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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
8 Phone: (206) 676-9640
9 Fax: (206) 676-9659
10 Email: cpeterson@robinsontait.com
11 Email: jfender@robinsontait.com
12 Email: khood@robinsontait.com

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CIRCUIT COURT OF OREGON FOR LANE COUNTY

KEYBANK NATIONAL ASSOCIATION,

Plaintiff,

NO. 15CV25358

v.

WRIT OF EXECUTION IN FORECLOSURE

MARY D. BRADLEY, KEYBANK
NATIONAL ASSOCIATION, ST. VINCENT
DE PAUL SOCIETY OF LANE COUNTY,
INC., ROBERT SCOTT BRADLEY, U PP,
AND PERSONS OR PARTIES UNKNOWN
CLAIMING ANY RIGHT, TITLE, LIEN, OR
INTEREST IN THE PROPERTY DESCRIBED
IN THE COMPLAINT HEREIN,

Defendants.

TO: LANE COUNTY SHERIFF

1. WHEREAS, on August 29, 2017, in the above-entitled court, a judgment of foreclosure was enrolled and docketed in the above-entitled cause, a true copy of which is attached hereto as Exhibit "A" and made a part hereof;

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

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KeyBank National Association
c/o Key Bank National Association
P O Box 11500
MS WA 31-03-0575
Tacoma, WA 98411

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

Key Bank National Association
c/o Robinson Tait, P.S.
901 Fifth Avenue, Suite 400
Seattle, Washington 98164

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

SEE LEGAL DESCRIPTION ATTACHED TO JUDGMENT HERETO AS EXHIBIT A
and commonly known as 1015 W MAIN ST, COTTAGE GROVE, OR 97424.

4. NOW, THEREFORE, IN THE NAME OF THE STATE OF OREGON, you are hereby commanded to sell the above referenced real property, in the manner prescribed by law for the sale of real property upon execution (subject to redemption), all of the interest which the defendant(s) had on June 21, 2004, the date of the Deed of Trust, and also all of the interest which the defendant(s) had thereafter, in the real property described in the judgment, to satisfy the judgment, which as of September 18, 2017,

Lenders Principal Judgment:

1. Unpaid Principal Balance	<u>\$84,094.76</u>
2. Pre-Judgment Interest from June 10, 2014 to June 5, 2017, the date calculated by the Declarant in the Declaration in Support of Judgment	<u>\$12,085.33</u>
3. Lenders Fees and Costs	<u>\$16,251.61</u>
4. Attorney's Fees and Costs	<u>\$18,400.66</u>
<i>Total Judgment Award Entered</i>	<u>\$130,832.36</u>

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2 **Additional Pre Judgment Interest**

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4 1. Accrued Interest from June 6, 2017
5 to August 29, 2017 the date of entry
of Judgment \$953.70

6 *Total Judgment Award* \$131,786.06

7
8 **Post Judgment Interest**

9
10 1. Accrued Post Judgment Interest at a rate of 9% per annum or at \$32.50, from August 30,
11 2017, the day after the entry of judgment, through September 18, 2017,
the date the writ is being requested \$650.00

12
13 *Current Total Amount Owing* \$132,436.06

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 \$32.50 per diem, in accordance with the General Judgment of
17 Foreclosure and continues to accrue until the date of sale.

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

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

DATED this 20th day of Sept, 2017.

Angie Jones
Court Clerk



EXHIBIT A

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CIRCUIT COURT OF OREGON FOR LANE COUNTY

KEYBANK NATIONAL ASSOCIATION,

Plaintiff,

v.

MARY D. BRADLEY; ROBERT SCOTT
BRADLEY; ST. VINCENT DE PAUL
SOCIETY OF LANE COUNTY, INC.;
KEYBANK NATIONAL ASSOCIATION;
AND PERSONS OR PARTIES UNKNOWN
CLAIMING ANY RIGHT, TITLE, LIEN, OR
INTEREST IN THE PROPERTY DESCRIBED
IN THE COMPLAINT HEREIN.

Defendants.

NO. 15CV25358

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, KeyBank National Association, appearing and being represented by Craig Peterson, Attorney of Robinson Tait, and Mary D. Bradley and Robert Scott Bradley, appearing and being represented by Jeffrey A. Long, Attorney of Oregon Consumer Law Center, 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, that the plaintiff is entitled to judgment as a matter of

GENERAL JUDGMENT DETERMINING
AMOUNT OWED AND FORECLOSURE - 1
00079-01793-010-0161760315

Clerk
ROBINSON TAIT, P.S.

100 Fifth Avenue, Suite 100
Seaside, OR 97138
503.738.1111

1 law, and that the judgment should be entered in favor of the plaintiff forthwith as more particularly
2 hereafter set forth. Therefore.

