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CLACKAMAS COUNTY SHERIFF

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3 IN THE CIRCUIT COURT OF THE STATE OF OREGON

4 FOR THE COUNTY OF CLACKAMAS

5 GREEN TREE SERVICING LLC, its
6 successors in interest and/or assigns,

7 Plaintiff,

8 vs.

9 JUDI A SINGLETON; OREGON
10 DEPARTMENT OF REVENUE; AND
11 OCCUPANTS OF THE PREMISES,

12 Defendants.

CASE NO.: CV15010527

WRIT OF EXECUTION

13 STATE OF OREGON)
14) ss.
15 County of Clackamas)

16 TO THE SHERIFF OF CLACKAMAS COUNTY OREGON:

17 WHEREAS, on December 9, 2015 by consideration of the Clackamas County Circuit
18 Court, there was entered a General Judgment of Foreclosure as to Defendants. Said General
19 Judgment of Foreclosure was duly enrolled and docketed in the Trial Court Administrator's
20 Office in said County on December 9, 2015; a true copy of the General Judgment of Foreclosure
21 is attached hereto and made a part hereof.

22 Judgment Creditor: GREEN TREE SERVICING LLC, its successors in interest
and/or assigns,

23 Judgment Creditor Address: 55 Beattie Place, Suite 100
24 Greenville, SC 29601-2743

25 ///

1 NOW THEREFORE IN THE NAME OF THE STATE OF OREGON, you are
2 commanded to sell the real property as by said General Judgment of Foreclosure according to
3 law (subject to redemption) all of the interest that the Defendant Judi A. Singleton had on the
4 26th day of June 2008, the date of the Mortgage, and also all of the interest that Defendants had
5 thereafter, in the real property described in the Judgment as:

6 LOT 12, BLOCK 6, QUINCY ADDITION TO MILWAUKIE, IN THE
7 COUNTY OF CLACKAMAS AND STATE OF OREGON.

8 Tax Parcel Number: 00024495

9 The street address of the real property to be levied upon is 11322 SE 33rd Ave,
10 Milwaukie, OR 97222.

11 The above referenced property shall be sold to satisfy the following sums: The principal
12 balance amount of \$183,779.90; plus prejudgment interest in the amount of \$58,766.05, plus
13 additional pre-judgment interest from November 2, 2015 to December 7, 2015 in the amount of
14 \$1,178.28; plus lender's fees and costs in the amount of \$15,784.31; plus reasonable attorney
15 fees and costs in the amount of \$3,478.00; plus post-judgment interest accruing from December
16 9, 2015 to July 10, 2017 at the rate of 9.0% per annum, in the amount of \$37,153.32 (\$64.84 per
17 diem x 573 days) for a grand total of \$300,139.86; Thus,

18 THE TOTAL AMOUNT OF EXECUTION REQUESTED HEREON, STATED AS OF
19 THE DATE OF SUBMISSION (July 10, 2017) IS AS FOLLOWS:

20 Principal Balance \$183,779.90

21 Pre-judgment Interest 12/1/11 –

22 11/2/2015 at 6.500% (\$32.73

23 per diem) \$58,766.05

24 Pre-Judgment Interest 11/2/15 –

25 12/7/15 at 6.500% (\$32.73 per

1 diem) \$1,178.28
2 Lenders Fees and Costs \$15,784.31
3 Attorney Fees and Costs \$3,478.00
4 Post-judgment Interest 12/8/15 –
5 7/10/17 at 9% (\$64.84 per diem) \$37,607.20
6 Total due as of July 10, 2017 \$300,593.74, plus \$64.84 per diem thereafter until
7 the date of sale.

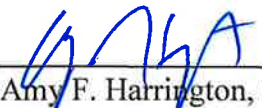
8 The proceeds of sale shall be applied, delivered, and distributed according to ORS
9 18.950.

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

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



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19
20 Submitted by:

21 
22 Amy F. Harrington, OSB No. 123363

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24
25
26 **COURT CLERK HAS NOT VERIFIED FIGURES IN THIS WRIT.**
27 **IF YOU HAVE ANY QUESTIONS REGARDING THIS WRIT,**
28 **PLEASE CONTACT YOUR LEGAL COUNSEL, THE ISSUING**
ATTORNEY OR THE ISSUING COMPANY. DEBTOR MAY CONTEST
THIS WRIT BY FILING A CLAIM OF EXEMPTION.

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STATE OF OREGON
CLACKAMAS COUNTY COURT
FILED
2015 DEC -8 AM 9:03
ENTERED BY
DEC 09 2015
By: KLC

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

GREEN TREE SERVICING LLC, its successors
in interest and/or assigns,

Plaintiff,

v.

JUDI A SINGLETON; OREGON
DEPARTMENT OF REVENUE: AND
OCCUPANTS OF THE PREMISES,

Defendants.

Case No. CV15010527

GENERAL JUDGMENT OF
FORECLOSURE AND SALE
AGAINST:

- (1) JUDI A SINGLETON;
- (2) OREGON DEPARTMENT OF REVENUE: AND
- (3) OCCUPANTS OF THE PREMISES,

1.

THIS MATTER coming regularly before the Court on this day and it appearing from the record herein that plaintiff Green Tree Servicing LLC, its successors in interest and/or assigns ("Plaintiff"), filed its Complaint for deed of trust foreclosure; that defendants Judi A Singleton; Oregon Department of Revenue: and Occupants of the Premises were duly served with the Summons and Complaint as required by law; that defendants Judi A Singleton; Oregon Department of Revenue: and Occupants of the Premises failed to appear; and that an Order of Default has been entered against them on Plaintiff's Complaint.

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GENERAL JUDGMENT OF FORECLOSURE AND SALE - 1

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Digitized Judgment Document
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LEGAL



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2.

