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CLACKAMAS COUNTY SHERIFF

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

BANK OF AMERICA, N.A.,

Plaintiff,

vs.

ESTATE OF AL S. DAVIS; 1ST SECURITY
BANK OF WASHINGTON, a Washington
corporation; and all other persons, parties, or
occupants unknown claiming any legal or
equitable right, title, estate, lien, or interest in
the real property described in the complaint
herein, adverse to Plaintiff's title, or any cloud
on Plaintiff's title to the Property, collectively
designated as DOES 1 through 50, inclusive.

Defendants.

CASE NUMBER: CV13030783

WRIT OF EXECUTION IN FORECLOSURE

TO: THE SHERIFF OF CLACKAMAS COUNTY, OREGON:

1.

WHEREAS, on December 9, 2015, in the above-entitled Court, a General Judgment of
Foreclosure ("Judgment") was entered and docketed in the above-entitled and numbered proceeding

2.

NOW, THEREFORE, IN THE NAME OF THE STATE OF OREGON, you are hereby commanded to sell, in the manner prescribed by law for the sale of real property upon (subject to redemption, if applicable), all of the interest which the Defendants ESTATE OF AL S. DAVIS and 1ST SECURITY BANK OF WASHINGTON ("Defendants") had on May 4, 2011, the date of the foreclosed Deed of Trust which was recorded on May 9, 2011, as Instrument No. 2011-027722 in the official records of the Clackamas County Recorder's Office, and/or all of the interest which Defendants had thereafter, in the real property described in the Judgment to satisfy the Judgment as follows:

Lender's Principal Judgment:

Unpaid Principal Balance:	\$260,037.18
Pre-Judgment Interest from April 1, 2012 to July 17, 2015, the date set forth in the Judgment at 4.750%, per annum, (\$33.8404 per diem):	\$40,684.54
Lender's Fees and Costs:	\$21,336.79
Attorney's Fees and Costs:	\$3,780.20
Total Judgment Entered:	\$325,838.71

Additional Pre-Judgment Interest:

Accrued Interest from July 18, 2015, the day after the date set forth in the Judgment through December 9, 2015, the date of entry of the Judgment, at 4.750%, per annum (\$33.8404 per diem):	\$4,873.02
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1 **Total Judgment Entered Including**

2 **Additional Pre-Judgment**

3 **Interest: \$330,711.73**

4 3.

5 Additionally, Plaintiff is entitled to the accrual of post-judgment interest on **\$330,711.73** at
6 the legal rate of interest of 9% per annum, \$81.54 per diem, from December 10, 2015 to the date the
7 real property subject to the Judgment is sold by the County Sheriff at its foreclosure auction, plus
8 costs of this Writ, Sherriff's fees and sale costs, and all other recovered costs pursuant to law.

9 4.

10 The real property subject to this writ of execution is commonly known as 36075 SE
11 ROLLINS LANE, ESTACADA, OR 97023 ("Property") and described in Exhibit "1" attached
12 hereto.

13 5.

14 The Judgment Creditor's name and address is:

15 BANK OF AMERICA, N.A.
16 100 N. Tryon St.
17 Charlotte, NC 28255-4000

18 The Judgment Creditor's name and address for the purpose of this Writ is:

19 BANK OF AMERICA, N.A.
20 c/o Malcolm & Cisneros, ALC (Attention: Nathan F. Smith)
21 2112 Business Center Drive
22 Irvine, CA 92612
23 949-252-9400

24 ///
25 ///
26 ///
27 ///
28 ///


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

4 MAKE RETURN HEREOF within 60 days after you receive this Writ.



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8 *Wendy Dutton* Aug 23, 2017

9
10 Submitted by:

11
12 
13 Nathan R. Smith, OSB #120112
14 Attorney for Plaintiff
15 MALCOLM ♦ CISNEROS, A Law Corporation
16 2112 Business Center Drive, Second Floor
17 Irvine, California 92612
18 Phone: (949) 252-9400
19 Fax: (949) 252-1032
20 Email: nathan@mclaw.org

21 Dated: 8/8/17

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**COURT CLERK HAS NOT VERIFIED FIGURES IN THIS WRIT.
IF YOU HAVE ANY QUESTIONS REGARDING THIS WRIT,
PLEASE CONTACT YOUR LEGAL COUNSEL, THE ISSUING
ATTORNEY OR THE ISSUING COMPANY. DEBTOR MAY CONTEST
THIS WRIT BY FILING A CLAIM OF EXEMPTION.**

**Court Administrator relies on the information
provided by the person seeking issuance of
this writ of execution and is not liable for any
errors or omissions in the information**

EXHIBIT 1

Lot 6, ROLLIN ACRES, in the County of Clackamas and State of Oregon.