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IN THE CIRCUIT COURT FOR THE STATE OF OREGON
FOR THE COUNTY OF MARION

CENTURY MEADOWS HOMEOWNERS ASSOCIATION, an Oregon non-profit corporation,)	Case No.: 17CV11285
)	
Plaintiff,)	WRIT OF EXECUTION IN FORECLOSURE
)	
v.)	
ARTHUR HOPFER,)	
)	
Defendants.)	
)	

TO: MARION COUNTY SHERIFF

1. Whereas, on June 28, 2016, in the above-entitled court, a judgment of foreclosure was reenrolled 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:

Century Meadows Homeowners Association

PO Box 614

Aurora, OR 97002

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

Century Meadows Homeowners Association

WRIT OF EXECUTION IN FORECLOSURE

Spalding & Wood, LLC
P.O. Box 13488
Salem, OR 97309
Phone (503) 567-9257
Fax (503) 389-1563

1 PO Box 614

2 Aurora, OR 97002

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

5 LOT 12, BLOCK 19 of CENTURY MEADOWS,

6 and commonly known as 11698 Warbler Ln. NE, Aurora OR, 97002.

7
8 4. NOW, THEREFORE, IN THE NAME OF THE STATE OF OREGON, you are
9 hereby commanded to sell the above referenced real property, in the manner
10 prescribed by law for the sale of real property upon execution (subject to redemption),
11 all of the interest which the defendant had on July 2, 2003, the date of the Deed of
12 Trust, and also all of the interest which the defendant had thereafter, in the real
13 property described in the judgment, to satisfy the judgment, which as of August 28,
14 2017,

15 **Principal Judgment:**

16 Unpaid principal Balance	\$16,798.12
17 Pre-judgment Interest from	\$979.89
18 Attorney's Fees and Costs	\$4550.00
Total Judgment Award Entered	\$22,328.01

19 **Post Judgment Interest**

20 1. Accrued Post Judgment Interest at a rate of 9% per annum from August 3, 2017, the
21 day after entry of Judgment, through August 29, 2017, the date the writ is being
22 requested \$148.64
Current Total Amount Owing on the Judgment Award \$22,476.64

23 In addition to the above, interest continues to accrue on the total of the amounts listed
24 above at the rate of 9% per annum in accordance with the General Judgment Determining
25 Amount Owed and Foreclosure and continues to accrue until the date of sale.
26

2 **WRIT OF EXECUTION IN FORECLOSURE**

Spalding & Wood, LLC
P.O. Box 13488
Salem, OR 97309
Phone (503) 567-9257
Fax (503) 389-1563

1 Proceeds of the sale of the real property should be distributed as outlined in the
2 supplemental judgment to the mortgage lienholders who have priority and later to the
3 homeowners association if proceeds exist to continue to pay off the debts. SEE EXHIBIT "B"

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

8 MAKE RETURN HEREOF with 60 days after you receive this writ.
9

10 Signed: 8/31/2017 03:04 PM

11
12 _____
13 Court Clerk

Amy C. [Signature]
Court Clerk



14 Submitted by:
15 Nicholas Wood, OSB #075699
16 The Law Firm of Spalding & Wood
17 of Attorneys for Plaintiff
18 tel: 503-567-9257
19 fax: 503-389-1563
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3 WRIT OF EXECUTION IN FORECLOSURE

Spalding & Wood, LLC
P.O. Box 13488
Salem, OR 97309
Phone (503) 567-9257
Fax (503) 389-1563

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IN THE CIRCUIT COURT FOR THE STATE OF OREGON
FOR THE COUNTY OF MARION

CENTURY MEADOWS HOMEOWNERS
ASSOCIATION, an Oregon non-profit
corporation,

Plaintiff,

v.

ARTHUR HOPFER,

Defendants.

) Case No.: 17CV11285

) GENERAL JUDGMENT DETERMINING
) AMOUNT OWED AND FOR
) FORECLOSURE

THIS MATTER having been brought before this court on the motion of plaintiff for judgment and foreclosure herein, the plaintiff, CENTURY MEADOWS HOMEOWNERS ASSOCIATION, appearing and being represented by Nicholas Wood, attorney for Century Meadows Homeowners Association, 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 Defendant Arthur Hopfer is in default, and that the allegations in Plaintiffs complaint are true, that plaintiff is entitled to judgment as a matter of law, and that the judgment should be entered in favor of plaintiff forthwith as more particularly hereafter set forth. Therefore,

