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

WELLS FARGO BANK, N.A.,

Plaintiff,

v.

JANINE MARGIOTTA; CITY OF EUGENE,  
AN OREGON MUNICIPAL  
CORPORATION; OREGON AFFORDABLE  
HOUSING ASSISTANCE CORPORATION;  
DISCOVER BANK; and ALL OTHER  
PERSONS OR PARTIES UNKNOWN  
CLAIMING ANY RIGHT, TITLE, LIEN, OR  
INTEREST IN THE REAL PROPERTY  
COMMONLY KNOWN AS 4025 N  
CLAREY STREET, EUGENE, OR 97402,

Defendants.

Case No. 161412527

**WRIT OF EXECUTION**

TO THE LANE COUNTY SHERIFF:

On July 13, 2015, a General Judgment and Money Award was entered by the Lane 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 by an Assignment of Judgment is: Wilmington Savings Fund Society, FSB, as trustee of Stanwich Mortgage Loan Trust A 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 4025 N Clarey Street, Eugene, OR 97402-9775 ("Subject Property"), and legally described as:

LOT 33, CLAREY PLAT, AS PLATTED AND RECORDED IN FILE 72, SLIDES 168 AND 169, LANE COUNTY OREGON PLAT RECORDS, IN LANE COUNTY, OREGON

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The total amount due and owing on the Judgment as of July 12, 2017;

Judgment:	Principal	\$209,530.29
	Attorney Fees	\$8,982.50
	Costs	\$3,162.47
	Prevailing Party Fee	\$575.00
Post-Judgment:	Interest(5.125%,\$24.39/day)	\$19,316.88 (5/13/15 through 7/12/17)

**TOTAL: \$241,567.14**

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.

*July 19, 2017*

*By: Angie Jones*  
\_\_\_\_\_  
*court clerk*

Presented by:  
ALDRIDGE PITE, LLP  
*Christina Andreoni*  
Christina 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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WELLS FARGO BANK, N.A.,

Plaintiff,

v.

JANINE MARGIOTTA; CITY OF EUGENE,  
AN OREGON MUNICIPAL  
CORPORATION; OREGON AFFORDABLE  
HOUSING ASSISTANCE CORPORATION;  
DISCOVER BANK; and ALL OTHER  
PERSONS OR PARTIES UNKNOWN  
CLAIMING ANY RIGHT, TITLE, LIEN, OR  
INTEREST IN THE REAL PROPERTY  
COMMONLY KNOWN AS 4025 N  
CLAREY STREET, EUGENE, OR 97402,

Defendants.

Case No. 161412527

**GENERAL JUDGMENT AND MONEY  
AWARD**

On May 14, 2015, a trial to judicially foreclose the deed of trust on the property located at 4025 N Clarey Street, Eugene, Oregon 97402, came before the Court, the Honorable Charles D. Carlson presiding. Plaintiff Wells Fargo Bank, N.A. ("Plaintiff") was represented by its attorney, Tracy J. Frazier of Aldridge Pite, LLP (formerly Pite Duncan, LLP), and Defendant Janine Margiotta ("Borrower"), appeared *pro se*. Thereafter, testimony and other evidence was introduced by the parties concerning the existence of contract, Borrower's breach under the contract, and Borrower's indebtedness.

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1           Based upon the Court's findings against defendant Janine Margiotta, the Orders of  
2 Default as to City Of Eugene, An Oregon Municipal Corporation, Oregon Affordable Housing  
3 Assistance Corporation, Discover Bank, and All Other Persons Or Parties Unknown Claiming  
4 Any Right, Title, Lien, Or Interest In The Real Property Commonly Known As 4025 N Clarey  
5 Street, Eugene, OR 97402, the records on file herein, and pursuant to the Motion for General  
6 Judgment and Money Award by Plaintiff,

7           **IT IS HEREBY ORDERED AND ADJUDGED:**

8           **AGAINST JANINE MARGIOTTA ("Judgment Debtor")**

9           1.       Plaintiff is awarded payment in full of the total amount due under the Note and  
10 Deed of Trust, which as of May 12, 2015, is \$209,530.29 (excluding attorney fees and costs),  
11 together with interest and any future advances and/or fees that may be made or incurred pursuant  
12 to the terms of the Note and Deed of Trust up to the date of the execution sale. This amount is  
13 detailed in the Money Award, and is to be satisfied by sale of the Subject Property as directed  
14 under this Judgment;

15           2.       Plaintiff is awarded reasonable attorney fees in the amount of \$8,982.50, pursuant  
16 to the Note and Deed of Trust and ORCP Rule 68(C), which amount may be added to the  
17 outstanding obligation due and owing under the Note and Deed of Trust and recovered from the  
18 proceeds of the sheriff's sale. Pursuant to the Deed of Trust, these fees continue to accrue to the  
19 date of the execution sale. This amount to be satisfied by sale of the Subject Property as directed  
20 under this Judgment;

21           3.       Plaintiff is awarded costs of suit in the amount of \$3,162.47, pursuant to the Note  
22 and Deed of Trust, ORCP Rule 68(A)(2) and ORS 20.115(4), which may be added to the  
23 outstanding obligation due and owing under the Note and Deed of Trust and recovered from the  
24 proceeds of the sheriff's sale. Pursuant to the Deed of Trust, these costs continue to accrue to the  
25 date of the execution sale. This amount to be satisfied by sale of the Subject Property as directed  
26 under this Judgment;

