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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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RCUD DES00UL 21SEP'17 16:13

9 CIRCUIT COURT OF OREGON FOR DESCHUTES COUNTY

10 WELLS FARGO BANK, N.A.,

11 Plaintiff,

NO. 16CV05712

12 v.

WRIT OF EXECUTION IN FORECLOSURE

13
14 TROY CHRISTENSEN, OREGON
15 AFFORDABLE HOUSING ASSISTANCE
16 CORPORATION, ESTATE OF BETTY
17 HOLBROOK, DECEASED, ESTATE OF J.
18 DONALD HOLBROOK, DECEASED, AND
19 PERSONS OR PARTIES UNKNOWN
CLAIMING ANY RIGHT, TITLE, LIEN, OR
INTEREST IN THE PROPERTY DESCRIBED
IN THE COMPLAINT HEREIN,

20
21 Defendants.

22
23 TO: DESCHUTES COUNTY SHERIFF

24 1. WHEREAS, on July 6, 2017, in the above-entitled court, a judgment of foreclosure
25 was enrolled and docketed in the above-entitled cause, a true copy of which is attached hereto as
26 Exhibit "A" and made a part hereof;

27
28 2. WHEREAS, pursuant to ORS 18.862, the Judgment Creditor's address is as follows:

1
2 WELLS FARGO BANK, N.A.
3 c/o Wells Fargo Home Mortgage
4 1200 W. 7th St., 2nd Fl.
5 Los Angeles, CA 90017

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

7 Wells Fargo Home Mortgage
8 c/o Robinson Tait, P.S.
9 901 Fifth Avenue, Suite 400
10 Seattle, Washington 98164

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

13 LOT 12, BLOCK 2, JUNIPER CREEK, RECORDED AUGUST 23, 1979, IN CABINET B,
14 PAGE 669, DESCHUTES COUNTY, OREGON.

15 and commonly known as 1021 SE LAURELWOOD PL, BEND, OR 97702.

16 4. NOW, THEREFORE, IN THE NAME OF THE STATE OF OREGON, you are
17 hereby commanded to sell the above referenced real property, in the manner prescribed by law for the
18 sale of real property upon execution (subject to redemption), all of the interest which the defendant(s)
19 had on December 29, 2005, the date of the Deed of Trust, and also all of the interest which the
20 defendant(s) had thereafter, in the real property described in the judgment, to satisfy the judgment,
21 which as of August 4, 2017,

22 **Lenders Principal Judgment:**

23
24 1. Unpaid Principal Balance \$104,866.07
25 2. Pre-Judgment Interest from April 1, 2015
26 to June 7, 2017, the date calculated by the Declarant
27 in the Declaration in Support of Judgment \$4,578.76
28 3. Lenders Fees and Costs \$5,631.44
4. Attorney's Fees and Costs \$7,271.06

Total Judgment Award Entered \$122,347.33

1
2 **Additional Pre Judgment Interest**

- 3
4 1. Accrued Interest from June 8, 2017
5 to July 6, 2017 the date of entry
6 of Judgment \$166.75
7
8 ***Total Judgment Award*** \$122,514.08

9 **Post Judgment Interest**

- 10 1. Accrued Post Judgment Interest at a rate of 9% per annum or at \$30.21, from July 7, 2017,
11 the day after the entry of judgment, through August 4, 2017,
12 the date the writ is being requested \$876.09

13 ***Current Total Amount Owing*** \$123,390.17

14
15 In addition to the above, interest continues to accrue on the total of the amounts listed above
16 at the rate of 9% per annum or at \$30.21 per diem, in accordance with the General Judgment of
17 Foreclosure and continues to accrue until the date of sale.

18
19 5. THEREFORE, in the name of the State of Oregon you are hereby commanded to seize
20 and sell the above described Property, in the manner prescribed by law; or so much thereof as may be
21 necessary to satisfy the Judgment and Money Award, interest, fees and costs.

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

23
24 DATED this _____ day of _____, 2017.

25
26
27 Signed: 8/16/2017 08:07 AM

28 

Trial Court Administrator Jeffrey E. Hall



EXHIBIT A

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CIRCUIT COURT OF OREGON FOR DESCHUTES COUNTY

WELLS FARGO BANK, N.A.,

Plaintiff,

v.

TROY CHRISTENSEN; OREGON AFFORDABLE HOUSING ASSISTANCE CORPORATION; ESTATE OF BETTY HOLBROOK, DECEASED; ESTATE OF J. DONALD HOLBROOK, DECEASED; AND PERSONS OR PARTIES UNKNOWN CLAIMING ANY RIGHT, TITLE, LIEN, OR INTEREST IN THE PROPERTY DESCRIBED IN THE COMPLAINT HEREIN.

Defendants.

NO. 16CV05712

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, WELLS FARGO BANK, 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,

GENERAL JUDGMENT DETERMINING AMOUNT OWED AND FORECLOSURE - 1
06/05/16 8:11:13 AM 16CV05712

ROBINSON TAIT P.C.

