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9 CIRCUIT COURT OF OREGON FOR LANE COUNTY

10 U.S. BANK NATIONAL ASSOCIATION, AS
11 TRUSTEE FOR MASTR ADJUSTABLE
12 RATE MORTGAGES TRUST 2006-OA2 NO. 16CV03922
13 MORTGAGE PASS-THROUGH
14 CERTIFICATES, SERIES 2006-OA2, WRIT OF EXECUTION IN FORECLOSURE

14 Plaintiff,

15 v.

16 JOHN W. RADOSEVICH; INDYMAC BANK,
17 F.S.B.; AND PERSONS OR PARTIES
18 UNKNOWN CLAIMING ANY RIGHT,
19 TITLE, LIEN, OR INTEREST IN THE
20 PROPERTY DESCRIBED IN THE
21 COMPLAINT HEREIN,

21 Defendants.

22
23
24 TO: LANE COUNTY SHERIFF

25 1. WHEREAS, on April 14, 2017, in the above-entitled court, a judgment of foreclosure
26 was enrolled and docketed in the above-entitled cause, a true copy of which is attached hereto as
27 Exhibit "A" and made a part hereof;

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

1
2 U.S. BANK NATIONAL ASSOCIATION, as Trustee for MASTR ADJUSTABLE
3 RATE MORTGAGES TRUST 2006-OA2 MORTGAGE PASS-THROUGH
4 CERTIFICATES, Series 2006-OA2
5 c/o Ocwen Loan Servicing
6 1661 Worthington Rd., #100
7 West Palm Beach, FL 33409

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

9 Ocwen Loan Servicing
10 c/o Robinson Tait, P.S.
11 901 Fifth Avenue, Suite 400
12 Seattle, Washington 98164

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

15 THE NORTH 70 FEET OF LOT 11, FOURTH ADDITION TO SUNNY HOLLOW, AS
16 PLATTED AND RECORDED IN BOOK 14, PAGE 5, LANE COUNTY PLAT RECORDS, IN
17 LANE COUNTY, OREGON.

18 and commonly known as 3775 HILYARD STREET, EUGENE, OR 97405.

19 4. NOW, THEREFORE, IN THE NAME OF THE STATE OF OREGON, you are
20 hereby commanded to sell the above referenced real property, in the manner prescribed by law for the
21 sale of real property upon execution (subject to redemption), all of the interest which the defendant(s)
22 had on September 13, 2006, the date of the Deed of Trust, and also all of the interest which the
23 defendant(s) had thereafter, in the real property described in the judgment, to satisfy the judgment,
24 which as of May 23, 2017,

25 **Lenders Principal Judgment:**

- 26
27 1. Unpaid Principal Balance \$205,356.22
28 2. Pre-Judgment Interest from March 1, 2014
to November 23, 2014, the date calculated by the Declarant
in the Declaration in Support of Judgment \$18,705.63

1
2 3. Lenders Fees and Costs \$10,056.22
3 4. Attorney's Fees and Costs \$2,873.00
4
5 **Total Judgment Award Entered** \$236,991.07

6 **Additional Pre Judgment Interest**

7 1. Accrued Interest from November 24, 2016
8 to April 14, 2017, the date of entry
9 of Judgment \$2,947.92
10 **Total Judgment Award** \$239,938.99

11 **Post Judgment Interest**

12 1. Accrued Post Judgment Interest at a rate of 9% per annum or at \$59.16, from April 15,
13 2017, the day after the entry of judgment, through May 23, 2017,
14 the date the writ is being requested \$2,307.24

15
16 ***Current Total Amount Owning*** \$242,246.23

17
18 In addition to the above, interest continues to accrue on the total of the amounts listed above
19 at the rate of 9% per annum or at \$59.16 per diem, in accordance with the General Judgment of
20 Foreclosure and continues to accrue until the date of sale.

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

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

25
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27 DATED this 26th day of May, 2017.



By: Angie Jones
court clerk

Exhibit A

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CIRCUIT COURT OF OREGON FOR LANE COUNTY

U.S. BANK NATIONAL ASSOCIATION, AS
TRUSTEE FOR MASTR ADJUSTABLE
RATE MORTGAGES TRUST 2006-OA2
MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES 2006-OA2,

Plaintiff,

v.

JOHN W. RADOSEVICH; INDYMAC BANK,
F.S.B.; AND PERSONS OR PARTIES
UNKNOWN CLAIMING ANY RIGHT,
TITLE, LIEN, OR INTEREST IN THE
PROPERTY DESCRIBED IN THE
COMPLAINT HEREIN,

Defendants.

NO. 16CV03922

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, U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR MASTR ADJUSTABLE
RATE MORTGAGES TRUST 2006-OA2 MORTGAGE PASS-THROUGH CERTIFICATES,
SERIES 2006-OA2, 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

GENERAL JUDGMENT DETERMINING
AMOUNT OWED AND FORECLOSURE - 1
60175-25178-JUL13-OR1579631

ROBINSON TAIT, P.S.

