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**IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF LANE**

WILMINGTON TRUST, NATIONAL ASSOCIATION, NOT IN ITS INDIVIDUAL CAPACITY, BUT SOLELY AS TRUSTEE FOR VM TRUST SERIES 1, a Delaware statutory trust,

Plaintiff,

vs.

TROY E. SHAW, an individual; PAMELA M. SHIPP, an individual; BARBARA J. SHIPP, an individual; DONALD C. SHIPP, an individual.

Defendants.

CASE NO.: 16CV05952

WRIT OF EXECUTION

STATE OF OREGON)
) ss.
County of Lane)

TO THE SHERIFF OF LANE COUNTY OREGON:

WHEREAS, on April 18, 2017 by consideration of the Lane County Circuit Court, there was entered a General Judgment of Foreclosure as to Defendants. Said General Judgment of Foreclosure was duly enrolled and docketed in the Trial Court Administrator's Office in said County on April 18, 2017; a true copy of the General Judgment of Foreclosure is attached hereto and made a part hereof.

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///

WRIT OF EXECUTION -1-

ZIEVE, BRODNAX & STEELE, LLP
Amy F. Harrington, Esq.
One World Trade Center
121 Southwest Salmon St., 11th Floor
Portland, OR 97204
714-848-7920
aharrington@zbslaw.com

1 Judgment Creditor: WILMINGTON TRUST, NATIONAL ASSOCIATION,
2 NOT IN ITS INDIVIDUAL CAPACITY, BUT SOLELY
3 AS TRUSTEE FOR VM TRUST SERIES 1, a Delaware
4 statutory trust,
5 Judgment Creditor Address: 55 Beattie Place, Suite 100
6 Greenville, SC 29601-2743

7 NOW THEREFORE IN THE NAME OF THE STATE OF OREGON, you are
8 commanded to sell the real property as by said General Judgment of Foreclosure according to
9 law (subject to redemption) all of the interest that the Defendant Troy E. Shawn and Pamela M.
10 Shipp had on the 13th day of August 2005, the date of the Mortgage, and also all of the interest
11 that Defendants had thereafter, in the real property described in the Judgment as:

12 BEGINNING AT A POINT 206.31 FEET WEST OF THE NORTHEAST CORNER OF
13 SECTION 7, IN TOWNSHIP 18 SOUTH, RANGE 5 WEST OF THE WILLAMETTE
14 MERIDIAN, RUN THENCE SOUTH 0° 09' EAST PARALLEL WITH THE SECTION
15 LINE BETWEEN SECTIONS 7 AND 8, 992.35 FEET; THENCE SOUTH 89° 52'
16 WEST 206.31 FEET; THENCE NORTH 0° 09' WEST 992.35 FEET TO THE NORTH
17 LINE OF SAID SECTION 7; THENCE EAST ALONG SAID NORTH LINE 206.31
18 FEET TO THE POINT OF BEGINNING, IN LANE COUNTY, OREGON.

19 Tax Parcel Number: 0745537

20 The street address of the real property to be levied upon is 25582 Fleck Road, Veneta,
21 OR 97487.

22 The above referenced property shall be sold to satisfy the following sums: The principal
23 balance amount of \$169,378.49; plus interest through April 18, 2017 in the amount of
24 \$123,047.41; plus reasonable attorney fees and costs in the amount of \$6,023.00; plus interest
25 accruing from April 18, 2017 to August 29, 2017 in the amount of \$3,721.18; for a total of
26 \$302,170.08, with interest continuing to accrue at 6.875% (\$27.77 per diem) until the date of
27 sale; Thus,

28 THE TOTAL AMOUNT OF EXECUTION REQUESTED HEREON, STATED AS OF
THE DATE OF SUBMISSION (August 29, 2017) IS AS FOLLOWS:

WRIT OF EXECUTION -2-

ZIEVE, BRODNAX & STEELE, LLP
Amy F. Harrington, Esq.
One World Trade Center
121 Southwest Salmon St., 11th Floor
Portland, OR 97204
714-848-7920
aharrington@zbslaw.com

1 Principal Balance: \$169,378.49
 2 Interest to 4/18/17 at 6.875%
 3 (\$27.77 per diem): \$123,047.41
 4 Plaintiff's Attorney Fees \$6,023.00
 5 Interest from 4/18/17 – 8/29/17
 6 at 6.875% (\$27.77 per diem) \$3,721.18
 7 Total due as of August 29, 2017 \$302,170.08 plus \$27.77 per diem thereafter until
 8 the date of sale.

