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

PNC BANK, NATIONAL ASSOCIATION,

Case No. 1404067CV

Plaintiff,

WRIT OF EXECUTION

v.

ROSS L. PERRIN; MORTGAGE
ELECTRONIC REGISTRATION SYSTEMS,
INC.; CAPITAL ONE BANK; and ALL
OTHER PERSONS OR PARTIES
UNKNOWN CLAIMING ANY RIGHT,
TITLE, LIEN, OR INTEREST IN THE REAL
PROPERTY COMMONLY KNOWN AS
36567 HIGHWAY 97 NORTH, CHILOQUIN,
OR 97624,

Defendants.

TO THE KLAMATH COUNTY SHERIFF:

On July 8, 2015, a General Judgment of Foreclosure and Declaration of Amount Due by Default was entered by the Klamath 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: PNC BANK, NATIONAL ASSOCIATION 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 36567 Hwy 97 N, Chiloquin, OR 97624 ("Subject Property"), and legally described as:

ALL OF GOVERNMENT LOTS 7 AND 10 LYING EAST OF HIGHWAY 97 IN SECTION 9, TOWNSHIP 35 SOUTH, RANGE 7 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON.

1 EXCEPT, A PARCEL OF LAND LYING IN LOTS 7 AND 10 OF SECTION 9,
2 TOWNSHIP 35 SOUTH, RANGE 7 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH
3 COUNTY, OREGON; THE SAID PARCEL BEING THAT PORTION OF SAID LOTS
4 INCLUDED IN A STRIP OF LAND VARIABLE IN WIDTH, LYING ON THE EASTERLY
5 SIDE OF THE CENTER LINE OF THE RELOCATED THE DALLES-CALIFORNIA
6 HIGHWAY WHICH CENTER LINE IS DESCRIBED AS FOLLOWS:

7 BEGINNING AT ENGINEER'S CENTER LINE STATION 3125+00, SAID STATION
8 BEING 1288.13 FEET SOUTH AND 1086.50 FEET EAST OF THE NORTH QUARTER
9 CORNER OF SECTION 4, TOWNSHIP 35 SOUTH, RANGE 7 EAST OF THE
10 WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON; THENCE SOUTH 6° 29' 28"
11 WEST 519.89 FEET; THENCE ON A SPIRAL CURVE LEFT (THE LONG CHORD OF
12 WHICH BEARS SOUTH 6° 21' 58" WEST 250 FEET) 250 FEET; THENCE ON A 19,098.59
13 FOOT RADIUS CURVE LEFT (THE LONG CHORD OF WHICH BEARS SOUTH 5° 43' 33"
14 WEST 260.18 FEET) 260.19 FEET; THENCE ON A SPIRAL CURVE LEFT (THE LONG
15 CHORD OF WHICH BEARS SOUTH 5° 05' 08" WEST 250 FEET) 250 FEET; THENCE
16 SOUTH 4° 57' 38" WEST 6419.92 FEET TO THE ENGINEER'S CENTER LINE STATION
17 3202+00.

18 THE WIDTHS IN FEET OF THE STRIP OF LAND ABOVE REFERRED TO ARE AS
19 FOLLOWS: STATION TO STATION WIDTH ON EASTERLY SIDE OF CENTER LINE
20 3172+00 3178+00 60 IN A STRAIGHT LINE TO 100 3178+00 3188+00 100 BEARINGS ARE
21 BASED UPON THE OREGON CO-ORDINATE SYSTEM, SOUTH ZONE

22 The total amount due and owing on the Judgment as of June 9, 2017;


23	Judgment:	Principal	\$194,627.87
24	Pre-Judgment:	Interest(5.500%,\$24.52/day)	\$4,094.84 (1/23/15 through 7/8/15)
25		Attorney Fees	\$4,920.00

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	Costs	\$2,023.00
	Prevailing Party Fee	\$300.00
Post-Judgment:	Interest(5.500%,\$31.04/day)	\$21,783.06 (7/9/15 through 6/9/17)
	Attorney Fees	\$185.00
TOTAL: \$227,940.79		

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



John M. Powell
by Marcela Flores
June 23, 2017

Presented by:
ALDRIDGE PITE, LLP



Christina M. Andreoni OSB# 160875
(858) 750-7600
(503) 222-2260 (Facsimile)
candreoni@aldridgepite.com
111 SW Columbia Street, Suite 950
Portland, OR 97201
Of Attorneys for Plaintiff

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ORIGINAL

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

PNC BANK, NATIONAL ASSOCIATION,
Plaintiff,

Case No. 1404067CV

GENERAL JUDGMENT AND MONEY
AWARD BY DEFAULT

v.

