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Court clerk has not verified the figures in this writ. If you have questions regarding this writ, please contact your legal counsel, the issuing attorney, or company. Debtor may contest this writ by filing a claim of exception.

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

WILMINGTON SAVING FUND SOCIETY,  
FSB, D/B/A CHRISTIANA TRUST, AS  
TRUSTEE OF NORMANDY MORTGAGE  
LOAN TRUST, SERIES 2016-1, its successors  
in interest and/or assigns,

Case No.16CV13714

WRIT OF EXECUTION IN  
FORECLOSURE

Plaintiff,

v.

JAMES P. WORTMANN AKA JAMES  
PATRICK WORTMANN; ANNE KARI  
WORTMANN AKA ANNE K. LYSHAUG  
AKA ANNE KARI LYSHAUG; ONPOINT  
COMMUNITY CREDIT UNION; AND  
OCCUPANTS OF THE PREMISES,

Defendants.

TO: THE SHERIFF OF MULTNOMAH COUNTY, OREGON

1.

WHEREAS, on July 13, 2017, in the above-entitled court, a General Judgment of Foreclosure (the "Judgment") was entered and docketed in the above-entitled cause.

2.

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 June 13, 2007, the date of the foreclosed Deed of Trust, and also all of the interest which the defendants had thereafter, in the real property described in the Judgment to satisfy the amount due to Plaintiff, set out as follows:

**Lenders' Principal Judgment**

Unpaid Principal Balance	\$416,882.72
Pre-Judgment Interest from November 1, 2009 to April 20, 2017, the date calculated by the declarant in the declaration of indebtedness @ 6.750% per annum	\$272,319.49
Lenders' Fees and Costs	\$45,216.27
Attorneys' Fees and Costs	\$5,880.00
<b>Total Amount Due to Plaintiff as of Judgment Submission Date</b>	<b>\$740,298.48</b>

**Additional Pre-Judgment Interest**

Accrued Interest from April 21, 2017 through July 13, 2017, the date of entry of the general judgment @ 6.750% per annum (\$77.09 per diem).	\$6,475.56
<b>Total Amount Due to Plaintiff as of Judgment Entry Date</b>	<b>\$746,774.04</b>

**Post Judgment Interest**

Accrued Post Judgment Interest from July 14, 2017, the date after the entry of the general judgment, through August 7, 2017, the date the Writ was requested @ legal rate of interest of 9.000% per annum (\$184.14 per diem).	\$4,419.36
<b>Total Amount Due to Plaintiff as of Date of Writ</b>	<b>\$751,193.40</b>

3.

In addition to this amount, Plaintiff is entitled to the continued accrual of post-judgment interest at the legal rate of interest of 9.000% per annum, \$184.14 per diem from August 8, 2017, to the date the real property subject to the Judgment is sold by the Multnomah County Sheriff at its foreclosure auction, plus costs of this writ, sheriff's fees and sale costs, and all other

1 recoverable costs pursuant to law.

2 4.

3 The real property subject to this writ of execution is situated in Multnomah County, State  
4 of Oregon, to wit:

5 LOT 8, BLOCK 65, IRVINGTON ADDITION, IN THE CITY OF PORTLAND,  
6 COUNTY OF MULTNOMAH, STATE OF OREGON.

7 and more commonly known as 2325 Northeast 15th Avenue, Portland, Oregon 97212 ("Property").

8 5.

9 The Judgment Creditor's name and address is:

10  
11 Wilmington Saving Fund Society, FSB, d/b/a Christiana Trust, as  
12 trustee of Normandy Mortgage Loan Trust, Series 2016-1  
13 c/o Selene Finance LP  
14 9990 Richmond Avenue, Suite 400 South  
15 Houston, TX 77042

16 6.

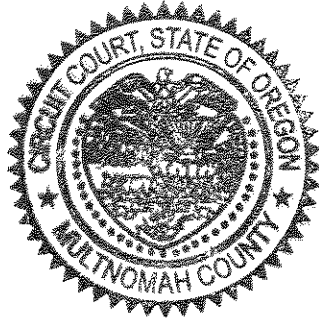
17 The Judgment Creditor's name and address for the purpose of this Writ is:

18 Wilmington Saving Fund Society, FSB, d/b/a Christiana Trust, as  
19 trustee of Normandy Mortgage Loan Trust, Series 2016-1  
20 c/o RCO Legal, P.C.  
21 511 SW 10<sup>th</sup> Ave., Ste. 400  
22 Portland, OR 97205  
23 (503) 977-7840

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1            THEREFORE, in the name of the State of Oregon, you are hereby commanded to seize and  
2 sell the above-described Property, in the manner prescribed by law; or so much thereof as may be  
3 necessary to satisfy the Judgment, including interest, fees and costs.