4 IT IS HEREBY ORDERED AND ADJUDGED THAT:

5 1. Plaintiff, KeyBank National Association be awarded judgment in the sum of \$84,094.76,
6 together with interest at a rate as provided in the Note from June 10, 2014 through June 5, 2017 in the
7 amount of \$12,085.33 with additional pre-judgment interest at the per diem rate of \$11.22 as provided in
8 the Note to the date of entry of judgment; plus reasonable attorneys' fees in the amount of \$2,600.00
9 plus the additional attorneys' fees in the amount of \$14,305.66 for the contested foreclosure, plus other
10 recoverable amounts of \$16,251.61 which includes the amounts itemized in the declaration of the lender
11 in support of motion for judgment plus allowable costs of \$1,495.00 as itemized in the Statement of
12 Attorney Fees, Costs, and Disbursements for Plaintiff and an additional amount for post-judgment
13 sheriff's fees. Said judgment to bear interest until paid at the statutory rate or at the contract rate,
14 whichever is greater; and.

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

20 See legal description attached hereto as Exhibit A.

21 which was recorded on July 6, 2004, under Auditor's File No. 2004-051528, records of Lane County,
22 Oregon, be adjudged and decreed to be a first and paramount lien upon the above described real
23 estate and the whole thereof as security for the payment of the judgment herein set forth, and that said
24 Deed of Trust be foreclosed and the property therein described is hereby ordered sold by the Sheriff
25 of Lane County in the manner provided for by law, and the proceeds therefrom shall be applied to the
26 payment of the judgment, interest, attorneys' fees and costs, and such other sums as plaintiff has
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GENERAL JUDGMENT DETERMINING
AMOUNT OWED AND FORECLOSURE - 2

FILED: 06/07/17 1:57:18 PM 17-003-3

ROBINSON TATE, P.S.

901 Fifth Avenue, Suite 100
Portland, Oregon 97207
503.228.1111

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2 advanced prior to judgment, and that such sums shall constitute a first and specific lien and charge
3 upon said real estate, prior and superior to any right, title, estate, lien or interest of Mary D. Bradley,
4 St. Vincent De Paul Society of Lane County, Inc., KeyBank National Association, and Persons or
5 Parties Unknown Claiming Any Right, Title, Lien, or Interest in the Property Described in the
6 Complaint Herein and of any one claiming by, through or under them; and
7

8 3. Mary D. Bradley, St. Vincent De Paul Society of Lane County, Inc., KeyBank
9 National Association, and Persons or Parties Unknown Claiming Any Right, Title, Lien, or Interest in
10 the Property Described in the Complaint Herein subsequent to June 21, 2004, the date of the Deed of
11 Trust which is foreclosed herein, be forever barred and estopped from claiming or asserting any right,
12 title, lien or interest in or to said property or any part thereof, save and except for the right of
13 redemption as allowed by law; and
14

15 4. Plaintiff be granted the right to become a bidder and purchaser at the sale and the
16 purchaser shall be entitled to exclusive possession of the property upon completion of sale according to
17 law, and to all right, title and interest in any rents and profits generated or arising from the property
18 during the statutory redemption period; and plaintiff is entitled to such remedies as are available at law to
19 secure possession, including writ of assistance, if defendants or any of them or any other party or person
20 shall refuse to surrender possession to the purchaser immediately upon purchaser's demand for
21 possession; and
22

23 5. Pursuant to ORS 18.950, if any proceeds from the execution sale remain after the
24 payment of costs under ORS 18.950(3) and satisfaction of the judgment, the court administrator shall
25 pay the remaining proceeds as directed by the court in the order of distribution.
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GENERAL JUDGMENT DETERMINING
AMOUNT OWED AND FORECLOSURE - 3
CASE NO. 04-1-00000-0000

ROBINSON TALL, P.S.

1111 1/2 S.W. 3rd Ave.
Portland, Oregon 97204
503.228.1111

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

Judgment Creditor: KeyBank National Association
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: \$84,094.76

Simple Interest on the Principal Balance
from June 10, 2014 to June 5, 2017: \$12,085.33

Other Amounts Due Under Terms of Loan: \$16,251.61

Attorneys' Fees and Costs:
Attorneys' Fee: \$2,600.00
Contested Attorneys' Fee: \$14,305.66
Total Costs: \$1,495.00

Total Attorney Fees and Costs: \$18,400.66

TOTAL DEBT OWED \$130,832.36

Exhibit A



Order No. 4614033949-FTEUG25

LEGAL DESCRIPTION

Lot 3, EXCEPT the East 5 feet, and the East 15 feet of Lot 4, Block 2, HAZELTON'S SECOND ADDITION TO COTTAGE GROVE, as platted and recorded in Volume G, Page 333, Lane County Oregon Deed Records, in Lane County, Oregon.

ALSO that portion of a 12 foot wide strip of land adjacent on the South of the above described portions of Lots 3 and 4, lying between the East and West lines of said lots described above, if extended Southerly, in Lane County, Oregon.

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:

01/11/17

Attorney, OSB

[Handwritten Signature]

12/30/16