ROSS L. PERRIN; MORTGAGE
ELECTRONIC REGISTRATION SYSTEMS,
INC.; CAPITAL ONE BANK; and ALL
OTHER PERSONS OR PARTIES
UNKNOWN CLAIMING ANY RIGHT,
TITLE, LIEN, OR INTEREST IN THE REAL
PROPERTY COMMONLY KNOWN AS
36567 HIGHWAY 97 NORTH, CHILOQUIN,
OR 97624,

ORCP Rule 69

Defendants.

16 Based upon the Court's Order of Default against defendants MORTGAGE
17 ELECTRONIC REGISTRATION SYSTEMS, INC.; CAPITAL ONE BANK; and ALL OTHER
18 PERSONS OR PARTIES UNKNOWN CLAIMING ANY RIGHT, TITLE, LIEN, OR
19 INTEREST IN THE REAL PROPERTY COMMONLY KNOWN AS 36567 HIGHWAY 97
20 NORTH, CHILOQUIN, OR 97624, the Order For Summary Judgment as to ROSS L. PERRIN,
21 the records on file herein, and pursuant to the Motion for General Judgment and Money Award
22 by Default by Plaintiff PNC BANK, NATIONAL ASSOCIATION ("Plaintiff"),

IT IS HEREBY ORDERED AND ADJUDGED:

AGAINST ROSS L. PERRIN ("Judgment Debtor")

25 1. Plaintiff is awarded payment in full of the total amount due under the Note and
26 Deed of Trust, which as of January 22, 2015, is \$194,627.87 (excluding attorney fees and costs),



1 together with interest and any future advances and/or fees that may be made or incurred pursuant
2 to the terms of the Note and Deed of Trust up to the date of the execution sale. This amount is
3 detailed in the Money Award, and is to be satisfied by sale of the Subject Property as directed
4 under this Judgment;

5 2. Plaintiff is awarded reasonable attorney fees in the amount of \$4,920.00, plus the
6 remaining flat rate fees of \$185.00 for an uncontested execution on the Judgment, pursuant to the
7 Note and Deed of Trust and ORCP Rule 68(C), which amount may be added to the outstanding
8 obligation due and owing under the Note and Deed of Trust and recovered from the proceeds of
9 the sheriff's sale. Pursuant to the Deed of Trust, these fees continue to accrue to the date of the
10 execution sale. This amount to be satisfied by sale of the Subject Property as directed under this
11 Judgment;

12 3. Plaintiff is awarded costs of suit in the amount of \$2,023.00, pursuant to the Note
13 and Deed of Trust, ORCP Rule 68(A)(2) and ORS 20.115(4), which may be added to the
14 outstanding obligation due and owing under the Note and Deed of Trust and recovered from the
15 proceeds of the sheriff's sale. Pursuant to the Deed of Trust, these costs continue to accrue to the
16 date of the execution sale. This amount to be satisfied by sale of the Subject Property as directed
17 under this Judgment;

18 **AGAINST ALL DEFENDANTS (Judgment Debtor and Lien Claimants)**

19 4. The Deed of Trust is foreclosed and upon entry of this Judgment Plaintiff shall
20 request and the court administrator shall issue a writ of execution for the sale, by the Sheriff, in
21 the manner provided by law, of the real property located at 36567 Hwy 97 N, Chiloquin, OR
22 97624 ("Subject Property") legally described as:

23 **ALL OF GOVERNMENT LOTS 7 AND 10 LYING EAST OF HIGHWAY 97 IN**
24 **SECTION 9, TOWNSHIP 35 SOUTH, RANGE 7 EAST OF THE WILLAMETTE**
MERIDIAN, KLAMATH COUNTY, OREGON

25 **EXCEPT, A PARCEL OF LAND LYING IN LOTS 7 AND 10 OF SECTION 9,**
26 **TOWNSHIP 35 SOUTH, RANGE 7 EAST OF THE WILLAMETTE MERIDIAN,**

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KLAMATH COUNTY, OREGON; THE SAID PARCEL BEING THAT PORTION OF SAID LOTS INCLUDED IN A STRIP OF LAND VARIABLE IN WIDTH, LYING ON THE EASTERLY SIDE OF THE CENTER LINE OF THE RELOCATED THE DALLES-CALIFORNIA HIGHWAY WHICH CENTER LINE IS DESCRIBED AS FOLLOWS:

BEGINNING AT ENGINEER'S CENTER LINE STATION 3125+00, SAID STATION BEING 1288 13 FEET SOUTH AND 1086.50 FEET EAST OF THE NORTH QUARTER CORNER OF SECTION 4, TOWNSHIP 35 SOUTH, RANGE 7 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON, THENCE SOUTH 6° 29' 28" WEST 519 89 FEET; THENCE ON A SPIRAL CURVE LEFT (THE LONG CHORD OF WHICH BEARS SOUTH 6° 21' 58" WEST 250 FEET) 250 FEET, THENCE ON A 19,098.59 FOOT RADIUS CURVE LEFT (THE LONG CHORD OF WHICH BEARS SOUTH 5° 43' 33" WEST 260.18 FEET) 260.19 FEET, THENCE ON A SPIRAL CURVE LEFT (THE LONG CHORD OF WHICH BEARS SOUTH 5° 05' 08" WEST 250 FEET) 250 FEET, THENCE SOUTH 4° 57' 38" WEST 6419.92 FEET TO THE ENGINEER'S CENTER LINE STATION 3202+00.

