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

SURFWOOD VILLA HOMEOWNERS  
ASSOCIATION, an Oregon non-profit  
corporation,

Plaintiff,

v.

PAMELA WILSON; STATE OF OREGON;  
and PARTIES IN POSSESSION OR  
CLAIMING A RIGHT TO POSSESSION;

Defendants.

Case No. 16CV13971

WRIT OF EXECUTION IN  
FORECLOSURE OF  
RESIDENTIAL REAL PROPERTY

TO THE SHERIFF OF MARION COUNTY:

WHEREAS, on December 5, 2016, in the above-entitled court, a General Judgment of  
Foreclosure was entered in this action, a true copy of which is attached hereto;

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 residential real property upon  
execution (subject to redemption), all of the interest that defendants Pamela Wilson and State of  
Oregon had on February 19, 2014, the date Homeowner Association Claim of Lien was  
recorded, and also all of the interest which the defendant had thereafter, in the real property  
described in the judgment, described as follows:

Lot 5, Block 16, SURFWOOD VILLA PHASE II, Marion County, Oregon  
and more commonly known as 3114 Comber Ct. NE, Salem, OR 97305,

1 to satisfy the general judgment listed below; all amounts owed to Plaintiff by Pamela Wilson  
2 which accrued from date of judgment to date of sale; and the cost of this writ, making due return  
3 within 60 days after you receive this writ. The proceeds from the sale shall be applied in  
4 accordance with the judgment.

5 The balance as of April 5, 2017, exclusive of post judgment attorney fees and post  
6 judgment dues and assessments is as follows:

7	1. Principal Amount:	\$13,721.47
8	2. Amount of Costs and Disbursements:	\$395.00
9	3. Amount of Attorney Fees:	\$2,812.80
10	4. Amount of Pre-Judgment interest:	\$0.00
11	5. Amount of Post-judgment interest: (through April 5, 2017)	\$571.17
12	6. Sub-total through April 5, 2017: (Per diem thereafter \$4.72)	\$17,800.44
13	7. Total amount through April 5, 2017:	\$17,800.44

14 The mailing address of the judgment creditor is:

15 Surfwood Villa Homeowners Association  
16 c/o Vial Fotheringham LLP  
17 Attn: Colin P. Mackenzie  
18 17355 SW Boones Ferry Rd. Suite A,  
19 Lake Oswego, OR 97035

Signed: 4/18/2017 04:50 PM



20 DATED: \_\_\_\_\_

*J. Tolman*  
J. Tolman, Court Clerk

21 By: \_\_\_\_\_

Deputy Clerk

22 Submitted by:

23 VIAL FOTHERINGHAM LLP

24 By: s/ Colin P. Mackenzie

25 Colin Mackenzie, OSB #123782

26 colin.mackenzie@vf-law.com

27 *Of Attorneys for Plaintiff Surfwood Villa  
Homeowners Association*

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

SURFWOOD VILLA HOMEOWNERS  
ASSOCIATION, an Oregon non-profit  
corporation,

Plaintiff,

v.

PAMELA WILSON; STATE OF  
OREGON; and PARTIES IN  
POSSESSION OR CLAIMING A  
RIGHT TO POSSESSION;

Defendants.

Case No. 16CV13971

GENERAL JUDGMENT OF  
FORECLOSURE

This matter coming regularly before the Court on this day, and it appearing from the record that an Order for Default was entered against Defendants Pamela Wilson and State of Oregon ("Defendants"):

IT IS HEREBY ORDERED AND ADJUDGED:

1. The real property to which this judgment relates ("Property") is situated in Washington County, Oregon and is legally described as:

Lot 5, Block 16, SURFWOOD VILLA PHASE II, Marion County, Oregon  
and is more commonly known as 3114 Comber Ct. NE, Salem, Oregon 97305.

2. Plaintiff's Claim of Lien ("Lien"), recorded on February 19, 2014, in the real property records of Marion County, Oregon as Instrument No. 2014 00005330, is a valid and

1 subsisting lien against all of the property for the amount of Plaintiff's judgment as provided  
2 herein. Plaintiff's lien is a continuing lien and the amount increases as additional unpaid  
3 assessments accrue.

4 3. The interest of each of the Defendants subject to this judgment and any successor  
5 in interest in the property is foreclosed and terminated excepting only any statutory right of  
6 redemption as provided by Oregon law.

7 4. The Plaintiff's Lien is superior to any interest, lien, or claim of the remaining  
8 Defendants, and shall remain in effect until issuance of a Sheriff's Deed.

9 5. The Property is hereby ordered to be sold by the Marion County Sheriff's Office  
10 in accordance with the process for sale upon execution.

11 6. Plaintiff, or any junior lien holders, may become purchaser at the sale of the  
12 property.

