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ANDY LONG SHERIFF
TILLAMOOK COUNTY
TILLAMOOK OREGON

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

DEUTSCHE BANK NATIONAL TRUST
COMPANY, AS TRUSTEE FOR
AMERIQUEST MORTGAGE SECURITIES
INC., ASSET-BACKED PASS-THROUGH
CERTIFICATES, SERIES 2003-5,

Plaintiff,

v.

DONNA J. VIOLETTE; NORTH SHORE
MANAGEMENT COMPANY LLC; ROBBIN
PROPERTIES, LLC; OCCUPANTS OF THE
PROPERTY

Defendants.

Case No.: 15CV24539

WRIT OF EXECUTION IN
FORECLOSURE

TO THE TILLAMOOK COUNTY SHERIFF:

A Judgment of Foreclosure was entered and docketed in this case on October 18, 2016.

A true copy of the Judgment is attached hereto. The Judgment was entered in favor of the
Plaintiff:

DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR
AMERIQUEST MORTGAGE SECURITIES INC., ASSET-BACKED PASS-THROUGH
CERTIFICATES, SERIES 2003-5
c/o Jeremy Clifford
Attorney for Plaintiff

EXHIBIT "1"

Lot 14, Block 1, BAYLEY PARK ADDITION TO GARIBALDI COVE, in the County of Tillamook, State of Oregon.



Certified True Copy of The Original
Dated This 13 Day of June
Twenty-seventh Judicial District, State of Oregon

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ANDY LONG SHERIFF
TILLAMOOK COUNTY
TILLAMOOK OREGON

By

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

DEUTSCHE BANK NATIONAL TRUST
COMPANY, AS TRUSTEE FOR
AMERIQUEST MORTGAGE SECURITIES
INC., ASSET-BACKED PASS-THROUGH
CERTIFICATES, SERIES 2003-5,

Case No.: 15CV24539

GENERAL JUDGMENT OF FORECLOSURE

Plaintiff,

v.

DONNA J. VIOLETTE; NORTH SHORE
MANAGEMENT COMPANY LLC; ROBBIN
PROPERTIES, LLC; OCCUPANTS OF THE
PROPERTY

Defendants.

1.

THIS MATTER came before the Court on Plaintiff's motion.

a. Defendants DONNA J. VIOLETTE, NORTH SHORE MANAGEMENT
COMPANY LLC, ROBBIN PROPERTIES, LLC, and OCCUPANTS OF THE
PROPERTY ("Defendants") were duly served with process and failed to appear; the
default has been entered against Defendants, and it appearing that Defendants are not
incapacitated, protected persons, respondents as defined in ORS 125.005, minors, or
in the military service of the United States;

2.

IT IS HEREBY ADJUDGED that Plaintiff shall have judgment as follows:

a. The real property to which this judgment relates is located and situated in Tillamook County,
Oregon, and is commonly known as 214 Birch Avenue, Garibaldi, OR 97118 (the "Subject

Verified Correct Copy of Original 10/18/2016.

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Property”), legally described as shown in the attached *Exhibit 1*, and having APN/Parcel No. 10311.

b. Plaintiff is authorized to act on behalf of the holder of the beneficial interest in a deed of trust and original note dated 1/7/2003 and made, delivered, and executed by Donna J. Violette to (insert original mortgagee) in the amount of \$68,250.00 (the “Note”). The Note was transferred to Plaintiff by delivery of possession and by indorsement set forth on the Note.

c. A deed of trust was made, executed, and delivered by Defendant(s) Donna J. Violette on or about 1/7/2003 (the “Deed of Trust”). The Deed of Trust was recorded on 1/24/2003 as Book 443 and Page 525 in the official records of Tillamook County, Oregon. The Deed of Trust is a valid and perfected lien against all of the Property for and securing the Amount Due. The lien of the Plaintiff is superior to any interest, lien, or claim of the Defendants and shall remain in effect until issuance of a Sheriff’s Deed.

d. The amount of debt secured by the Deed of Trust that is now due and owing is comprised of the following amounts (the “Amount Due”):

- a) Unpaid principal balance: \$88,287.12
- b) Prejudgment interest accruing from 8/1/2013 through 10/5/2016 and continuing until the entry of judgment at the current Note rate of 4.0%: \$11,231.53
- c) Additional amounts due under the terms of the loan: \$4,336.35
- d) Attorney fees and costs: \$3,014.27
- e) Prevailing party fee (ORS 20.190 (2)(a)): \$300.00

TOTAL: \$107,169.27

Pursuant to ORS 82.010 (2), post-judgment interest shall accrue on the Amount Due from the date of entry of this judgment through the sale of the Subject Property at the rate of 9.00% per annum.

