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3 **IN THE CIRCUIT COURT OF THE STATE OF OREGON**  
4 **FOR THE COUNTY OF UMATILLA**

5  
6 WILMINGTON TRUST, NATIONAL  
7 ASSOCIATION, NOT IN ITS INDIVIDUAL  
8 CAPACITY, BUT SOLELY AS TRUSTEE  
9 FOR VM TRUST SERIES 1, A DELAWARE  
10 STATUTORY TRUST,

11 Plaintiff,

12 vs.

13 CANDIS J. McCLURE, an individual;  
14 PORTFOLIO RECOVERY ASSOCIATES  
15 aka PORTFOLIO RECOVERY  
16 ASSOCIATES, L.L.C, a limited liability  
17 company; and all other persons, equitable  
18 right, title, estate; lien, or interest in the real  
19 property described in the complaint herein,  
20 adverse to Plaintiff's title, or any cloud on  
21 Plaintiff's title to the property

22 Defendants.

**CASE NO.: 16CV25943**

**WRIT OF EXECUTION**

23 STATE OF OREGON )  
24 ) ss.  
25 County of Umatilla )

26 TO THE SHERIFF OF UMATILLA COUNTY OREGON:

27 WHEREAS, on March 10, 2017 by consideration of the Umatilla County Circuit Court,  
28 there was entered a General Judgment of Foreclosure as to Defendants. Said General Judgment  
of Foreclosure was duly enrolled and docketed in the Trial Court Administrator's Office in said

WRIT OF EXECUTION -1-

**ZIEVE, BRODNAX & STEELE, LLP**  
Amy F. Harrington, Esq.  
One World Trade Center  
121 Southwest Salmon St., 11th Floor  
Portland, OR 97204  
714-848-7920  
aharrington@zbslaw.com

1 County on March 10, 2017; a true copy of the General Judgment of Foreclosure is attached  
2 hereto and made a part hereof.

3 Judgment Creditor: WILMINGTON TRUST, NATIONAL  
4 ASSOCIATION, NOT IN ITS INDIVIDUAL  
5 CAPACITY, BUT SOLELY AS TRUSTEE  
6 FOR VM TRUST SERIES 1, A DELAWARE  
7 STATUTORY TRUST,  
8 Judgment Creditor Address: 8742 Lucent Blvd.  
9 Highlands Ranch, CO 80129

10 NOW THEREFORE IN THE NAME OF THE STATE OF OREGON, you are  
11 commanded to sell the real property as by said General Judgment of Foreclosure according to  
12 law (subject to redemption) all of the interest that the Defendant Candis J. McClure had on the  
13 31<sup>st</sup> day of July 2007, the date of the Mortgage, and also all of the interest that Defendants had  
14 thereafter, in the real property described in the Judgment as:

15 LOTS 2, 3, 4, 5, AND 6. BLOCK 2, KILGORE'S ADDITION TO THE TOWN  
16 NOW CITY OF WESTON UMATILLA COUNTY. OREGON:  
17 EXCEPTING THEREFROM THE NORTH 10 FEET OF LOT 2.  
18 TAX PARCEL NUMBER: 126009

19 The street address of the real property to be levied upon is 404 Normal Dr, Weston, OR  
20 97886.

21 The above referenced property shall be sold to satisfy the following sums: The base  
22 judgment amount of \$122,897.21; plus prejudgment interest in the amount of \$930.24; plus  
23 Plaintiff's costs and attorney fees in the amount of \$3,589.00; plus post-judgment interest  
24 through July 7, 2017 in the amount of \$3,980.14; for a grand total of \$131,396.59. Interest will  
25 continue to accrue on this amount at the rate of 9.00% per annum (\$33.73 per diem) until the  
26 date of sale; Thus,

27 WRIT OF EXECUTION -2-

28 **ZIEVE, BRODNAX & STEELE, LLP**  
Amy F. Harrington, Esq.  
One World Trade Center  
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Portland, OR 97204  
714-848-7920  
aharrington@zbslaw.com

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2 THE TOTAL AMOUNT OF EXECUTION REQUESTED HEREON, STATED AS OF  
3 THE DATE OF SUBMISSION (July 7, 2017) IS AS FOLLOWS:

4	Base Judgment	\$122,897.21
5	Pre-judgment Interest	\$930.24
6	Plaintiff's Costs and Attorney Fees	\$3,589.00
7	Post-judgment Interest	\$3,980.14
8	Total due as of July 7, 2017	\$131,396.59 plus \$33.73 per diem thereafter until
9	the date of sale.	

10 The proceeds of sale shall be applied, delivered, and distributed according to ORS  
11 18.950.

12 The Sheriff is hereby authorized to continue execution under the writ and delay making a  
13 return on the writ to a date not later than 150 days after the sheriff receives the writ as long as the  
14 execution sale occurs no later than 150 days after the sheriff receives the writ pursuant to ORS  
15 18.872.



dated: July 18<sup>th</sup>, 2017

Johnson  
court clerk

22 Submitted by:

23   
24 \_\_\_\_\_

Amy F. Harrington, OSB No. 123363

26 WRIT OF EXECUTION -3-

**ZIEVE, BRODNAX & STEELE, LLP**  
Amy F. Harrington, Esq.  
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**IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF UMATILLA**

WILMINGTON TRUST, NATIONAL  
ASSOCIATION, NOT IN ITS INDIVIDUAL  
CAPACITY, BUT SOLELY AS TRUSTEE  
FOR VM TRUST SERIES 1, A DELAWARE  
STATUTORY TRUST,

Plaintiff,

vs.