13 7. The purchaser at the sale is entitled to exclusive and immediate possession of the  
14 Property from and after the date of the sale and is entitled to such remedies as are available at  
15 law or in equity to secure possession.

16 8. The purchaser at the sale may apply to the Court for a writ of assistance if any  
17 Defendant or any person holding possession under or through such Defendants shall refuse to  
18 surrender possession to the purchaser immediately on the purchaser's demand for possession.

19 9. The proceeds of sale shall be applied first toward the costs of the sale; then to  
20 any assessments of the Plaintiff and attorney fees which shall accrue from the date of judgment  
21 to the date of sale; then toward satisfaction of Plaintiff's judgment awarded herein; and the  
22 surplus, if any, to the party or parties who may establish their right thereto.

23 10. Since the amount of the lien referenced herein includes only assessments,  
24 attorney fees, and costs incurred to the date of judgment, and regular assessments, fees and costs  
25

1 increase the balance of the lien, Plaintiff shall be entitled to apply to the Court for one or more  
2 supplemental judgment(s) for assessments, fees and costs which accrue through the date of sale  
3 but are not included in this judgment.

4 11. Plaintiff is now due and owing the following amounts:

Lien Principle:	\$13,191.47
Pre-judgment Interest:	\$0.00
<b>Total:</b>	<b>\$13,191.47</b>

8 12. Continuing assessments and late fees now due and owing to Plaintiff:

Assessments and Late fees from April 19, 2016 through December 2, 2016	\$530.00
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11 13. Attorney Fees and Costs are awarded to Plaintiff as follows:

Attorney Fees (on Plaintiff's first claim):		\$2,812.80
Costs:		\$395.00
Photocopies:	\$9.00	
Title Report:	\$200.00	
E-File Cost:	\$5.00	
Recording Costs:	\$46.00	
Process Service Fees:	\$135.00	
Prevailing Party Fee:		\$300.00
Subtotal:		\$3,507.80
<b>Total:</b>		<b>\$17,229.27</b>

19 14. Post-judgment simple interest on the aggregate of all amounts declared due  
20 above shall accrue from the date of judgment at the rate of ten percent (10%) until paid.

21 15. The amounts declared due in paragraphs 11, 12, and 13 of this judgment shall  
22 collectively declare the secured amount due under this Judgment of Foreclosure.

23 16. If before sale such amount, including sheriff's fees for the execution, is tendered  
24 to the court and paid to the clerk, the execution, if issued, shall be recalled and the effect of the  
25 judgment as to the amounts due shall be terminated.  
26


1           17. The court shall retain jurisdiction to enter such additional order, judgment or  
2 decree necessary to enforce this judgment, the writ of execution or for the purchaser at the  
3 foreclosure sale to obtain possession.  
4

Signed: 12/5/2016 03:44 PM



Circuit Court Judge Channing Bennett

8 **SUBMITTED BY:**

9 By   
10 Colin P. Mackenzie, OSB #123782  
11 Of Attorneys for Plaintiff  
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IN THE CIRCUIT COURT OF THE STATE OF OREGON  
IN AND FOR THE COUNTY OF MARION

SURFWOOD VILLA HOMEOWNERS  
ASSOCIATION, an Oregon non-profit  
corporation,

Case No. 16CV13971

Plaintiff,

**CERTIFICATE OF READINESS**

v.

PAMELA WILSON, STATE OF  
OREGON; and PARTINES IN  
POSSESSION OR CLAIMING A RIGHT  
TO POSSESSION,

Defendants.

STATE OF OREGON            )  
  ) ss:  
County of Clackamas        )

This proposed order or judgment is ready for judicial signature because:

- 1.  Each opposing party affected by this order or judgment has stipulated to the order or judgment, as shown by each opposing party's signature on the document being submitted.
- 2.  Each opposing party affected by this order or judgment has approved the order or judgment, as shown by signature on the document being submitted or by written confirmation of approval sent to me.
- 3.  I have served a copy of this order or judgment on all parties entitled to service and:
  - a.  No objection has been served on me.
  - b.  I received objections that I could not resolve with the opposing party despite reasonable efforts to do so. I have filed a copy of the objections I received and indicated which objections remain unresolved.
  - c.  After conferring about objections, [role and name of opposing party] agreed to independently file any remaining objection.
- 4.  Service is not required pursuant to subsection (3) of this rule, or by statute, rule, or otherwise.

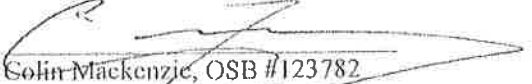
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5.  This is a proposed judgment that includes an award of punitive damages and notice has been served on the Director of the Crime Victims' Assistance Section as required by subsection (5) of this rule.

6. Other: \_\_\_\_\_

DATED this 2nd day of December, 2016.

VIAL FOTHERINGHAM LLP

By:   
Colin Mackenzie, OSB #123782  
Of Attorneys for Plaintiff