

PD \$37 -
cert \$5 -
\$2.25 -
LF

Court clerk has not verified the figures in this writ. If you have questions regarding this writ, please contact your legal counsel, the issuing attorney, or company. Debtor may contest this writ by filing a claim of exception.

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

NATIONSTAR MORTGAGE LLC,
Plaintiff,

Case No.: 14CV04484

vs.

WRIT OF EXECUTION IN
FORECLOSURE

JOHN PAGE aka JOHN J. PAGE;
MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.;
LEHMAN BROTHERS BANK, FSB;
OREGON AFFORDABLE HOUSING
ASSISTANCE CORPORATION;
PORTFOLIO RECOVERY ASSOCIATES,
LLC; OCCUPANTS OF THE PROPERTY

Defendants.

2017 OCT 11 AM 10:42

TO THE MULTNOMAH COUNTY SHERIFF:

A Judgment of Foreclosure was entered and docketed in this case on May 13, 2015. A true copy of the Judgment is attached hereto. The Judgment was entered in favor of the

Judgment Creditor:

NATIONSTAR MORTGAGE LLC
Submitted By:
Robert Hakari
Attorney for Plaintiff

McCarthy & Holthus, LLP
920 SW 3rd Ave, 1st Floor
Portland, OR 97204

With the adjudicated amount due of \$299,036.98, plus post judgment interest at the statutory rate of 9.0% per annum from 5/13/2015 to 5/11/2017 in the amount of \$53,752.92, and continuing with a per diem of \$73.74, currently totaling \$352,789.90.

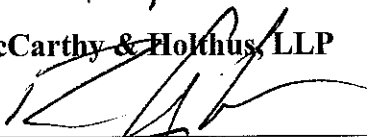
1 **NOW, THEREFORE, IN THE NAME OF THE STATE OF OREGON**, you are
2 hereby commanded to sell, in the manner prescribed by law for the sale of real property on
3 execution (subject to redemption of 180 days), all of the interest that the Defendant had on or
4 about February 22, 2007, the date of the Deed of Trust, and also the interest that the Defendant
5 had thereafter, in the real property legally described in the attached *Exhibit 1* having APN/Parcel
6 # R241725 and commonly known as: 8608 N Seward Avenue, Portland, OR 97217.

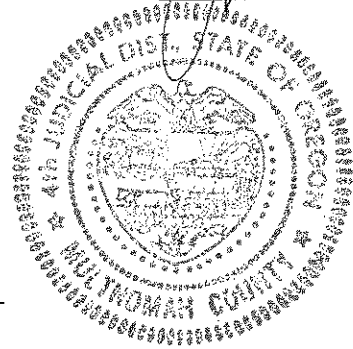
7 Sale of the property is to satisfy the sum listed above, plus the costs incurred in
8 performing this Writ. Pursuant to ORS 18.872, you are authorized to continue execution under
9 the writ and delay making a return on the writ to no later than 150 days from receipt of the writ.

10
11 

12
13 Dated: 5/11/17 and submitted by:

14 **McCarthy & Holthus, LLP**

15 



- 16 John Thomas OSB No. 024691
17 Robert B. Hakari, OSB No. 114082
18 Andreanna C. Smith, OSB No. 131336
19 Brady Godbout, OSB No. 132708
20 Samuel Burton, OSB No. 136522
21 Jeremy Clifford, OSB No. 142987
22 Michael Scott, OSB No. 973947
23 Bryan Kidder, OSB# 140459
24 Olga Groat, OSB# 170174
920 SW 3rd Ave, 1st Floor
Portland, OR 97204
Phone: (971) 201-3200
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rhakari@mccarthyholthus.com
Of Attorneys for Plaintiff

EXHIBIT 1

LOTS 13, 14, 15, 16 AND 17, BLOCK 3, PENINSULAR ADDITION NO. 2 TO EAST PORTLAND, IN
THE CITY OF PORTLAND, COUNTY OF MULTNOMAH AND STATE OF OREGON.

APN: R241725

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

NATIONSTAR MORTGAGE LLC,

Plaintiff,

vs.

