006, the date of the Deed of Trust which is foreclosed herein, be forever barred and estopped from claiming or asserting any right, title, lien or interest in or to said property or any part thereof, save and except for the right of redemption as allowed by law; and
- 4. Plaintiff be granted the right to become a bidder and purchaser at the sale and the purchaser shall be entitled to exclusive possession of the property upon completion of sale according to law, and to all right, title and interest in any rents and profits generated or arising from the property during the statutory redemption period; and plaintiff is entitled to such remedies as are available at law to secure possession, including writ of assistance, if defendants or any of them or any other party or person shall refuse to surrender possession to the purchaser immediately upon purchaser's demand for possession; and

GENERAL JUDGMENT DETERMINING AMOUNT OWED AND FORECLOSURE - 3 60435-00625-HTD-c0R1698984

ROBINSON TAIL, P.S.

1				
2	5. Pursuant to ORS 18.950, if any proceeds from the execution sale remain after the			
3	payment of costs under ORS 18.950(3) and satisfaction of the judgment, the court administrator shall			
4	pay the remaining proceeds as directed by the court in the order of distribution.			
5				
6	DECLARATION DETERMINING AMOUNT OF DEBT (Not a Money Award, see ORS 18.862, 86.797, and 88.010)			
7				
8	Judgment Creditor:	THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE		
9		FOR THE CERTIFICATEHOLDERS CWALT,		
10		INC., ALTERNATIVE LOAN TRUST 2006- 18CB, MORTGAGE PASS-THROUGH		
11		CERTIFICATES, SERIES 2006-18CB c/o Robinson Tait, P.S.		
12		901 Fifth Avenue, Suite 400		
13		Seattle, WA 98164 (206) 676-9640		
14	Attorney for Judgment Creditor:	Craig Peterson		
15		Robinson Tait, P.S.		
16		901 Fifth Avenue. Suite 400 Scattle, WA 98164		
17		(206) 676-9640		
18	The name of any person or public body, other than the Judgment Creditor's			
19	Attorney, who is entitled to any			
20	portion of the judgment:	None		
21	Principal Balance:	\$335.677.75		
22	Simple Interest on the Principal Balance			
23	from February 1, 2013 to April 3, 2017:	\$89.010.62		
24	Other Amounts Due Under Terms of Loan:	\$25.312.92		
25	Attorneys' Fees and Costs:			
26	Attorneys Fee: \$2,600,00 Total Costs: \$1,003,48			
27	Total Attorney Fees and Costs:	\$3.603.48		

GENERAL JUDGMENT DETERMINING AMOUNT OWED AND FORECLOSURE - 4 60135 00003-0 D-OR1698984



1	#	
2	TOTAL DEBT OWED	\$453,604.77
3	Pre-Judement: Additional pre-judement i	nterest accrues from April 4, 2017, to the date of
4	entry of judgment at the per diem rate of	
5	Post-Judgment: Interest Accrues on the to	otal of the amounts listed above in accordance with
6	the contract rate in the Note, or at the stat	utory rate of 9% per annum, whichever is greater.
7	X 1 Allowed	
8		
9	[] Denied.	
10		
12		
13		Signed: 5/3/2017 11:54 AM
14		OLD U
15		Charles D. Carlson, Circuit Court Judge
16		
16 17	Submitted by:	
	Submitted by:	
17		
17 18	CCCC MCraig Peterson, OSB #120365	÷
17 18 19	MCraig Peterson, OSB #120365 Email: epeterson@robinsontait.com JJaimie Fender, OSB #120832	>
17 18 19 20	Craig Peterson. OSB #120365 Email: epeterson@robinsontait.com [Jaimie Fender. OSB #120832 Email: jfender@robinsontait.com	>
17 18 19 20 21	MCraig Peterson. OSB #120365 Email: cpeterson@robinsontait.com plaimie Fender. OSB #120832 Email: jfender@robinsontait.com plaimie Fender. OSB #123008 plaimie Fender. OSB #123008 plaimie Fender. OSB #123008 plaimie Fender. OSB #123008	>
17 18 19 20 21 22	Craig Peterson. OSB #120365 Email: epeterson@robinsontait.com [[Jaimie Fender. OSB #120832 Email: jfender@robinsontait.com [[Kimberly Hood. OSB #123008 Email: khood@robinsontait.com [[Michael Althouse. OSB #150793 Email: malthouse@robinsontait.com	>
17 18 19 20 21 22 23	Craig Peterson. OSB #120365 Email: cpeterson@robinsontait.com [Jaimie Fender. OSB #120832 Email: jfender@robinsontait.com [Kimberly Hood. OSB #123008 Email: khood@robinsontait.com [Michael Althouse. OSB #150793	
17 18 19 20 21 22 23 24 25 26	Craig Peterson. OSB #120365 Email: cpeterson@robinsontait.com plaimic Fender@robinsontait.com plaimic Fe	
17 18 19 20 21 22 23 24 25	Craig Peterson. OSB #120365 Email: cpeterson@robinsontait.com plaimic Fender. OSB #120832 Email: jfender@robinsontait.com pkimberly Flood. OSB #123008 Email: khood@robinsontait.com phichael Althouse. OSB #150793 Email: malthouse@robinsontait.com Gregory Morphew. OSB #170214 Email: gmorphew@robinsontait.com	

GENERAL JUDGMENT DETERMINING AMOUNT OWED AND FORECLOSURE - 5 60435-06023-0-05-08-698-984

ROBINSON LAIL P.S.

003 Edita Avenasi Socie Bis wards WA 98364 4-2-9 Feb. (9-7) 5-7-9 9-4 5-

CERTIFICATE OF READINESS- UTCR 5.100

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

1.	[] Each opposing party affected by this order or judgment has stipulated to or approved its terms,
	as shown by each party's signature on the proposed order or judgment being submitted.

- 2. Each opposing party affected by this order has approved the form of the document, as shown by written communication to me.
- 3. I have served a copy on all parties entitled to service and:

No objection has been served on me within that time frame.

- I received objections that I could not resolve with the objecting 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.
- After conferring about objections [role and name of opposing party] agreed to independently file any remaining objection.
- 4.

 The relief sought is against a party who has been found in default.
- 5.

 An order of default is being requested with this proposed judgment.
- D Service is not required pursuant to subsection (1)(c) of UTCR 5.100, 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 (1)(d) of UTCR 5.100,

Date:

4-25-17

Coci6 (120365