THE WIDTHS IN FEET OF THE STRIP OF LAND ABOVE REFERRED TO ARE AS FOLLOWS:

STATION TO STATION WIDTH ON EASTERLY SIDE OF CENTER LINE

3172+00 3178+00 60 IN A STRAIGHT LINE TO 100

3178+00 3188+00 100

BEARINGS ARE BASED UPON THE OREGON CO-ORDINATE SYSTEM, SOUTH ZONE

5. Plaintiff's security interest in the Subject Property, as evidenced by the Deed of Trust recorded November 5, 2004 in the official records of Klamath County as instrument number Vol: M04 Page: 76393 ("Deed of Trust"), is a viable first priority lien, superior to the interests of all Defendants. All rights, claims, ownerships, liens, titles and demands of all Defendants are subsequent to Plaintiff's lien as created by the Note and Deed of Trust;

6. The Sheriff shall make a return on the writ of execution to the court administrator along with the proceeds of the sale, if any. The proceeds of the sale, if any, shall be applied first toward the costs of the sale; then toward the satisfaction of Plaintiff's Judgment awarded herein; and the surplus, if any, to the clerk of the court to be distributed to such party or parties as may

1 establish their right thereto. The Defendants and all persons claiming through or under
2 Defendants, whether lien claimants, judgment creditors, claimants arising under junior
3 mortgages or deeds of trust, purchasers, encumbrances or otherwise, shall be barred and
4 foreclosed from all rights, claims, interest or equity of redemption in the Subject Property and
5 every part of the Subject Property when the time for redemption has elapsed;

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

11 8. After the time for redemption has elapsed, the Sheriff shall execute a deed to the
12 holder of the certificate of sale issued by the Sheriff based on the execution sale;

13 **MONEY AWARD**


- 14 1. The name and address of the judgment creditor is:
15 PNC Mortgage, a division of PNC Bank, National Association
16 P.O. Box 1820
Dayton, OH 45401-1820
- 17 2. The name, address and number of the judgment creditor's attorney is:
18 Tracy J. Frazier
Aldridge Pite, LLP
621 SW Morrison Street, Suite 425
19 Portland, OR 97205
(858) 750-7600
- 20 3. The name of the judgment debtor and last known address:
21 Ross L. Perrin
36567 Hwy 97 N
Chiloquin, OR 97624
22 Year of Birth: Unknown
SSN: XXX-XX-2535
23 Driver's License Number/State: Unknown
- 24 4. Judgment debtor's attorney:
25 Scott D MacArthur, Esq.
Scott D MacArthur PC
125 S 6th St
26 Klamath Falls, OR 97601

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- 5. Name of any person or entity known to the judgment creditor, other than the judgment creditor's attorney, which may be entitled to any portion of a payment made on the judgment: NONE KNOWN.
- 6. The amount of the judgment is \$194,627.87.
- 7. Pre- and post-judgment simple interest of 5.500% (\$24.52 per diem) after 1/22/2015 through the date of sale.
- 8. Attorney Fees of \$4,920.00, plus \$185.00, through the date of sale.
- 9. Costs of \$2,023.00, plus costs accrued through the date of sale.
- 10. Prevailing party fee: \$300.00.

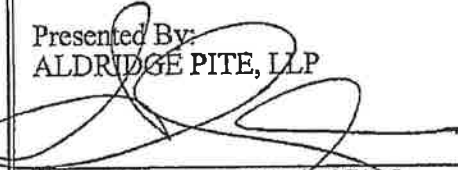
IT IS SO ORDERED.

Dated: _____

Signed: 6/24/2015 4:16:00 PM


 CIRCUIT COURT JUDGE

Presented By:
ALDRIDGE PITE, LLP


 Tracy J. Frazier, OSB #107125
 (503) 222-2026
 (503) 222-2260 (Facsimile)
 tfrazier@aldridgepite.com

Rochelle L. Stanford, OSB #062444
 (619) 326-2404
 (858) 412-2608 (Facsimile)
 rstanford@aldridgepite.com

621 SW Morrison Street, Suite 425
Portland, OR 97205

Of Attorneys for Plaintiff
PNC BANK, NATIONAL ASSOCIATION