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



*Alan Callen*  
August 21, 2017

11 Submitted By:

12 *Calvin Knickerbocker* Date: 8/4/2017

13 Calvin Knickerbocker, OSB #050110  
14 Attorneys for Plaintiff  
15 511 SW 10<sup>th</sup> Ave., Ste. 400  
16 Portland, OR 97205  
17 (503) 977-7840; Fax (503) 977-7963  
18 cknickerbocker@rcolegal.com  
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IN THE CIRCUIT COURT FOR THE STATE OF OREGON  
IN AND FOR THE COUNTY OF MULTNOMAH

WILMINGTON SAVING FUND SOCIETY,  
FSB, D/B/A CHRISTIANA TRUST, AS  
TRUSTEE OF NORMANDY MORTGAGE  
LOAN TRUST, SERIES 2016-1, its successors  
in interest and/or assigns,

Plaintiff,

v.

JAMES P. WORTMANN AKA JAMES  
PATRICK WORTMANN; ANNE KARI  
WORTMANN AKA ANNE K. LYSHAUG  
AKA ANNE KARI LYSHAUG; ONPOINT  
COMMUNITY CREDIT UNION; AND  
OCCUPANTS OF THE PREMISES,

Defendants.

Case No. 16CV13714

GENERAL JUDGMENT OF  
FORECLOSURE AND SALE  
AGAINST:

- (1) JAMES P. WORTMANN AKA JAMES PATRICK WORTMANN;
- (2) ANNE KARI WORTMANN AKA ANNE K. LYSHAUG AKA ANNE KARI LYSHAUG;
- (3) ONPOINT COMMUNITY CREDIT UNION; AND
- (4) OCCUPANTS OF THE PREMISES

1.

THIS MATTER coming regularly before the Court on this day and it appearing from the record herein that plaintiff Wilmington Saving Fund Society, FSB, d/b/a Christiana Trust, as trustee of Normandy Mortgage Loan Trust, Series 2016-1, its successors in interest and/or assigns ("Plaintiff"), filed its Complaint for deed of trust foreclosure; that defendants James P. Wortmann aka James Patrick Wortmann; Anne Kari Wortmann aka Anne K. Lyshaug aka Anne Kari Lyshaug; OnPoint Community

1 Credit Union; and Occupants of the Premises were duly served with the Summons and Complaint as  
2 required by law; that defendants James P. Wortmann aka James Patrick Wortmann; Anne Kari  
3 Wortmann aka Anne K. Lyshaug aka Anne Kari Lyshaug; OnPoint Community Credit Union; and  
4 Occupants of the Premises failed to appear; and that an Order of Default has been entered against them  
5 on Plaintiff's Complaint and, consequently this General Judgment of foreclosure is submitted in  
6 accordance with UTCR 5.100 (3)(c).  
7

8 2.

9 Plaintiff hereby requests this general judgment for foreclosure and sale be entered into the  
10 Court's register to accomplish the following: to foreclose any and all interest of defendants James P.  
11 Wortmann aka James Patrick Wortmann; Anne Kari Wortmann aka Anne K. Lyshaug aka Anne Kari  
12 Lyshaug; OnPoint Community Credit Union; and Occupants of the Premises in the real property subject  
13 to this foreclosure action, located at 2325 Northeast 15th Avenue, Portland, Oregon 97212 (the  
14 "Property").  
15

16 3.

17 The court being fully advised in the Premise, finding good cause exists so this general judgment  
18 of foreclosure and sale may be entered in favor of Plaintiff and against James P. Wortmann aka James  
19 Patrick Wortmann; Anne Kari Wortmann aka Anne K. Lyshaug aka Anne Kari Lyshaug; OnPoint  
20 Community Credit Union; and Occupants of the Premises, all of them, it is hereby  
21

22 ORDERED AND ADJUDGED:

23 4.

