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2 Craig Peterson, OSB #120365
3 Jaimie Fender, OSB #120832
4 Kimberly Hood, OSB #123008
5 Robinson Tait, P.S.
6 901 Fifth Avenue, Suite 400
7 Seattle, WA 98164
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CIRCUIT COURT OF OREGON FOR LANE COUNTY

LAKEVIEW LOAN SERVICING, LLC,

Plaintiff,

NO. 17CV15990

v.

WRIT OF EXECUTION IN FORECLOSURE

CODY ALLEN WRIGHT, AND PERSONS
OR PARTIES UNKNOWN CLAIMING ANY
RIGHT, TITLE, LIEN, OR INTEREST IN
THE PROPERTY DESCRIBED IN THE
COMPLAINT HEREIN,

Defendants.

TO: LANE COUNTY SHERIFF

1. WHEREAS, on July 5, 2017, in the above-entitled court, a judgment of foreclosure was enrolled and docketed in the above-entitled cause, a true copy of which is attached hereto as Exhibit "A" and made a part hereof;

2. WHEREAS, pursuant to ORS 18.862, the Judgment Creditor's address is as follows:
Lakeview Loan Servicing, LLC
c/o Flagstar Bank, FSB
5151 Corporate Drive
Troy, MI 48098

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For the purpose of this Writ, the Judgment Creditor's address is as follows:

Flagstar Bank, FSB
c/o Robinson Tait, P.S.
901 Fifth Avenue, Suite 400
Seattle, Washington 98164

3. WHEREAS, the real property to be sold pursuant to the above referenced judgment is legally described as

LOT 2, BLOCK 3, ALCONA, AS PLATTED AND RECORDED IN BOOK 40, PAGE 30, LANE COUNTY OREGON PLAT RECORDS, IN LANE COUNTY, OREGON.
and commonly known as 4017 Camellia St, Springfield, OR 97478.

4. NOW, THEREFORE, IN THE NAME OF THE STATE OF OREGON, you are hereby commanded to sell the above referenced real property, in the manner prescribed by law for the sale of real property upon execution (subject to redemption), all of the interest which the defendant(s) had on January 7, 2013, the date of the Deed of Trust, and also all of the interest which the defendant(s) had thereafter, in the real property described in the judgment, to satisfy the judgment, which as of August 2, 2017,

Lenders Principal Judgment:

1. Unpaid Principal Balance	<u>\$113,852.28</u>
2. Pre-Judgment Interest from July 1, 2016 to June 2, 2017, the date calculated by the Declarant in the Declaration in Support of Judgment	<u>\$3,401.99</u>
3. Lenders Fees and Costs	<u>\$782.08</u>
4. Attorney's Fees and Costs	<u>\$3,578.01</u>
<i>Total Judgment Award Entered</i>	<u>\$121,614.36</u>

Additional Pre Judgment Interest

1. Accrued Interest from June 3, 2016

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to July 5, 2017 the date of entry
of Judgment \$4,035.72

Total Judgment Award \$125,650.08

Post Judgment Interest

1. Accrued Post Judgment Interest at a rate of 9% per annum or at \$30.98, from July 6, 2017,
the day after the entry of judgment, through August 2, 2017,
the date the writ is being requested \$867.44

Current Total Amount Owing \$126,517.52

In addition to the above, interest continues to accrue on the total of the amounts listed above
at the rate of 9% per annum or at \$30.98 per diem, in accordance with the General Judgment of
Foreclosure and continues to accrue until the date of sale.

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

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

DATED this 17th day of August, 2017.

By: Angie Jones
Court clerk



EXHIBIT A

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CIRCUIT COURT OF OREGON FOR LANE COUNTY

LAKEVIEW LOAN SERVICING, LLC,

Plaintiff,

v.

CODY ALLEN WRIGHT; AND PERSONS
OR PARTIES UNKNOWN CLAIMING ANY
RIGHT, TITLE, LIEN, OR INTEREST IN THE
PROPERTY DESCRIBED IN THE
COMPLAINT HEREIN.

