

Judgment Creditor: BANK OF AMERICA, N.A.,
Judgment Creditor Address: 8201 Cypress Plaza
Jacksonville, FL 32256

NOW THEREFORE IN THE NAME OF THE STATE OF OREGON, you are commanded to sell the real property as by said General Judgment of Foreclosure according to law (subject to redemption) all of the interest that the Defendant Michael W. Buche and Misti D. Buche had on the 19th day of October 2009, the date of the Mortgage, and also all of the interest that Defendants had thereafter, in the real property described in the Judgment as:

LOT 3, BLOCK 12, RICHARDSON VILLAGE, IN THE CITY OF PORTLAND, MULTNOMAH COUNTY, OREGON

Tax Parcel Number: R254530

The street address of the real property to be levied upon is 11313 SE Bush St, Portland, OR 97266.

The above referenced property shall be sold to satisfy the following sums: The base judgment amount of \$414,848.08, plus prejudgment interest in the amount of \$345,346.48, plus Plaintiff's costs and reasonable attorney fees in the amount of \$2,828.80, for a grand total of \$763,023.36 together with interest on those amount since March 24, 2014 (the date of entry of judgment) at the rate of 5.000% per annum (\$47.30 per diem); Thus,

THE TOTAL AMOUNT OF EXECUTION REQUESTED HEREON, STATED AS OF THE DATE OF SUBMISSION (March 24, 2014) IS AS FOLLOWS:

Base Judgment:	\$414,848.08
Prejudgment Interest:	\$345,346.48
Plaintiff's Costs and Attorney Fees	\$2,828.80
Total due as of March 24, 2014	\$763,023.36 plus \$47.30 per diem thereafter until

paid.

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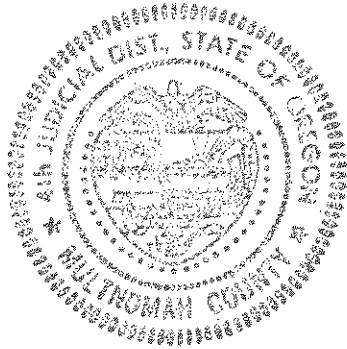
WRIT OF EXECUTION -2-

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Benjamin D. Petiprin, Esq.
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121 Southwest Salmon St., 11th Floor
Portland, OR 97204
503-946-6558
bpetiprin@zbslaw.com

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

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



6/5/17
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Submitted by:

[Handwritten signature: BDM]

Benjamin D. Petiprin, OSB No. 136031

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ENTERED
MAR 24 2014
IN REGISTER CDR

FILED
2014 MAR 17 PM 1:36
CIRCUIT COURT
FOR MULTNOMAH COUNTY

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

BANK OF AMERICA, N.A.,

Plaintiff,

vs.

MICHAEL W. BUCHE, an individual; MISTI
D. BUCHE, an individual; COLUMBIA
COLLECTION SERVICE, a corporation;
STATE OF OREGON EMPLOYMENT
DEPARTMENT, an Oregon government
entity; and all other persons or parties
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, collectively
designated as DOES 1 through 50, inclusive.

Defendants.

CASE NUMBER: 130201794

GENERAL JUDGMENT OF
FORECLOSURE AGAINST:

- (1) MICHAEL W. BUCHE,
- (2) MISTI D. BUCHE,
- (3) COLUMBIA COLLECTION SERVICE,
- (4) STATE OF OREGON EMPLOYMENT
DEPARTMENT

1.

THIS MATTER, coming on regularly before the Court on this day and it appearing from the record herein that Plaintiff BANK OF AMERICA, N.A. ("Plaintiff") filed its Complaint for

1 Foreclosure of Deed of Trust; that Defendants MICHAEL W. BUCHE, MISTI D. BUCHE,
2 COLUMBIA COLLECTION SERVICE, and STATE OF OREGON EMPLOYMENT
3 DEPARTMENT (collectively referred to as "Defendants") were duly served with the Summons and
4 Complaint as required by law; that Defendants failed to appear, and that the ORDER FOR ENTRY
5 OF DEFAULT AGAINST MICHAEL W. BUCHE, MISTI D. BUCHE, COLUMBIA
6 COLLECTION SERVICE, AND STATE OF OREGON EMPLOYMENT DEPARTMENT has
7 been entered against them on Plaintiff's Complaint.

8 2.

9 Plaintiff hereby requests that this General Judgment be entered into the Court's register to
10 accomplish the foreclosure of any and all interest of the Defendants in the real property subject to
11 this foreclosure action, located at 11313 SE Bush St, Portland, OR 97266.

12 3.

13 The Court being fully advised; it is hereby
14 ORDERED AND ADJUDGED:

15 4.

16 That Plaintiff is the holder of the promissory note ("Note"), dated October 19, 2009, and
17 made, executed, and delivered by Defendants MICHAEL W. BUCHE and MISTI D. BUCHE in the
18 amount of \$352,336.00.

19 5.

20 That the Note is secured by the deed of trust made, executed and delivered by Defendants
21 MICHAEL W. BUCHE and MISTI D. BUCHE on or about October 23, 2009, recorded on October
22 28, 2009 under the recording number 2009-150297 of the Official Records of Multnomah County,
23 Oregon, against the property located at 11313 SE Bush St, Portland, OR 97266, legally described as

24 **LOT 3, BLOCK 12, RICHARDSON VILLAGE, PORTLAND, MULTNOMAH**
25 **COUNTY, OREGON**

26 ("Property") which constitutes a valid lien ("Deed of Trust").