JOHN PAGE aka JOHN J. PAGE; MORTGAGE
ELECTRONIC REGISTRATION SYSTEMS,
INC.; LEHMAN BROTHERS BANK, FSB;
OREGON AFFORDABLE HOUSING
ASSISTANCE CORPORATION; PORTFOLIO
RECOVERY ASSOCIATES, LLC;
OCCUPANTS OF THE PROPERTY

Defendants.

Case No.: 14CV04484

STIPULATED GENERAL JUDGMENT
OF FORECLOSURE

DISMISSAL OF OCCUPANTS OF THE
PROPERTY

1.

THIS MATTER came before the Court on Plaintiff's motion for Default Judgment and the stipulation of the parties herein.

a. Defendants MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.; LEHMAN BROTHERS BANK, FSB; OREGON AFFORDABLE HOUSING ASSISTANCE CORPORATION; and PORTFOLIO RECOVERY ASSOCIATES, LLC; ("Defaulted Defendants") were duly served with process and failed to appear; the default has been entered against all Defaulted Defendants, and it appearing that Defaulted Defendants are not incapacitated, a protected persons, a respondent as defined in ORS 125.005, a minor, or in the military service of the United States.

b. Plaintiff voluntarily dismisses Defendants OCCUPANTS OF THE PROPERTY.

c. Plaintiff NATIONSTAR MORTGAGE LLC ("Plaintiff"), by and through its attorney of

1 record Lisa Lear, and Defendant JOHN PAGE aka JOHN J. PAGE ("Borrower") have
2 settled all matters between themselves within this action and agreed to the entry of this
3 Stipulated General Judgment.

4 2.

5 The Parties acknowledge that a dispute has arisen concerning the subject matter of this
6 Complaint, and as a result, the Parties desire to fully resolve the dispute under the terms and
7 conditions of this Judgment of Foreclosure.

8 **FINDINGS OF FACT:**

9 3.

10 PROMISSORY NOTE: Plaintiff is the holder of a promissory note ("Note") executed
11 and delivered by Borrower, which is secured by a Deed of Trust encumbering real property
12 commonly known as 8608 N Seward Avenue, Portland, OR 97217, in MULTNOMAH County,
13 Oregon (the "Subject Property").

14 4.

15 SUBJECT PROPERTY: The Property is legally described as follows:

16 LOTS 13, 14, 15, 16 AND 17, BLOCK 3, PENINSULAR ADDITION NO. 2 TO
17 EAST PORTLAND, IN THE CITY OF PORTLAND, COUNTY OF
MULTNOMAH AND STATE OF OREGON.

18 APN/Parcel #: R241725

19 5.

20 DEED OF TRUST: The Deed of Trust was recorded in the official records of
21 MULTNOMAH County, Oregon on 2/23/2007 as Instrument No. 2007-033462.

22 6.

23 LOAN: Together, the Deed of Trust and Note are herein referred to as the "Loan."

24 7.

25 BORROWER'S DEFAULT AND ACCELERATION: Borrower failed to comply with
26 the terms of the Loan, by failing to make payments as agreed. Under the provisions of the Loan,

1 Plaintiff declared the entire balance of principal and interest due and payable.

2 8.

3 AMOUNTS DUE AND OWING: There is now due and owing the principal sum of
4 \$257,681.95 together with accrued interest of \$16,555.77 as of 03/02/2015 and accruing
5 thereafter at the rate of 2.00 % per annum (\$21.18 per diem), together with any other sums for
6 expenses and fees due under the terms of the Loan or advanced for the protection of the Subject
7 Property as provided in the Money Award herein.

8 9.

9 COSTS AND ATTORNEY FEES: The Note and Deed of Trust provide that Plaintiff is
10 entitled to recover its reasonable attorney fees and all reasonable and necessary costs and
11 expenses incurred in enforcing the Note and foreclosing the Deed of Trust.

12 10.

