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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.

NICOLE KAMOLZ, an individual; JEREMY  
KAMOLZ, an individual; 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.

Defendants.

**CASE NUMBER: CV15030321**

**WRIT OF EXECUTION IN FORECLOSURE**

**TO: THE SHERIFF OF CLACKAMAS COUNTY, OREGON:**

1.

WHEREAS, on January 7, 2016, 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

1 redemption, if applicable), all of the interest which the Defendants NICOLE KAMOLZ and  
2 JEREMY KAMOLZ (“Defendants”) had on May 5, 2010, the date of the foreclosed Deed of Trust  
3 which was recorded on May 10, 2010, as Instrument No. 2010-027930 in the official records of the  
4 Clackamas County Recorder’s Office, and/or all of the interest which Defendants had thereafter, in  
5 the real property described in the Judgment to satisfy the Judgment as follows:

6  
7 **Lender’s Principal Judgment:**

8 Unpaid Principal Balance:	\$169,185.50
9 Pre-Judgment Interest from October 1, 10 2013 to July 8, 2015, the date set forth 11 in the Judgment at 5.00%, per annum, 12 (\$23.1760 per diem):	\$14,965.97
13 Lender’s Fees and Costs:	\$4,329.63
14 Attorney’s Fees and Costs:	\$3,556.50

15 ***Total Judgment Entered:*** ***\$192,037.60***

16  
17 **Additional Pre-Judgment Interest:**

18 Accrued Interest from July 9, 2015, the 19 day after the date set forth in the 20 Judgment through January 4, 2016, the 21 date of entry of the Judgment, at 5.00%, 22 per annum (\$23.1760 per diem):	\$4,218.03
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23 ***Total Judgment Entered Including***  
24 ***Additional Pre-Judgment*** ***\$196,255.63***  
25 ***Interest:***

26 3.

27 Additionally, Plaintiff is entitled to the accrual of post-judgment interest on ***\$196,255.63*** at  
28 the legal rate of interest of 9% per annum, \$48.39 per diem, from January 8, 2016 to the date the real  
property subject to the Judgment is sold by the County Sheriff at its foreclosure auction, plus costs of  
this Writ, Sherriff’s fees and sale costs, and all other recovered costs pursuant to law.

4.

The real property subject to this writ of execution is commonly known as 1535 NE 10TH  
PLACE, CANBY, OR 97013 (“Property”) and described in Exhibit “1” attached hereto.

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5.

The Judgment Creditor's name and address is:

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

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

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

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

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



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.

*Nathan F. Smith* Aug 23, 2017

Submitted by:

Nathan F. Smith, OSB #120112  
Attorney for Plaintiff  
MALCOLM ♦ CISNEROS, A Law Corporation  
2112 Business Center Drive, Second Floor  
Irvine, California 92612  
Phone: (949) 252-9400  
Fax: (949) 252-1032  
Email: nathan@mclaw.org

Dated: 8/4/17

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

## **LEGAL DESCRIPTION**

Lot 33, GARDEN CROSSING, in the City of Canby, County of Clackamas and State of Oregon.