901 Fifth Avenue, Suite 1200
Seattle, WA 98101
206.465.1000

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2 that the plaintiff is entitled to judgment as a matter of law, and that the judgment should be entered in
3 favor of the plaintiff forthwith as more particularly hereafter set forth. Therefore,

4 IT IS HEREBY ORDERED AND ADJUDGED THAT:

5 1. Plaintiff, WELLS FARGO BANK, N.A. be awarded judgment in the sum of
6 \$104,866.07, together with interest at a rate as provided in the Note from April 1, 2015 through June 7,
7 2017 in the amount of \$4,578.76 with additional pre-judgment interest at the per diem rate of \$5.75 as
8 provided in the Note to the date of entry of judgment; plus reasonable attorneys' fees in the amount of
9 \$3,030.00, plus other recoverable amounts of \$5,631.44 which includes the amounts itemized in the
10 declaration of the lender in support of motion for judgment plus allowable costs of \$4,241.06 as itemized
11 in the bill of disbursements and an additional amount for post-judgment sheriff's fees. Said judgment to
12 bear interest until paid at the statutory rate or at the contract rate, whichever is greater; and
13
14

15 2. Plaintiff's Deed of Trust on real property in Deschutes County, Oregon, legally
16 described as follows:

17 LOT 12, BLOCK 2, JUNIPER CREEK, RECORDED AUGUST 23, 1979, IN
18 CABINET B, PAGE 669, DESCHUTES COUNTY, OREGON.

19 which was recorded on January 9, 2006, under Auditor's File No. 2006-01314, records of Deschutes
20 County, Oregon, be adjudged and decreed to be a first and paramount lien upon the above described
21 real estate and the whole thereof as security for the payment of the judgment herein set forth, and that
22 said Deed of Trust be foreclosed and the property therein described is hereby ordered sold by the
23 Sheriff of Deschutes County in the manner provided for by law, and the proceeds therefrom shall be
24 applied to the payment of the judgment, interest, attorneys' fees and costs, and such other sums as
25 plaintiff has advanced prior to judgment, and that such sums shall constitute a first and specific lien
26 and charge upon said real estate, prior and superior to any right, title, estate, lien or interest of Troy
27
28

GENERAL JUDGMENT DETERMINING
AMOUNT OWED AND FORECLOSURE

ROBINSON, TALLEY & P. S.

1001 Fifth Street, Suite 200
Portland, Oregon 97207
503.228.1100

1
2 Christensen, Oregon Affordable Housing Assistance Corporation, Estate of Betty Holbrook,
3 Deceased, and Estate of J. Donald Holbrook. Deceased and of any one claiming by, through or under
4 them; and

5 3. Troy Christensen, Oregon Affordable Housing Assistance Corporation, Estate of Betty
6 Holbrook, Deceased, and Estate of J. Donald Holbrook, Deceased subsequent to December 29, 2005,
7 the date of the Deed of Trust which is foreclosed herein, be forever barred and estopped from
8 claiming or asserting any right, title, lien or interest in or to said property or any part thereof, save
9 and except for the right of redemption as allowed by law; and

10
11 4. Plaintiff be granted the right to become a bidder and purchaser at the sale and the
12 purchaser shall be entitled to exclusive possession of the property upon completion of sale according to
13 law, and to all right, title and interest in any rents and profits generated or arising from the property
14 during the statutory redemption period; and plaintiff is entitled to such remedies as are available at law to
15 secure possession, including writ of assistance, if defendants or any of them or any other party or person
16 shall refuse to surrender possession to the purchaser immediately upon purchaser's demand for
17 possession; and
18
19

20 5. Pursuant to ORS 18.950, if any proceeds from the execution sale remain after the
21 payment of costs under ORS 18.950(3) and satisfaction of the judgment, the court administrator shall
22 pay the remaining proceeds as directed by the court in the order of distribution.
23

24
25 **DECLARATION DETERMINING AMOUNT OF DEBT**
26 *(Not a Money Award, see ORS 18.862, 86.797, and 88.010)*

27 Judgment Creditor:

WELLS FARGO BANK, N.A.
c/o Robinson Tait, P.S.
901 Fifth Avenue, Suite 400

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GENERAL JUDGMENT DETERMINING
AMOUNT OWED AND FORECLOSURE

60005-00785-1013-0317-176-3

ROBINSON TAIT, P.S.

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Seattle, WA 98164
(206) 676-9640

Attorney for Judgment Creditor

Craig Peterson
Robinson Tait, P.S.
901 Fifth Avenue, Suite 400
Seattle, WA 98164
(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: \$104,866.07

Simple Interest on the Principal Balance
from April 1, 2015 to June 7, 2017: \$4,578.76

Other Amounts Due Under Terms of Loan: \$5,631.44

Attorneys' Fees and Costs:

Attorneys' Fee: \$3,030.00

Total Costs: \$4,241.06

Total Attorney Fees and Costs: \$7,271.06

TOTAL DEBT OWED \$122,347.33

GENERAL JUDGMENT DETERMINING
AMOUNT OWED AND FORECLOSURE
6/13/2017 10:51:13 AM

ROBINSON TAIT, P.S.

901 Fifth Avenue, Suite 400
Seattle, WA 98164
(206) 676-9640

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Pre-Judgment: Additional pre-judgment interest accrues from June 7, 2017, to the date of entry of judgment at the per diem rate of \$5.75, 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.

Signed: 7/6/2017 09:01 AM



Circuit Court Judge A. Michael Adler

Submitted by:



Craig Peterson, OSB #120365
Email: cpeterson@robinsontait.com
 Jaimie Fender, OSB #120832
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 Kimberly Hood, OSB #123008
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Robinson Tait, P.S.
Attorneys for Plaintiff
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Fax: (206) 676-9659

GENERAL JUDGMENT DEETERMINING
AMOUNT OWED AND FOR FEES
6B, OSR 17-35 (1/1/17) 1/17

ROBINSON TAIT P.S.

501 Third Avenue, Suite 100
Boston, MA 02104
617.676.9640

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:

6-25-17

Attorney, OSB

120365