9 The proceeds of sale shall be applied, delivered, and distributed according to ORS
 10 18.950.

11 The Sheriff is hereby authorized to continue execution under the writ and delay making a
 12 return on the writ to a date not later than 150 days after the sheriff receives the writ as long as the
 13 execution sale occurs no later than 150 days after the sheriff receives the writ pursuant to ORS
 14 18.872.

September 18, 2017

By: *[Signature]*
Court Clerk

21 Submitted by:

22 *[Signature]*
 23 Amy F. Harrington, OSB No. 123363



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**IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF LANE**

WILMINGTON TRUST, NATIONAL
ASSOCIATION, NOT IN ITS INDIVIDUAL
CAPACITY, BUT SOLELY AS TRUSTEE
FOR VM TRUST SERIES 1, a Delaware
statutory trust,

Plaintiff,

vs.

TROY E. SHAW, an individual; PAMELA M.
SHIPP, an individual; BARBARA J. SHIPP,
an individual; DONALD C. SHIPP, an
individual.

Defendants.

CASE NO. 16CV05952

**GENERAL JUDGMENT OF
FORECLOSURE
(WITHOUT MONEY AWARD –
JUDGMENT DOES NOT
CREATE A LIEN)**

Based upon the Motion for Order of Default and Entry of a General Judgment of Foreclosure filed by plaintiff, Wilmington Trust, National Association, Not in its Individual Capacity, But Solely as Trustee for VM Trust Series 1, a Delaware Statutory Trust (“Plaintiff”) and against defendants Barbara J. Shipp (“Borrower 1”), Donald C. Shipp (“Borrower 2” together with Borrower 1, collectively, “Borrowers”), Troy E. Shaw (“Grantee 1”), Pamela M. Shipp (“Grantee 2” together with Grantee 1, collectively, “Grantees” together with Borrowers, collectively, “Defendants”), and that Plaintiff has filed a Statement for Attorney Fees, Costs, and Disbursements,

IT IS HEREBY ORDERED AND ADJUDGED:

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1.

Plaintiff is awarded judgment against Defendants and all persons claiming through or under Defendants, as purchasers, encumbrances, or otherwise, are forever foreclosed of all interest, lien or claim in the real property described above and every portion thereof excepting only any satisfactory right of redemption as Defendants, or any of them, may have therein.

2.

Writ of execution upon this General Judgment of Foreclosure shall issue.

3.

The Deed of Trust executed by Borrowers and recorded on December 19, 2005, in the Lane County Recorder's Office as document number 2005-100639, is a valid mortgage lien for the amount of Plaintiff's judgment set forth in paragraph 1 against all the real property, located in Lane County, Oregon commonly referred to as 25582 Fleck Road, Veneta, OR 97487, with a legal description as follows:

BEGINNING AT A POINT 206.31 FEET WEST OF THE NORTHEAST CORNER OF SECTION 7, IN TOWNSHIP 18 SOUTH, RANGE 5 WEST OF THE WILLAMETTE MERIDIAN, RUN THENCE SOUTH 0° 09' EAST PARALLEL WITH THE SECTION LINE BETWEEN SECTIONS 7 AND 8, 992.35 FEET; THENCE SOUTH 89° 52' WEST 206.31 FEET; THENCE NORTH 0° 09' WEST 992.35 FEET TO THE NORTH LINE OF SAID SECTION 7; THENCE EAST ALONG SAID NORTH LINE 206.31 FEET TO THE POINT OF BEGINNING, IN LANE COUNTY, OREGON.

4.

Said mortgage lien is superior to any interest, lien or claim of the Defendants in the real property, and all other interest in the property gained by him thereafter, or so much interest as may be necessary to satisfy the judgment of the Plaintiff shall be sold by the Sheriff of Lane County, Oregon in the manner provided by law and in accordance with the practice of this Court.

5.

1 The proceeds of sale shall first be applied to the costs of sale; then toward the satisfaction
2 of Plaintiff's judgment awarded herein, calculated as of the date of sale; and any resulting surplus
3 shall then be tendered to the Clerk of the Court to be distributed to such other party or parties as
4 may establish their right thereto.

