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

BANK OF AMERICA, N.A.,
Plaintiff,
v.
IRENE H. DEVEREAUX; JACK A.
DEVEREAUX; AND PERSONS OR
PARTIES UNKNOWN CLAIMING ANY
RIGHT, TITLE, LIEN, OR INTEREST IN
THE PROPERTY DESCRIBED IN THE
COMPLAINT HEREIN,
Defendants.

Case No. 15CV30434

WRIT OF EXECUTION

TO THE LANE COUNTY SHERIFF:

On June 2, 2016, a General Judgment of Foreclosure Determining Amount Owed and Foreclosure 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 is: BANK OF AMERICA, N.A. c/o Katie L. Riggs, at 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 53 E Main St, Lowell, OR 97452-0000 ("Subject Property"), and legally described as:

LOTS 11 AND 12, B LOCK 13, LOWELL, AS PLATTED AND RECORDED IN VOLUME 4, PAGE 37, LANE COUNTY OREGON PLAT RECORDS, IN LANE COUNTY OREGON.

///

1 The total amount due and owing on the Judgment as of July 14, 2017;

2 Judgment:	Principal Balance	\$160,856.33
3	Interest (\$26.3698/day)	\$73,044.35 (1/1/09 to 6/2/2016)
4	Other Amounts Due	\$20,229.57
5	Attorney Fees	\$2,050.00
6	Costs	\$993.00
7	Prevailing Party Fee	\$0.00
8	<i>Subtotal:</i>	<i>\$259,223.25</i>

9 Post-Judgment:	Interest (9%, \$63.91/day)	\$26,206.40 (6/3/16-7/17/17)
10	Attorney Fees	\$0.00
11	Costs	\$0.00

12 **TOTAL: \$285,429.65**

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

18 DATED July 19, 2017.

21 Presented by:
22 ALDRIDGE PITE, LLP
23 Katie Riggs
24 Katie L. Riggs, OSB #095861
25 (858) 750-7600(858) 412-2775 (Facsimile)
26 kriggs@aldridgepite.com
111 SW Columbia Street Suite 950
Portland, OR 97201
Of Attorneys for Plaintiff

By: Angie Jones
court clerk



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CIRCUIT COURT OF OREGON FOR LANE COUNTY

BANK OF AMERICA, N.A.,

Plaintiff,

v.

IRENE H. DEVEREAUX; JACK A. DEVEREAUX; AND PERSONS OR PARTIES UNKNOWN CLAIMING ANY RIGHT, TITLE, LIEN, OR INTEREST IN THE PROPERTY DESCRIBED IN THE COMPLAINT HEREIN,

Defendants.

NO. 15CV30434

GENERAL JUDGMENT DETERMINING AMOUNT OWED AND FORECLOSURE

(Clerk's Action Required)

THIS MATTER having come on for hearing this day before the undersigned Judge of the above entitled court upon the motion of the plaintiff for judgment and foreclosure herein, the plaintiff, BANK OF AMERICA, N.A., appearing and being represented by CRAIG PETERSON, Attorney of Robinson Tait, and after considering the pleadings and affidavits on file herein, findings of fact and conclusion of law being unnecessary under Civil Rule 69D, the court finds that the allegations contained in the plaintiff's Complaint are true, that there are no material issues of fact, that the plaintiff is entitled to judgment as a matter of law, and that the judgment should be entered in favor of the plaintiff forthwith as more particularly hereafter set forth. Therefore,

IT IS HEREBY ORDERED AND ADJUDGED THAT:

GENERAL JUDGMENT DETERMINING AMOUNT OWED AND FORECLOSURE - 1
60364-04812-JUD-ORJudgment_Decree_Foreclosure_-OR

Law Offices
ROBINSON TAIT, P.S.

710 Second Avenue, Suite 710
Seattle WA 98104
(206) 676-9640

1
2 1. Plaintiff, BANK OF AMERICA, N.A. be awarded judgment in the sum of \$160,856.33,
3 together with interest at a rate as provided in the Note from November 1, 2009 through February 12,
4 2016 in the amount of \$61,125.28 with additional pre-judgment interest at the per diem rate of \$26.3698
5 as provided in the Note to the date of entry of judgment; plus reasonable attorneys' fees in the amount of
6 \$2,050.00, plus other recoverable amounts of \$20,229.57 which includes the amounts itemized in the
7 declaration of the lender in support of motion for judgment plus allowable costs of \$993.00 as itemized
8 in the bill of disbursements and an additional amount for post-judgment sheriff's fees. Said judgment to
9 bear interest until paid at the statutory rate or at the contract rate, whichever is greater; and
10

11 2. Plaintiff's Deed of Trust on real property in Lane County, Oregon, legally described as
12 follows:
13

14 LOTS 11 AND 12, BLOCK 13, LOWELL, AS PLATTED AND RECORDED IN
15 VOLUME 4, PAGE 37, LANE COUNTY OREGON PLAT RECORDS, IN LANE
16 COUNTY, OREGON.