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///

GENERAL JUDGMENT DETERMINING AMOUNT OWED
AND FORECLOSURE

Spalding & Wood, LLC
P.O. Box 13488
Salem, OR 97309
Phone (503) 567-9257
Fax (503) 389-1563

1 IT IS HEREBY ORDERED AND ADJUDGED

2 1. Plaintiff, CENTURY MEADOWS HOMEOWNERS ASSOCIATION be awarded
3 judgment in the sum of \$16,798.12, together with interest at a rate as provided in the
4 note from November 30, 2016- present in the amount of 979.89, plus reasonable
5 attorney fees in the amount of \$4340.00 which includes the amounts itemized in the
6 declaration in support of this judgment. Said judgment to bear interest until paid at
7 the statutory rate or at the contract rate, whichever is greater, and.

8
9 2. Plaintiff's lien on real property in Marion County, Oregon legally described as
10 follows:

11 LOT 12, BLOCK 19 of CENTURY MEADOWS.

12 which was recorded on December 8, 2016 under Auditor's file no. Reel 3889 Page 265 records
13 of Marion County, Oregon be adjudged and decreed to be a lien upon the above described real
14 estate and the whole thereof as security for the payment of the judgment herein set forth, and that
15 said lien be foreclosed and the property therein described is hereby ordered sold by the Sheriff of
16 Marion County in the manner provided for by law, and the proceeds therefrom shall be applied
17 to the payment of the judgment, interest, attorneys' fees and costs and other sums as plaintiff has
18 advanced prior to judgment. Other liens with priority over this lien shall also receive payment
19 from the sale of the property.
20

21 3. Any and all persons acquiring any right, title, estate, lien or interest in or to the
22 property described above or any party thereof subsequent to December 8, 2016 the
23 date of the lien which is foreclosed upon be forever barred and estopped from
24 claiming or asserting any right, title, lien or interest in or to said property or any part
25 thereof, save and except for the right of redemption as allowed by law; and
26

2 GENERAL JUDGMENT DETERMINING AMOUNT OWED
AND FORECLOSURE

Spalding & Wood, LLC
P.O. Box 13488
Salem, OR 97309
Phone (503) 567-9257
Fax (503) 389-1563

EXHIBIT A p. 2

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4. Plaintiff's be granted the right to become a bidder and purchaser at the sale and the purchaser shall be entitled to exclusive possession of the property upon completion of sale according to law, and to all right, title and interest in any rents profits generated from the property during the statutory redemption period; and plaintiff is entitled to such remedies as are available at law or secure possession, including writ of assistance, if defendants or any of them or any other party or person shall refuse to surrender possession to the purchaser immediately upon purchaser's demand for possession; and
 5. Pursuant to ORS 18.950 if any proceeds from the execution sale remain after payment of costs under ORS 18.950(3) and satisfaction of the judgment and any other liens on the property, the court administrator shall pay the remaining proceeds as directed by the court in the order of distribution.

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

Judgment Creditor: Century Meadows Homeowners Association
PO Box 614
Aurora, OR 97002
503-679-8972

Attorney for Judgment Creditor Spalding and Wood LLC
PO Box 13488
Salem, OR 97309
503-567-9257

The name of any person or public body,
other than the Judgment Creditor's
Attorney, who is entitled to any portion of
the judgment: Oregon Affordable Housing Assistance
Corporation
Richard Anderson Law PC-registered agent

3 = GENERAL JUDGMENT DETERMINING AMOUNT OWED
AND FORECLOSURE

Spalding & Wood, LLC
P.O. Box 13488
Salem, OR 97309
Phone (503) 567-9257
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EXHIBIT A p. 3

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8625 SE Cascade Ave
Ste. 430
Beaverton, OR 97008

21st Century Mortgage Company
John Weil-Registered Agent
10300 SW Greenburg Rd
Ste. 430
Portland, OR 97223

Principal Balance:	\$16,798.12
Simple Interest on the Principal Balance From November 30, 2016	\$979.89
Other amounts Due under terms of loan	\$0
Attorneys' Fees and Costs:	
Attorneys Fees	\$4340
Costs	\$210
Total Attorney Fees and Costs:	\$4550
 Total Debt Owed	 \$22,328.01

Post-Judgment: Interest Accrues on the total amounts listed above in accordance with the contract rate in the Note, or at the statutory rate of 9% per annum, whichever is greater.