5 6.

6 Defendants and all persons claiming through or under Defendants, as purchasers,
7 encumbrances, or otherwise, are forever foreclosed of all interest, lien or claim in the real
8 property described above and every portion thereof excepting only any satisfactory right of
9 redemption as Defendants may have.

10 7.

11 Plaintiff or any other party to this suit or third party purchase may become the purchaser
12 at the sale of the real property. The purchaser is entitled to exclusive possession of the real
13 property from and after the date of sale and is entitled to such remedies as are available at law to
14 secure possession, including writ of assistance, if the Defendants and any other party or person
15 shall refuse to surrender possession to the purchaser immediately on the purchaser's demand for
16 possession.

17 ///

18 **SECURED DEBT**

- 19
- | | |
|-------------------------------------|--|
| 20 1. Judgment Creditor: | Wilmington Trust, National Association, Not in its
21 Individual Capacity, But Solely as Trustee for VM
22 Trust Series 1, a Delaware Statutory Trust
23 c/o Zieve, Brodnax, & Steele, LLP
24 One World Trade Center
121 Southwest Salmon St., 11 th Floor
Portland, OR 97204
503-946-6558 |
| 25 2. Judgment Creditor's Attorney: | Benjamin D. Petiprin
26 Zieve, Brodnax, & Steele, LLP |

One World Trade Center
121 Southwest Salmon St., 11th Floor
Portland, OR 97204
503-946-6558

3. Person or public body entitled to any portion of money award herein: None

4. Total Amount of Secured Debt:

a. Lenders' Principal and Interest

Principal Balance \$169,378.49

Accrued interest and fees on
the principal balance through
1/24/17 \$ 123,047.41

**Total Principal and Interest
Through 1/24/17 at the rate of
6.875% per annum plus \$27.77
per diem thereafter. \$292,425.90**

b. Attorneys' Fees and Costs

Attorney Fees Judicial Flat Rate \$3,030.00

Mediation \$200.00

Skip Trace \$50.00

Lit Guarantee \$625.00

ServiceLink invoice publish
summons \$1,155.00

Complaint \$531.00

Provest Invoice 4540171; Service
(Adjusted to \$36.00 per attempt \$432.00

Provest Invoice 4640375; Posting \$80.00

Total Attorney Fees and Costs \$6,023.00

Total Secured Debt (Judgment) \$ 298,448.90

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1 Said Judgment is meant to be for the purposes of foreclosure *only* and from which a Writ
2 of Execution will issue. This judgment is not and is not intended to be a monetary judgment
3 against the Borrowers.
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Signed: 4/18/2017 12:02 PM



Karrie K. McIntyre, Circuit Court Judge

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16 Submitted By:

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18 /s/Benjamin D. Petiprin

19 Benjamin D. Petiprin, OSB No.136031
20 Attorney for Plaintiff
21 Wilmington Trust, National Association,
22 Not in its Individual Capacity, But Solely
23 as Trustee for VM Trust Series I, a
24 Delaware Statutory Trust, a Delaware
25 statutory trust
26

1 CERTIFICATE

2 I HEREBY CERTIFY that this proposed order or judgment is ready for judicial
3 signature because:

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

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

9 3. [X] I have served a copy of this order or judgment on all parties entitled to service and:

10 a. [X] No objection has been served on me.

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

14 c. [] After conferring about objections, [role and name of opposing party] agreed to
15 independently file any remaining objection.

16 4. [] The relief sought is against an opposing party who has been found in default.

17 5. [] An order of default is being requested with this proposed judgment.

18 6. [] Service is not required pursuant to subsection (3) of this rule, or by statute, rule, or
19 otherwise.

20 7. [] This is a proposed judgment that includes an award of punitive damages and notice has
21 been served on the Director of the Crime Victims' Assistance Section as required by subsection
22 (4) of this rule.

23
24 /s/Benjamin D. Petirin
25 Benjamin D. Petiprin, OSB No.136031
26 Attorneys for
27 Wilmington Trust, National Association,
28 Not in its Individual Capacity, But Solely
as Trustee for VM Trust Series 1, a
Delaware Statutory Trust