1000 1st Avenue, S.W.
Burien, WA 98148
509.465.1200

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2 plaintiff's Complaint are true, that there are no material issues of fact, that the plaintiff is entitled to
3 judgment as a matter of law, and that the judgment should be entered in favor of the plaintiff
4 forthwith as more particularly hereafter set forth. Therefore,

5 IT IS HEREBY ORDERED AND ADJUDGED THAT:

6
7 1. Plaintiff, U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR MASTR
8 ADJUSTABLE RATE MORTGAGES TRUST 2006-OA2 MORTGAGE PASS-THROUGH
9 CERTIFICATES, SERIES 2006-OA2 be awarded judgment in the sum of \$205,356.22, together with
10 interest at a rate as provided in the Note from March 1, 2014 through November 23, 2016 in the amount
11 of \$18,705.63 with additional pre-judgment interest at the per diem rate of \$20.76 as provided in the
12 Note to the date of entry of judgment; plus reasonable attorneys' fees in the amount of \$2,050.00, plus
13 other recoverable amounts of \$10,056.22 which includes the amounts itemized in the declaration of the
14 lender in support of motion for judgment plus allowable costs of \$823.00 as itemized in the bill of
15 disbursements and an additional amount for post-judgment sheriff's fees. Said judgment to bear interest
16 until paid at the statutory rate or at the contract rate, whichever is greater; and.

17
18
19 2. Plaintiff's Deed of Trust on real property in Lane County, Oregon, legally described as
20 follows:

21 THE NORTH 70 FEET OF LOT 11, FOURTH ADDITION TO SUNNY HOLLOW,
22 AS PLATTED AND RECORDED IN BOOK 14, PAGE 5. LANE COUNTY PLAT
23 RECORDS. IN LANE COUNTY, OREGON.

24 which was recorded on September 21, 2006, under Auditor's File No. 2006-069017, records of Lane
25 County, Oregon, be adjudged and decreed to be a first and paramount lien upon the above described
26 real estate and the whole thereof as security for the payment of the judgment herein set forth, and that
27 said Deed of Trust be foreclosed and the property therein described is hereby ordered sold by the
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2 Sheriff of Lane County in the manner provided for by law, and the proceeds therefrom shall be
3 applied to the payment of the judgment, interest, attorneys' fees and costs, and such other sums as
4 plaintiff has advanced prior to judgment, and that such sums shall constitute a first and specific lien
5 and charge upon said real estate, prior and superior to any right, title, estate, lien or interest of the
6 defendant John W. Radosevich and of any one claiming by, through or under them; and
7

8 3. John W. Radosevich subsequent to September 13, 2006, the date of the Deed of Trust
9 which is foreclosed herein, be forever barred and estopped from claiming or asserting any right, title,
10 lien or interest in or to said property or any part thereof, save and except for the right of redemption
11 as allowed by law; and
12

13 4. Plaintiff be granted the right to become a bidder and purchaser at the sale and the
14 purchaser shall be entitled to exclusive possession of the property upon completion of sale according to
15 law, and to all right, title and interest in any rents and profits generated or arising from the property
16 during the statutory redemption period; and plaintiff is entitled to such remedies as are available at law to
17 secure possession, including writ of assistance, if defendants or any of them or any other party or person
18 shall refuse to surrender possession to the purchaser immediately upon purchaser's demand for
19 possession; and
20

21 5. Pursuant to ORS 18.950, if any proceeds from the execution sale remain after the
22 payment of costs under ORS 18.950(3) and satisfaction of the judgment, the court administrator shall
23 pay the remaining proceeds as directed by the court in the order of distribution.
24
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26 **DECLARATION DETERMINING AMOUNT OF DEBT**
27 *(Not a Money Award, see ORS 18.862, 86.797, and 88.010)*
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Judgment Creditor: U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR MASTR ADJUSTABLE RATE MORTGAGES TRUST 2006-OA2 MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2006-OA2
c/o Robinson Tait, P.S.
901 Fifth Avenue, Suite 400
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: \$205,356.22

Simple Interest on the Principal Balance from March 1, 2014 to November 23, 2016: \$18,705.63

Other Amounts Due Under Terms of Loan: \$10,056.22

Attorneys' Fees and Costs:
Attorneys' Fee: \$2,050.00
Total Costs: \$823.00

Total Attorney Fees and Costs: \$2,873.00

TOTAL DEBT OWED \$236,991.07

Pre-Judgment: Additional pre-judgment interest accrues from November 24, 2016, to the date of entry of judgment at the per diem rate of \$20.76, in accordance with the Note.

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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: 4/14/2017 03:04 PM



Charles D. Carlson, Circuit Court Judge

Submitted by:


 Craig Peterson, OSB #120365
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GENERAL JUDGMENT DETERMINING
AMOUNT OWED AND FORECLOSURE - 5
60128-25478-IUD OR1679638

Local Offices
ROBINSON TAIT, P.S.
901 Fifth Avenue, Suite 120
Seattle, WA 98104
C O R P O R A T E D


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:

3-24-17



Attorney, OSB

120365