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

2           4.       The Deed of Trust is foreclosed and upon entry of this Judgment Plaintiff shall  
3 request and the court administrator shall issue a writ of execution for the sale, by the Sheriff, in  
4 the manner provided by law, of the real property located at 4025 N Clarey Street, Eugene, OR  
5 97402-9775 ("Subject Property") legally described as:

6           LOT 33, CLAREY PLAT, AS PLATTED AND RECORDED IN FILE 72, SLIDES 168  
7           AND 169, LANE COUNTY OREGON PLAT RECORDS, IN LANE COUNTY,  
8           OREGON

9           5.       Plaintiff's security interest in the Subject Property, as evidenced by the Deed of  
10 Trust recorded October 28, 2009 in the official records of Lane County as instrument number  
11 2009-060649 ("Deed of Trust"), is a viable first priority lien, superior to the interests of all  
12 Defendants. All rights, claims, ownerships, liens, titles and demands of all Defendants are  
13 subsequent to Plaintiff's lien as created by the Note and Deed of Trust;

14           6.       The Sheriff shall make a return on the writ of execution to the court administrator  
15 along with the proceeds of the sale, if any. The proceeds of the sale, if any, shall be applied first  
16 toward the costs of the sale; then toward the satisfaction of Plaintiff's Judgment awarded herein;  
17 and the surplus, if any, to the clerk of the court to be distributed to such party or parties as may  
18 establish their right thereto. The Defendants and all persons claiming through or under  
19 Defendants, whether lien claimants, judgment creditors, claimants arising under junior  
20 mortgages or deeds of trust, purchasers, encumbrances or otherwise, shall be barred and  
21 foreclosed from all rights, claims, interest or equity of redemption in the Subject Property and  
22 every part of the Subject Property when the time for redemption has elapsed;

23           7.       Plaintiff or any other party to this action may become a purchaser at the  
24 foreclosure sale, and such purchaser shall be immediately let into possession of the subject  
25 property, until redemption of the property, if any. The purchaser at the foreclosure sale or any  
26 successor in interest may apply to this Court for a writ of assistance to gain possession of the

1 subject property if Defendants or any other party or person refuses to surrender possession;

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

4 MONEY AWARD

5 1. The name and address of the judgment creditor is:

6 Wells Fargo Bank, N.A.  
7 18700 N.W. Walker Road, Bldg. 92  
8 Beaverton, OR 97006

9 2. The name, address and number of the judgment creditor's attorney is:

10 Tracy J. Frazier, OSB No. 107125  
11 Aldridge Pite, LLP  
12 621 SW Morrison Street, Suite 425  
13 Portland, OR 97205  
14 (503) 222-2026

15 3. The name of the judgment debtor and last known address:

16 Janine Margiotta  
17 4025 N Clarey Street  
18 Eugene, OR 97402-9775  
19 Year of Birth: 1972  
20 SSN: XXX-XX-2996  
21 Driver's License Number/State: xxx1309/OR

22 4. Judgment debtor's attorney: NONE

23 5. Name of any person or entity known to the judgment creditor, other than the  
24 judgment creditor's attorney, which may be entitled to any portion of a payment  
25 made on the judgment: NONE KNOWN.  
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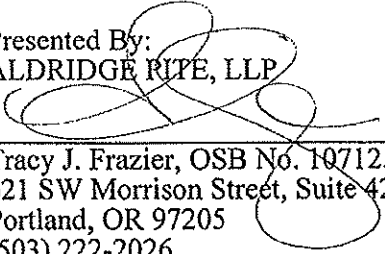
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- 6. The amount of the judgment is \$209,530.29.
- 7. Simple interest of 5.125% (\$24.39 Per Diem) after May 12, 2015 through the date of sale.
- 8. Attorney Fees of \$8,982.50, plus fees accrued through the date of sale.
- 9. Costs of \$3,162.47, plus costs accrued through the date of sale.
- 10. Prevailing party fee: \$575.00.

**IT IS SO ORDERED.**

Signed: 7/9/2015 03:53 PM  
Dated: \_\_\_\_\_

  
\_\_\_\_\_  
Honorable Charles D. Carlson

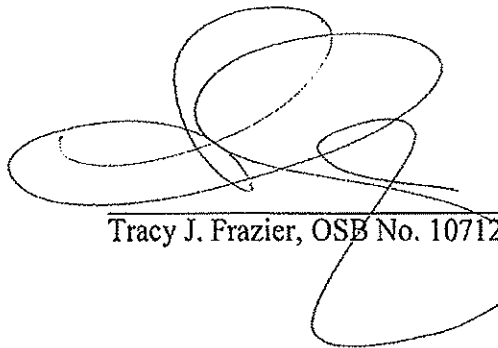
Presented By:  
ALDRIDGE PITE, LLP  
  
\_\_\_\_\_  
Tracy J. Frazier, OSB No. 107125  
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Portland, OR 97205  
(503) 222-2026  
tfrazier@aldridgepite.com  
Of Attorneys for Plaintiff

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CERTIFICATE OF COMPLIANCE WITH UTCR 5.100

I, Tracy J. Frazier, hereby certify I have complied with UTCR 5.100(1)(c) by serving the proposed judgment upon Defendant Janine Margiotta by mail not less than seven days prior to submission to the Court.

Dated: JULY 8 2015



Tracy J. Frazier, OSB No. 107125