Plaintiff hereby requests this general judgment for foreclosure and sale be entered into the Court's register to accomplish the following: to foreclose any and all interest of defendants Judi A Singleton; Oregon Department of Revenue; and Occupants of the Premises in the real property subject to this foreclosure action, located at 11322 Southeast 33rd Avenue, Milwaukie, Oregon 97222 (the "Property").

3.

The court being fully advised in the Premise, finding good cause exists so this general judgment of foreclosure and sale may be entered in favor of Plaintiff and against Judi A Singleton; Oregon Department of Revenue; and Occupants of the Premises, all of them, it is hereby

ORDERED AND ADJUDGED:

4.

That the Deed of Trust dated June 26, 2008, executed by Judi A Singleton for the benefit of Mortgage Electronic Registration Systems, Inc. solely as nominee for Homecomings Financial, LLC (F/K/A homecomings Financial Network, Inc), its successors and assigns ("Deed of Trust"), recorded on July 3, 2008 as Instrument No. 2008-048313 in the official records of Clackamas County, Oregon, and subsequently assigned to Plaintiff by way of an assignment recorded on June 17, 2013 as Instrument No. 2013-041633, is a valid lien for the amount due and owing as set forth in Paragraph 12 herein, against the Property situated in Clackamas County, Oregon, and described as follows

LOT 12, BLOCK 6, QUINCY ADDITION TO MILWAUKIE, IN THE
COUNTY OF CLACKAMAS AND STATE
OF OREGON.

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5.

That the lien of the Deed of Trust is superior to any interest, lien, or claim of defendants Judi A Singleton; Oregon Department of Revenue; and Occupants of the Premises in the Property, and that said Deed of Trust is hereby foreclosed by this Court on the Property.

6.

That defendants Judi A Singleton; Oregon Department of Revenue; and Occupants of the Premises, each of them, and all parties claiming by, through, or under them as purchasers, encumbrances, or otherwise, are forever barred and foreclosed of all interests, liens, or claims in the Property, and every portion thereof, excepting only the statutory right of redemption provided by the laws of the State of Oregon.

7.

That defendants Judi A Singleton; Oregon Department of Revenue; and Occupants of the Premises, all of them, are not entitled to a homestead exemption as against Plaintiff's Deed of Trust.

8.

That all of the right, title and interest which Judi A Singleton had on June 26, 2008, the date of the Deed of Trust, and all of the right, title and interest defendants Judi A Singleton; Oregon Department of Revenue; and Occupants of the Premises and any successor thereafter had in and to the real Property is hereby ordered to be sold by law, and the proceeds of sale shall be applied first toward the sheriff's fees and costs of sale, then toward the satisfaction of the amount due and owing set forth in Paragraph 12 herein; and the surplus, if any, to the Clerk of the Court to be disbursed to such party or parties as may establish their right thereto.

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9.

That Plaintiff may become purchaser at the sheriff's sale of the Property and may bid up to the aggregate amount due and owing set forth in Paragraph 12 herein, plus interest from the date of this Judgment until sale without advancing any cash except money required for the sheriff's sale.

10.

That the Plaintiff, if the successful purchaser of the Property at the sheriff's sale, reserves the right to motion the court after sale for exclusive and immediate possession of the Property through the issuance and enforcement of a writ of assistance, should defendants Judi A Singleton; Oregon Department of Revenue: and Occupants of the Premises refuse to surrender possession of the Property immediately upon the purchaser's demand for possession.

11.

That Plaintiff is entitled to, and is hereby awarded its attorney fees and costs incurred in this action, and that Plaintiff's attorney fees in the amount of \$2,600.00 and its litigation costs in the amount of \$878.00, shall be, and is hereby declared additional amounts secured by and hereinafter shall be made part of the amount of the debt secured by Plaintiff's Deed of Trust.

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DECLARATION OF DEBT SECURED BY DEED OF TRUST

(Pursuant to Senate Bill 368)

12.

Under the terms of the Deed of Trust and the promissory note dated June 26, 2008, in the principal amount of \$192,000.00, there is now due and owing the following amounts, to be hereinafter described as the Amount Due:

Attorneys' Fees and Costs

Attorneys' Fees		\$2,600.00
Filing Fee - Complaint	\$531.00	
Recording Fee - Lis Pendens	\$67.00	
Process Service Fees	\$150.00	
Skip Trace Costs	\$80.00	
Datedown Endorsement	\$50.00	
	Total Costs	\$878.00
	<i>Total Attorneys' Fees and Costs</i>	\$3,478.00

Lenders' Principal and Interest

Principal Balance	\$183,779.90	
Accrued Interest from December 1, 2011, to November 2, 2015, the date calculated by the declarant in the declaration in support of default @ 6.500% per annum	\$58,766.05	
	<i>Total Principal & Interest</i>	\$242,545.95

Lenders' Fees and Costs

Corporate Advances	\$3,372.18	
Escrow Balance Due	\$12,412.13	
	<i>Total Lenders' Fees and Costs:</i>	\$15,784.31
	<i>Total Lenders' Principal, Interest, Fees, and Costs:</i>	\$258,330.26

Additional pre-judgment interest pursuant to ORS 18.042 from November 2, 2015 to the date entry of judgment at the contract rate of interest (\$32.73 per diem)

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Post-Judgment interest thereafter on the Total Amount Due at the contract rate of interest, or 9.000% per annum, whichever is greater.

Total Amount Due


\$261,808.26

DATED this 7 day of Dec, 2015.


CIRCUIT COURT JUDGE

Presented by:

RCO LEGAL, P.C.

By 
Erik Wilson, OSB # 095507
Attorney for Plaintiff
511 SW 10th Ave., Ste. 400
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ewilson@rcolegal.com

DATED 11/12/15