CANDIS J. MCCLURE, an individual;  
PORTFOLIO RECOVERY ASSOCIATES  
aka PORTFOLIO RECOVERY  
ASSOCIATES, L.L.C., a limited liability  
company; and all other persons, parties, or  
occupants unknown claiming any legal or  
equitable right, title, estate, lien, or interest in  
the real property described in the complaint  
herein, adverse to Plaintiff's title, or any cloud  
on Plaintiff's title to the Property.

Defendants.

**CASE NUMBER: 16CV25943**

**LIMITED  
~~GENERAL~~ JUDGMENT OF  
FORECLOSURE AGAINST:**

**(1) CANDIS J. MCCLURE  
(2) PORTFOLIO RECOVERY  
ASSOCIATES AKA PORTFOLIO  
RECOVERY ASSOCIATES, L.L.C.**

1.

THIS MATTER, coming on regularly before the Court, and it appearing from the record herein that Plaintiff, Wilmington Trust, National Association, Not in its Individual Capacity, But Solely as Trustee for VM Trust Series 1, a Delaware Statutory Trust ("Plaintiff"), filed its Complaint for Foreclosure of Deed of Trust; that Defendants CANDIS J. MCCLURE and PORTFOLIO RECOVERY ASSOCIATES AKA PORTFOLIO RECOVERY ASSOCIATES, L.L.C., ("Defendants") were duly served with the Summons and Complaint as required by law; that Defendants failed to appear, that the ORDER FOR ENTRY OF DEFAULT AGAINST

1 DEFENDANTS CANDIS J. MCCLURE AND PORTFOLIO RECOVERY ASSOCIATES AKA  
2 PORTFOLIO RECOVERY ASSOCIATES, L.L.C., has been entered against them on Plaintiff's  
3 Complaint, and that Plaintiff is entitled to entry of a General Judgment foreclosing Plaintiff's deed of  
4 trust against the property commonly known as 404 NORMAL DR. AKA 404 NORMAL ST.,  
5 WESTON, OREGON 97886 ("Property") and extinguishing any and all interest of the Defendants in  
6 the Property.

7 2.

8 The Court being fully advised; it is hereby  
9 ORDERED AND ADJUDGED that:

10 3.

11 Plaintiff is the holder of that certain promissory note ("Note"), dated July 31, 2007, in the  
12 amount of \$77,779.00, and executed by CANDIS J. MCCLURE.

13 4.

14 The Note is secured by that certain deed of trust ("Deed of Trust") executed on or about July  
15 31, 2007, by CANDIS J. MCCLURE. The Deed of Trust was recorded on August 2, 2007 under the  
16 recording number 2007-5230497 of the Official Records of Umatilla County, Oregon, against the  
17 Property, which is legally described in Exhibit "1" attached hereto ("Property") and constitutes a  
18 valid lien against the Property.

19 5.

20 Defendant CANDIS J. MCCLURE failed to comply with the terms of the Note and Deed of  
21 Trust by failing to make the payments required by the terms of the Note and Deed of Trust. Pursuant  
22 to the terms of the Note and Deed of Trust, Plaintiff declared all sums due and owing under the Note  
23 and Deed of Trust immediately due and payable.

24 6.

25 The Deed of Trust is a valid first priority lien encumbering the Property, is superior to any  
26 interest, lien, or claim of the Defendants and any other party in the Property, which are hereby  
27 foreclosed and terminated, excepting only any statutory right of redemption to which the Defendants  
28 may be entitled under Oregon law.









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6. Periodic accrual: N/A

7. Attorney's Fees and Costs: An award of \$3,589.00 in attorney's fees and costs is made.



Signed: 3/10/2017 09:50 AM

CERTIFIED TO BE A TRUE AND  
CORRECT COPY OF THE ORIGINAL  
Dated: July 18th, 2017  
TRIAL COURT ADMINISTRATOR  
By: S. Johnson  
Court clerk

**Christopher R. Brauer, Circuit Court Judge**

Submitted by:

Dated: February 28, 2017

s/ Steve Bonfiglio  
Steve Bonfiglio, OSB #051220  
Attorney for Plaintiff  
MALCOLM ♦ CISNEROS, A Law Corporation  
2112 Business Center Drive, Second Floor  
Irvine, California 92612  
Phone: (949) 252-9400  
Fax: (949) 252-1032  
Email: sbonfiglio@mclaw.org

# EXHIBIT 1

Lots 2, 3, 4, 5 and 6, Block 2, KILGORE'S ADDITION to the Town, now City of Weston, Umatilla County,  
Oregon;

EXCEPTING THEREFROM the North 10 feet of Lot 2.

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**CERTIFICATE OF READINESS**

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

- Service is not required under UTCR 5.100 because the other party has been found in default or an order of default is being requested with this proposed Order or Judgment; because this Order or Judgment is submitted ex parte as allowed by statute or rule; or this Order or Judgment is being submitted in open court with all parties present.
- Each party affected by this Order or Judgment has stipulated to or approved the Order or Judgment, as shown by the signatures on the Order or Judgment.
- I have served a copy of this Order or Judgment and written notice of the objection period set out in UTCR 5.100 on all parties entitled to service and:
  - No objections have been served on me within that time frame;
  - I received objections that I could not resolve with the other 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, the other party agreed to file any remaining objection with the Court.

DATED: February 28, 2017

By: /s/ Steve Bonfiglio  
Steve Bonfiglio, OSB #051220  
Attorney for Plaintiff  
MALCOLM ♦ CISNEROS, A Law Corporation  
2112 Business Center Drive, Second Floor  
Irvine, California 92612  
(949) 252-9400 (TELEPHONE)  
(949) 252-1032 (FAX)