Signed: 8/2/2017 02:31 PM



Circuit Court Judge Mary M. James

Submitted by:
Nicholas Wood, OSB #075699
The Law Firm of Spalding & Wood
of Attorneys for Plaintiff
tel: 503-567-9257
fax: 503-389-1563

GENERAL JUDGMENT DETERMINING AMOUNT OWED
AND FORECLOSURE

Spalding & Wood, LLC
P.O. Box 13488
Salem, OR 97309
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IN THE CIRCUIT COURT FOR THE STATE OF OREGON
FOR THE COUNTY OF MARION

CENTURY MEADOWS HOMEOWNERS ASSOCIATION, an Oregon non-profit corporation,)	Case No.: 17CV11285
)	
Plaintiff,)	SUPPLEMENTAL JUDGMENT OF FORECLOSURE WITH PRIORITY OF LIEN-HOLDERS FOR PROCEEDS OF A PROPERTY SALE
v.)	
ARTHUR HOPFER,)	
)	
Defendants.)	
)	
)	

THIS MATTER having been brought before this court on the motion of plaintiff for judgment and foreclosure herein and the judgment of foreclosure signed on August 2, 2017, the plaintiff, CENTURY MEADOWS HOMEOWNERS ASSOCIATION, appearing and being represented by Nicholas Wood, attorney for Century Meadows Homeowners Association, 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 Defendant Arthur Hopfer is in default, a general judgment for determining amount owed and foreclosure entered on August 2, 2017. There are multiple lien holders on the property and the priority of the lienholders is ordered below for the sale of the property,

///

1 - SUPPLEMENTAL JUDGMENT OF FORECLOSURE WITH PRIORITY OF LIEN-HOLDERS FOR PROCEEDS OF A PROPERTY SALE

Spalding & Wood, LLC
P.O. Box 13488
Salem, OR 97309
Phone (503) 567-9257
Fax (503) 389-1563
EXHIBIT B p.1

IT IS HEREBY ORDERED AND ADJUDGED

1
2 1. Plaintiff have a judgment entered August 2, 2017, foreclosing its Homeowners
3 Association Lien against the property described as:

4 LOT 12, BLOCK 19 of CENTURY MEADOWS.

5 2. That the lien of Century Meadows Homeowners Association on the above property is
6 hereby declared 3rd priority against the property which are to be sold by the sheriff of
7 Marion County as by law provided on execution; that plaintiff is permitted to
8 purchase at the sale; and that the proceeds of the sale are to be applied as follows:

9 a. To the Payment of the Costs of the Sale

10 b. To the payment of the mortgage lien of:

11
12 *21st Century Mortgage Corporation*
13 *Registered Agent- John Weil*
14 *10300 SW Greenberg RD*
15 *Ste. 430*
16 *Portland OR 97223*
17 *Amount \$100,300.00*

18 c. To the payment of the subordinate Mortgage lien of:

19 *Oregon Affordable Housing*
20 *Assistance Corporation*
21 *Registered Agent- Richard Anderson*
22 *Law PC*
23 *8625 SE Cascade Ave*
24 *Ste. 430*
25 *Beaverton OR 97008*
26 *Amount \$35,000.00*

d. To the payment of the Homeowners Association Lien:

27 *Century Meadows Homeowners*
28 *Association*
29 *PO Box 614*
30 *Aurora, OR 97002*
31 *Amount- \$22,328.01*

e. Balance of Proceeds if any to be paid to:

2 - SUPPLEMENTAL JUDGMENT OF FORECLOSURE WITH
PRIORITY OF LIEN-HOLDERS FOR PROCEEDS OF A
PROPERTY SALE

Spalding & Wood, LLC
P.O. Box 13488
Salem, OR 97309
Phone (503) 567-9257
Fax (503) 389-1563
EXHIBIT B p. 2

1 i. Arthur Hopper
2 22780 Hopewell Rd. NW,
3 Salem, OR 97304

4 3. That the defendant named above and each of them and all persons claiming by or
5 through them are forever foreclosed of all right, title, and interest, legal and equitable,
6 in the real property, except the statutory right of redemption, and that execution and
7 an order of execution issue to enforce this judgment.
8
9
10
11

Signed: 8/28/2017 03:12 PM



12
13 Circuit Court Judge Mary M. James

14 Submitted by:
15 Nicholas Wood, OSB #075699
16 The Law Firm of Spalding & Wood
17 of Attorneys for Plaintiff
18 tel: 503-567-9257
19 fax: 503-389-1563
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3 - SUPPLEMENTAL JUDGMENT OF FORECLOSURE WITH
PRIORITY OF LIEN-HOLDERS FOR PROCEEDS OF A
PROPERTY SALE

Spalding & Wood, LLC
P.O. Box 13488
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EXHIBIT B p. 3