17 which was recorded on April 21, 2008, under Auditor's File No. 2008-022174, records of Lane
18 County, Oregon, be adjudged and decreed to be a first and paramount lien upon the above described
19 real estate and the whole thereof as security for the payment of the judgment herein set forth, and that
20 said Deed of Trust be foreclosed and the property therein described is hereby ordered sold by the
21 Sheriff of Lane County in the manner provided for by law, and the proceeds therefrom shall be
22 applied to the payment of the judgment, interest, attorneys' fees and costs, and such other sums as
23 plaintiff has advanced prior to judgment, and that such sums shall constitute a first and specific lien
24 and charge upon said real estate, prior and superior to any right, title, estate, lien or interest of the
25 defendant and of any one claiming by, through or under them; and
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2 3. Any and all persons acquiring any right, title, estate, lien or interest in or to the
3 property described above or any part thereof subsequent to April 14, 2008, the date of the Deed of
4 Trust which is foreclosed herein, be forever barred and estopped from claiming or asserting any right,
5 title, lien or interest in or to said property or any part thereof, save and except for the right of
6 redemption as allowed by law; and

7
8 4. Plaintiff be granted the right to become a bidder and purchaser at the sale and the
9 purchaser shall be entitled to exclusive possession of the property upon completion of sale according to
10 law, and to all right, title and interest in any rents and profits generated or arising from the property
11 during the statutory redemption period; and plaintiff is entitled to such remedies as are available at law to
12 secure possession, including writ of assistance, if defendants or any of them or any other party or person
13 shall refuse to surrender possession to the purchaser immediately upon purchaser's demand for
14 possession; and

15
16 5. Pursuant to ORS 18.950, if any proceeds from the execution sale remain after the
17 payment of costs under ORS 18.950(3) and satisfaction of the judgment, the court administrator shall
18 pay the remaining proceeds as directed by the court in the order of distribution.
19

20
21 **DECLARATION DETERMINING AMOUNT OF DEBT**
22 *(Not a Money Award, see ORS 18.862, 86.797, and 88.010)*

23 Judgment Creditor: BANK OF AMERICA, N.A.
24 c/o Robinson Tait, P.S.
25 710 Second Ave., Suite 710
26 Seattle, WA 98104
(206) 676-9640

27 Attorney for Judgment Creditor: Craig Peterson
28 Robinson Tait, P.S.
710 Second Ave., Suite 710

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Seattle, WA 98104
(206) 676-9640

The name of any person or public body,
other than the Judgment Creditor's
Attorney, who is entitled to any
portion of the judgment: None

Principal Balance: \$160,856.33

Simple Interest on the Principal Balance
from November 1, 2009
to February 12, 2016: \$61,125.28

Other Amounts Due Under Terms of Loan: \$20,229.57

Attorneys' Fees and Costs:
Attorneys' Fee: \$2,050.00
Total Costs: \$993.00

Total Attorney Fees and Costs: \$3,043.00

TOTAL DEBT OWED \$245,254.18

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Pre-Judgment: Additional pre-judgment interest accrues from February 13, 2016, to the date of entry of judgment at the per diem rate of \$26.3698, in accordance with the Note

Post-Judgment: Interest Accrues on the total of the amounts listed above in accordance with the contract rate in the Note, or at the statutory rate of 9% per annum, whichever is greater.

Allowed. _____


Denied. _____

Signed: 5/26/2016 11:26 AM



Charles D. Carlson, Circuit Court Judge

Submitted by:



Craig Peterson, OSB #120365
Email: cpeterson@robinsontait.com

Brandon Smith, OSB #124584
Email: bsmith@robinsontait.com

Jaimie Fender, OSB #120832
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Email: malthouse@robinsontait.com

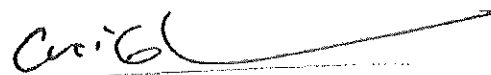
Robinson Tait, P.S.
Attorneys for Plaintiff
Tel: (206) 676-9640
Fax: (206) 676-9659

CERTIFICATE OF READINESS- UTCR 5.100

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

1. Each opposing party affected by this order or judgment has stipulated to or approved its terms, as shown by each party's signature on the proposed order or judgment being submitted.
2. Each opposing party affected by this order has approved the form of the document, as shown by written communication to me.
3. I have served a copy on all parties entitled to service and:
 - No objection has been served on me within that time frame.
 - I received objections that I could not resolve with the objecting 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 [role and name of opposing party] agreed to independently file any remaining objection.
4. The relief sought is against a party who has been found in default.
5. An order of default is being requested with this proposed judgment.
6. Service is not required pursuant to subsection (1)(c) of UTCR 5:100, or by statute, rule, or otherwise.
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 (1)(d) of UTCR 5.100.

Date: 5-19-16



Attorney, OSB

120365