27 6.

28 That Defendants MICHAEL W. BUCHE and MISTI D. BUCHE failed to comply with the

1 terms of the Note and Deed of Trust by failing to make the payments due and owing according to the
2 terms of the Note and Deed of Trust. Pursuant to the terms of the Note and Deed of Trust, Plaintiff
3 has now declared all sums due and owing under the Note and Deed of Trust as immediately due and
4 payable.

5 7.

6 That the Deed of Trust is a valid first priority lien encumbering the Property and is superior
7 to any interest, lien, or claim of Defendants or any other party in the Property and that the Deed of
8 Trust is hereby foreclosed by this Court on the Property.

9 8.

10 That a judgment of foreclosure in the amount of \$417,676.88 shall be granted against
11 Defendants MICHAEL W. BUCHE and MISTI D. BUCHE and in favor of Plaintiff or its successors
12 or assigns, as further described in the Money Award below.

13 9.

14 That the Property is hereby ordered to be sold by law and the proceeds of sale shall be
15 applied toward the satisfaction of Plaintiff's money award herein; and the surplus, if any to the Clerk
16 of the Court to be disbursed to such party or parties as may establish their right thereto.

17 10.

18 That Plaintiff is entitled to recover its reasonable attorney's fees and all reasonable and
19 necessary costs and expenses incurred to enforcing the Note and Deed of Trust.

20 11.

21 That any increased interest or any such additional amounts as Plaintiff may advance for
22 taxes, assessments, municipal charges, and such other items as may constitute liens on the Property,
23 together with insurance and repairs necessary to prevent the impairment of the Property, together
24 with interest thereon from the date of payment may also be added to the Judgment and paid from the
25 proceeds from the sale of the Property.

26 12.

27 That Defendants, and all parties claiming through or under them as purchasers,
28 encumbrancers, or otherwise, are forever barred and foreclosed of all interests, liens, or claims in the

1 Property and every portion thereof, excepting only any statutory right of redemption provided by the
2 laws of the State of Oregon.

3 13.

4 That Defendants MICHAEL W. BUCHE and MISTI D. BUCHE are not entitled to a
5 homestead exemption on account of their interest in the Property.

6 14.

7 That Plaintiff may become purchaser at the Sheriff's Sale of the Property and may bid up to
8 the aggregate amount of its Money Award plus interest from the date of this Judgment until sale
9 without advancing any cash except money required for the Sheriff's Sale.

10 15.

11 That the purchaser of the Property at the Sheriff's Sale is entitled to exclusive and immediate
12 possession of the Property from and after the date of the sale, and is entitled to such remedies as are
13 available at law to secure possession of the Property, and may apply to the Clerk of the Court for a
14 writ of assistance, if Defendants, any of them, or any other party or person shall refuse to surrender
15 possession of the Property to the purchaser immediately on the purchaser's demand for possession.

16 16.

17 That this Court shall retain jurisdiction to enforce all provisions of the Judgment and to enter
18 such additional order, judgment, or decree necessary for the purchaser at the foreclosure sale to
19 obtain possession of the Property.

20 17.

21 Under the Note, there is now due and owing to Plaintiff, the following amounts, to be
22 hereinafter described as the Money Award.

23 18.

24 This suit does not constitute an attempt to collect the debt against Defendants MICHAEL W.
25 BUCHE and MISTI D. BUCHE under the Note. Rather, it is a suit to execute upon the Property as
26 security for the Money Award to the Plaintiff.

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MONEY AWARD

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1. Judgment Creditor: BANK OF AMERICA, N.A.
Address: 100 N. Tryon St.
Charlotte, North Carolina 28255-4000
Judgment Attorney: Nathan F. Smith
Address: MALCOLM ♦ CISNEROS, A Law Corporation
2112 Business Center Drive, 2nd Floor
Irvine, California 92612
Telephone Number: (949) 252-9400
2. Judgment Debtor 1: MICHAEL W. BUCHE
Address: 11313 SE Bush St
Portland, OR 97266
Year of Birth: Unknown
Final 4 digits of Social Security number: XXX-XX-5764
Driver's license number and issuing state: Unknown
Judgment Debtor Attorney: N/A
Judgment Debtor 2: MISTI D. BUCHE
Address: 11313 SE Bush St
Portland, OR 97266
Year of Birth: Unknown
Final 4 digits of Social Security number: XXX-XX-7165
Driver's license number and issuing state: Unknown
Judgment Debtor Attorney: N/A
**3. Persons or Public Bodies Entitled to
a Portion the Money Award:** N/A
4. Judgment Amount: \$414,848.08

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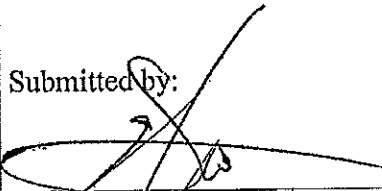
8. Attorney's Fees and Costs:

An award of \$2,828.80 in attorney's fees and costs is made for Judgment of Foreclosure

Attorney's Fees:	\$1,935.00
Filing Costs:	\$505.00
Recording Costs:	\$36.00
Process Service Costs:	\$338.00
UPS Costs:	\$14.80

DATED this: ___ day of MAR 17 2014, 2014


CIRCUIT COURT JUDGE

Submitted by: 

Dated: 3/10/14

Nathan F. Smith, OSB #120112
Attorney for Plaintiff
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