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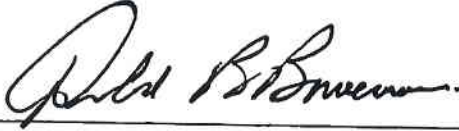
- e. The interest of the Defendants and any successor in interest in the Subject Property is foreclosed and terminated excepting only any statutory right of redemption as provided by Oregon law.
- f. The Defendants are not entitled to a homestead exception as against Plaintiff's judgment.
- g. All right, title and interest in the Subject Property that Defendant DONNA J. VIOLETTE had as of the date of the Deed of Trust or thereafter acquired is hereby ordered to be sold by the Tillamook County Sheriff's Office in accordance with the process for sale upon execution, and the proceeds of sale shall be applied:
 - 1) First, to the costs of sale not incurred by Plaintiff;
 - 2) Second, to the Amount Due, plus post-judgment interest accruing from the date of entry of judgment through the date of the sale and any incurred costs of sale;
 - 3) Third, the surplus, if any, to the Defendants in the priority as their interest may appear, described *infra*, or to the clerk of the court to be distributed by the Court to such party or parties as they may establish their right thereto.
- h. Plaintiff may become purchaser at the sale of the Subject Property and, pursuant to ORS 18.936 (2), may credit bid up to the Amount Due, plus post-judgment interest accruing from the date of entry of judgment through the date of the sale and any incurred costs of sale.
- i. The purchaser at the sale is entitled to exclusive and immediate possession of the Subject Property from and after the date of the sale and is entitled to such remedies as are available at law or in equity to secure possession. The purchaser at the sale may apply to the Court for a writ of assistance if any Defendant, other party, or other person shall refuse to surrender possession to the purchaser immediately upon the purchaser's demand for possession.
- j. In the event the proceeds of sale are insufficient to pay the Amount Due, Plaintiff shall not be entitled to any further or other judgment, including a judgment for the deficiency.
- k. If, before the sale, the Amount Due is brought into court and paid to the clerk, the execution, if issued, shall be recalled and the effect of the judgment as to the Amount Due shall be terminated.

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1. Pursuant to ORS 88.050, the apparent priority of liens subsequent and inferior to the Deed of Trust are as follows:

- 1) Defendant NORTH SHORE MANAGEMENT COMPANY LLC may claim a junior interest in the Subject Property by virtue of a deed of trust recorded on 10/19/2006 as Instrument No. 2006-009136 in the official records of Tillamook County, Oregon.
- 2) Defendant ROBBIN PROPERTIES, LLC may claim a junior interest in the Subject Property by virtue of a judgment entered on 07/31/2009 as Case No. 0904-04767 in the Multnomah County Circuit Court, and recorded on 8/24/2009 as Instrument No. 2009-006074 in the official records of Tillamook County, Oregon.

10.17.14



Presented by:

McCarthy & Holthus, LLP

s/ Jeremy Clifford

Casey C. Pence, OSB No. 975271
 Jeremy Clifford, OSB No. 142987
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 Portland, OR 97204
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 Fax: (971) 201-3202
 jclifford@mccarthyholthus.com
 Of Attorneys for Plaintiff

EXHIBIT "1"

_ Verified Correct Copy of Original 10/18/2016 _

Lot 14, Block 1, BAYLEY PARK ADDITION TO GARIBALDI COVE, in the County of Tillamook, State of Oregon.

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INC., ASSET-BACKED PASS-THROUGH
CERTIFICATES, SERIES 2003-5,

Case No.: 15CV24539

CERTIFICATE OF READINESS

Plaintiff,

v.

DONNA J. VIOLETTE; NORTH SHORE
MANAGEMENT COMPANY LLC; ROBBIN
PROPERTIES, LLC; OCCUPANTS OF THE
PROPERTY

Defendants.

I hereby certify that the requirements of UTCR 5.100 have been satisfied.

This proposed General Judgment of Foreclosure is ready for judicial signature because:

Each opposing party affected by this order or judgment has stipulated to the order or judgment, as shown by each opposing party's signature on the document being submitted.

Each opposing party affected by this order or judgment has approved the order or judgment, as shown by signature on the document being submitted or by written confirmation of approval sent to me.

I have served a copy of this order or judgment on all parties entitled to service and:

No objection has been served on me.

I received objections that I could not resolve with the opposing party despite reasonable efforts to do so. I have filed a copy of the objections I received and indicated which objections remain unresolved.

After conferring about objections, _____ agreed to independently file any remaining objection.

The relief sought is against an opposing party who has been found in default.

An order of default is being requested with this proposed judgment.

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Service is not required pursuant to subsection (3) of this rule, or by statute, rule, or otherwise.

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 (4) of this rule.

DATED: October 5, 2016

McCarthy & Holthus, LLP

By: s/ Jeremy Clifford
Jeremy Clifford, Attorney