24 That the Deed of Trust dated June 13, 2007, executed by James P. Wortmann, a married person  
25 for the benefit of Mortgage Electronic Registration Systems, Inc solely as nominee for American  
26

1 Mortgage Network, Inc. dba American Mortgage Network of Oregon ("Deed of Trust"), recorded on  
2 June 19, 2007, as Instrument No.2007-109617 in the official records of Multnomah County, Oregon,  
3 subsequently assigned to Plaintiff by way of an assignment recorded on March 15, 2017 as Instrument  
4 No. 2017-031599, is a valid lien for the amount due and owing as set forth in Paragraph 13 herein,  
5 against the Property situated in Multnomah County, Oregon, and described as follows

6 LOT 8, BLOCK 65, IRVINGTON ADDITION, IN THE CITY OF  
7 PORTLAND, COUNTY OF MULTNOMAH, STATE OF OREGON.

8 5.

9 That the lien of the Deed of Trust is superior to any interest, lien, or claim of defendants James  
10 P. Wortmann aka James Patrick Wortmann; Anne Kari Wortmann aka Anne K. Lyshaug aka Anne Kari  
11 Lyshaug; OnPoint Community Credit Union; and Occupants of the Premises in the Property, and that  
12 said Deed of Trust is hereby foreclosed by this Court on the Property.

13 6.

14 That the grantor of the Deed of Trust, defendant James P. Wortmann, previously filed for  
15 protection under Chapter 7 of the United States Bankruptcy Code, Case No. 12-31948, District of  
16 Oregon, Portland Division, and received a discharge of his debts on June 27, 2012 (the "Bankruptcy  
17 Discharge Order"). Thus, this suit does not constitute an attempt to collect the debt in violation of the  
18 Bankruptcy Discharge Order. Rather, this judgment of foreclosure and sale is to be enforced by  
19 execution and sale of the Property as security for the debt owed under the terms of the Deed of Trust, as  
20 contemplated by the bankruptcy code, and pursuant to ORS 88.010 and 88.060.

21 7.

22 That defendants James P. Wortmann aka James Patrick Wortmann; Anne Kari Wortmann aka  
23 Anne K. Lyshaug aka Anne Kari Lyshaug; OnPoint Community Credit Union; and Occupants of the  
24  
25  
26

1 Premises, each of them, and all parties claiming by, through, or under them as purchasers,  
2 encumbrances, or otherwise, are forever barred and foreclosed of all interests, liens, or claims in the  
3 Property, and every portion thereof, excepting only the statutory right of redemption provided by the  
4 laws of the State of Oregon.

5 8.

6 That defendant James P. Wortmann aka James Patrick Wortmann; Anne Kari Wortmann aka  
7 Anne K. Lyshaug aka Anne Kari Lyshaug; OnPoint Community Credit Union; and Occupants of the  
8 Premises, all of them, are not entitled to a homestead exemption as against Plaintiff's Deed of Trust.  
9

10 9.

11 That all of the right, title and interest which James P. Wortmann, a married person had on June  
12 13, 2007, the date of the Deed of Trust, and all of the right, title and interest defendants James P.  
13 Wortmann aka James Patrick Wortmann; Anne Kari Wortmann aka Anne K. Lyshaug aka Anne Kari  
14 Lyshaug; OnPoint Community Credit Union; and Occupants of the Premises and any successor  
15 thereafter had in and to the real Property is hereby ordered to be sold by law, and the proceeds of sale  
16 shall be applied first toward the sheriff's fees and costs of sale, then toward the satisfaction of the  
17 amount due and owing set forth in Paragraph 13 herein; and the surplus, if any, to the Clerk of the Court  
18 to be disbursed to such party or parties as may establish their right thereto.  
19

20 10.

21 That Plaintiff may become purchaser at the sheriff's sale of the Property and may bid up to the  
22 aggregate amount due and owing set forth in Paragraph 13 herein, plus interest from the date of this  
23 Judgment until sale without advancing any cash except money required for the sheriff's sale.  
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11.

That the Plaintiff, if the successful purchaser of the Property at the sheriff's sale, reserves the right to motion the court after sale for exclusive and immediate possession of the Property through the issuance and enforcement of a writ of assistance, should defendants James P. Wortmann aka James Patrick Wortmann; Anne Kari Wortmann aka Anne K. Lyshaug aka Anne Kari Lyshaug; OnPoint Community Credit Union; and Occupants of the Premises refuse to surrender possession of the Property immediately upon the purchaser's demand for possession.

12.

That Plaintiff is entitled to, and is hereby awarded its attorney fees and costs incurred in this action, and that Plaintiff's attorney fees in the amount of \$3,300.00 and its litigation costs in the amount of \$2,580.00, shall be, and is hereby declared additional amounts secured by and hereinafter shall be made part of the amount of the debt secured by Plaintiff's Deed of Trust.