13 VALID FIRST LIEN: The lien of the Plaintiff is a valid first and prior lien against the
14 Subject Property described herein, Plaintiff is entitled to have the same foreclosed and the
15 premises described therein sold at foreclosure sale by the Multnomah County Sheriff to satisfy
16 any and all amounts due and owing upon the Deed of Trust and Note as adjudged below.

17 **OTHER TERMS**

18 11.

19 NO LEASE OR TENANCY: Borrower shall not enter into any lease or renew any
20 existing lease of the Subject Property and shall not allow any other party to occupy the Subject
21 Property.

22 12.

23 COMPLETE AGREEMENT: The terms of this Stipulated Judgment and the Settlement
24 Agreement executed by Plaintiff (through its attorney) and John Page contain the entire
25 agreement between the Parties and supersede any and all other agreements, either oral or written,
26 between the Parties.

1 possession.

2 6. Plaintiff may credit bid up to the amount of its judgment together with accruing interest and
3 any accruing costs paid by the Plaintiff pursuant to ORS 18.936, 18.950, and 18.999.

4 7. In accordance with ORS 86.797(2), Plaintiff shall not be entitled to further execute upon
5 any amounts of the money judgment remaining unsatisfied by the proceeds of the
6 foreclosure sale nor be entitled to a deficiency judgment against the Borrower for such
7 deficient amounts.

8 8. This Stipulated Judgment shall inure to the benefit of Plaintiff and Borrower, their
9 successors and/or assigns.

10 **MONEY AWARD:**

11 a. Judgment Creditor: NATIONSTAR MORTGAGE LLC
12 b. Judgment Creditor's Address: c/o McCarthy & Holthus, LLP (see (e.))
13 c. Judgment Creditor's Date of Birth: N/A
14 d. Attorney for Judgment Creditor: Lisa E. Lear, OSB 852672
15 e. Attorney for Judgment Creditor's 920 SW 3rd Ave, 1st Floor
Portland, OR 97204 [(855) 809-3977]
16 f. Judgment Debtor name: JOHN PAGE aka JOHN
J. PAGE
17 g. Judgment Debtor's Address: 8608 N Seward Avenue,
Portland, OR 97217
MULTNOMAH
18 h. Judgment Debtor's date of birth N/A
19 i. Judgment Debtor's SS No. N/A
20 j. Judgment Debtor's driver's lic. No. Unknown
21 k. Attorney for Stipulating Defendant None
22 l. Attorney for Stipulating N/A
Defendant's Address and Phone No.
23 m. Other Persons Entitled to Payment None.
24 n. Judgment Principal Amount: \$257,681.95
25 o. Pre-Judgment Interest accruing
from 01/01/2012 to 04/28/2015 at
the note rate, currently at the rate of
2.00: \$ 17,763.03
26

1 p. Post-Judgment Interest shall accrue
2 at 9.0% (per ORS 82.010) per
annum, with a per diem of \$73.74
3 from the date of the judgment:

\$

R. J. P.

4 q. Other Amounts Due Under Terms
of the Loan:

5 • Total Escrow Advance
Balance: \$ 19,905.11

6 • Property Inspections: \$ 396.30

7 r. Costs, Disbursements, and
Litigation Expenses:

8 • Litigation guarantee: \$ 150.00

9 • Filing fees: \$ 531.00

10 • Recording fees: \$ 41.00

11 • Service fees: \$ 624.22

12 • Mailing costs: \$ 9.37

s. Attorney fees awarded: \$ 1,935.00

Total Judgment (Money Award): \$299,036.98

13 Dated: 5/5/15

Maile Edipononga

Circuit Court Judge Signed: 5/12/2015 05:29 PM

It is So Stipulated:

17 Dated: 5 day of May, 2015

Dated: 5 day of 05, 2015

18 By: *Lisa E. Lear*
19 Casey Pence, OSB #975271
 Lisa E. Lear, OSB #852672
20 920 SW 3rd Ave, 1st Floor
Portland, OR 97204
21 Phone: (855) 809-3977
22 Fax: (971) 201-3202
llear@mccarthyholthus.com
Of Attorneys for Plaintiff

By: *John J. Page*
JOHN/PAGE aka JOHN J. PAGE
Stipulating Defendant