Defendants.

NO. 17CV15990

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, LAKEVIEW LOAN SERVICING, LLC, 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

94 85-9508-010468174323

ROBINSON TAIT, P.S.

Attorney at Law
1000 NE Oregon Street, Suite 200
Eugene, Oregon 97401
Phone: 360.338.1111

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2 1. Plaintiff LAKEVIEW LOAN SERVICING, LLC be awarded judgment in the sum of
3 \$113,852.28, together with interest at a rate as provided in the Note from July 1, 2016 through June 2,
4 2017 in the amount of \$3,401.99 with additional pre-judgment interest at the per diem rate of \$10.14 as
5 provided in the Note to the date of entry of judgment; plus reasonable attorneys' fees in the amount of
6 \$2,600.00, plus other recoverable amounts of \$782.08 which includes the amounts itemized in the
7 declaration of the lender in support of motion for judgment plus allowable costs of \$978.01 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:
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14 LOT 2, BLOCK 3, ALCONA, AS PLATTED AND RECORDED IN BOOK 40,
15 PAGE 30, LANE COUNTY OREGON PLAT RECORDS, IN LANE COUNTY,
16 OREGON.

17 which was recorded on January 10, 2013, under Auditor's File No. 2013-002101, 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 Cody
25 Allen Wright and of any one claiming by, through or under them; and
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2 3. Cody Allen Wright subsequent to January 7, 2013, the date of the Deed of Trust which
3 is foreclosed herein, be forever barred and estopped from claiming or asserting any right, title, lien or
4 interest in or to said property or any part thereof, save and except for the right of redemption as
5 allowed by law; and

6
7 4. Plaintiff be granted the right to become a bidder and purchaser at the sale and the
8 purchaser shall be entitled to exclusive possession of the property upon completion of sale according to
9 law, and to all right, title and interest in any rents and profits generated or arising from the property
10 during the statutory redemption period; and plaintiff is entitled to such remedies as are available at law to
11 secure possession, including writ of assistance, if defendants or any of them or any other party or person
12 shall refuse to surrender possession to the purchaser immediately upon purchaser's demand for
13 possession; and
14

15 5. Pursuant to ORS 18.950, if any proceeds from the execution sale remain after the
16 payment of costs under ORS 18.950(3) and satisfaction of the judgment, the court administrator shall
17 pay the remaining proceeds as directed by the court in the order of distribution.
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20 **DECLARATION DETERMINING AMOUNT OF DEBT**
21 *(Not a Money Award, see ORS 18.862, 86.797, and 88.010)*

22 Judgment Creditor: LAKEVIEW LOAN SERVICING, LLC
23 c/o Robinson Tait, P.S.
24 901 Fifth Avenue, Suite 400
25 Seattle, WA 98164
(206) 676-9640

26 Attorney for Judgment Creditor: Craig Peterson
27 Robinson Tait, P.S.
28 901 Fifth Avenue, Suite 400
Seattle, WA 98164
(206) 676-9640

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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: \$113,852.28

Simple Interest on the Principal Balance
from July 1, 2016 to June 2, 2017: \$3,401.99

Other Amounts Due Under Terms of Loan: \$782.08

Attorneys' Fees and Costs:
Attorneys' Fee: \$2,600.00
Total Costs: \$978.01

Total Attorney Fees and Costs: \$3,578.01

TOTAL DEBT OWED \$121,614.36

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Pre-Judgment: Additional pre-judgment interest accrues from June 3, 2017, to the date of entry of judgment at the per diem rate of \$10.14, 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: 7/5/2017 09:24 AM


Suzanne B. Chaffin, Circuit Court Judge

Submitted by:



Craig Peterson, OSB #120365
Email: cpeterson@robinsontait.com
 Jaimie Fender, OSB #120832
Email: jfender@robinsontait.com
 Kimberly Hood, OSB #123008
Email: KHood@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:

6-22-17


Attorney, OSB

120365