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1 **DECLARATION OF DEBT SECURED BY DEED OF TRUST**

2 **(Pursuant to Senate Bill 368)**

3 13.

4 Under the terms of the Deed of Trust and the promissory note dated June 13, 2007, in the  
5 principal amount of \$417,000.00, there is now due and owing the following amounts, to be hereinafter  
6 described as the Amount Due:  
7

8 **Attorneys' Fees and Costs**

9	Attorneys' Fees		\$3,300.00
9	Title Report	\$1,184.00	
10	Filing Fee - Complaint	\$531.00	
10	Recording Fee - Lis Pendens	\$50.00	
11	Process Service Fees	\$615.00	
12	Date Down Endorsements	\$200.00	
12		Total Costs	\$2,580.00
13	<b>Total Attorneys' Fees and Costs</b>		<b>\$5,880.00</b>

14 **Lenders' Principal and Interest**

15	Principal Balance	\$416,882.72	
16	Accrued Interest from November 1, 2009, to April 20, 2017, the date calculated by declarant in the declaration of in support of judgment @ .0675 per annum	\$272,319.49	
18	<b>Total Principal &amp; Interest</b>		<b>\$689,202.21</b>

19 **Lenders' Fees and Costs**

20	Escrow Advance	\$43,688.52	
21	Accumulated Late Charges	\$351.75	
22	Recoverable Balance	\$1,176.00	
23	<b>Total Lenders' Fees and Costs:</b>		<b>\$45,216.27</b>
23	<b>Total Lenders' Principal, Interest, Fees, and Costs:</b>		<b>\$734,418.48</b>

24 Additional pre-judgment interest pursuant to ORS  
25 18.042 from April 20, 2017 to the date entry of  
26 judgment at the contract rate of interest as defined by  
Section 2 of the Note

1 Post-Judgment interest thereafter on the Total  
2 Amount Due at the contract rate of interest as defined  
3 by Section 2 of the Note, or 9.000% per annum,  
4 whichever is greater.

*Total Amount Due*

\$740,298.48

Signed: 7/13/2017 01:51 PM

  
Circuit Court Judge Nan G. Waller  
proxy signed by KRR

11 Presented by:

12 RCO LEGAL, P.C.

13 By  DATED 6/12/17

14 Calvin Knickerbocker, OSB # 050110

15 Attorneys for Plaintiff

16 511 SW 10<sup>th</sup> Ave., Ste. 400

17 Portland, OR 97205

18 Telephone (503) 977-7840 Facsimile (503) 977-7963

19 cknickerbocker@rcolegal.com

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GENERAL JUDGMENT OF FORECLOSURE AND SALE - 7

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RCO  
LEGAL, P.C.

511 SW 10th Ave., Ste. 400  
Portland, OR 97205  
Phone: 503.977.7840  
Fax: 503.977.7963

CERTIFICATE OF UTCR 5.100 COMPLIANCE

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

A. [ ] The order or judgment was served on the opposing counsel not less than 3 days prior to submission to the court, or mailed to a self-represented party at the party's last known address not less than 7 days prior to submission to the court with a notice of the time period to object.

B. [ ] The order or judgment is accompanied by a stipulation by opposing counsel that no objection exists as to the judgment or order.

C.  The judgment or order is exempt from UTCR 5.100(1) because:

a. [ ] The judgment or order is a proposed order or judgment presented in open court with the parties present.

b. [ ] The judgment or order is of a kind that may be presented ex parte and has been submitted either in person or by mail ex parte.

c.  The judgment is a proposed judgment after an order for default has already been entered or is being simultaneously requested against the opposing party.

d. [ ] The proposed judgment is subject to UTCR 10.0099

e. [ ] The proposed judgment or order is an uncontested probate and protective proceeding.

f. [ ] This matter is certified to the court under ORS 416.422, 416.430, 416.435, or 416.448.

D. In compliance with UTCR 5.100(2)(b), the drafting party certifies the following as to why the proposed judgment or order is ready for a judicial signature:

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 objection has been served on me.

b. [ ] I received objections that I could not resolve with the opposing party despite reasonable efforts to do so. I have filed a copy of the objections I received and indicated which objections remain unresolved.

c. [ ] After conferring about objections, [role and name of opposing party] agreed to independently file any remaining objection.

4. [ ] The relief sought is against an opposing party who has been found to be in default.

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- 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 noted.
- 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.

Dated this 12 day of June, 2017  
By, Calvin Knickerbocker  
Calvin Knickerbocker OSB#050110  
Attorney for Plaintiff