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

BANK OF AMERICA, N.A.,

Plaintiff,

v.

SARAH MOYA-SANTOS; MIDLAND
FUNDING, LLC; PORTFOLIO RECOVERY
ASSOCIATES, LLC; PHEASANT RUN
HOMEOWNER ASSOCIATION,

Defendants.

Case No. 15CV21333

WRIT OF EXECUTION

TO THE KLAMATH COUNTY SHERIFF:

On March 1, 2016, an Amended General Judgment Determining Amount Owed and Foreclosure was entered by the Klamath County Circuit Court, foreclosing Plaintiff's Deed of Trust and directing that the property subject to the Deed of Trust be sold to satisfy the unpaid debt due to Plaintiff.

The mailing address for the judgment creditor is: BANK OF AMERICA, N.A. c/o Aldridge Pite, LLP, 111 SW Columbia St., Ste. 950, Portland, OR 97201.

The real property to be sold at public auction is commonly known as 5249 Amberview Lane, Klamath Falls, OR 97603-1912 ("Subject Property"), and legally described as:

LOT 9 IN TRACT 1473-PHEASANT RUN, ACCORDING TO THE OFFICIAL
PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK,
KLAMATH COUNTY, OREGON.

1	The total amount due and owing on the Judgment as of June 23, 2017;		
2	Judgment:	Principal	\$165,604.78
3		Simple Interest on the Principal	\$29,071.33 (8/1/12 through 2/5/16)
4		Balance	
5	Pre-Judgment:	Interest(5.000%,\$22.62/day)	\$565.59 (2/6/16 through 3/1/16)
6		Attorney Fees and Costs	\$3,537.00
7		Other Amounts Due Under	\$9,994.35
8		Terms of Loan	
9			
10	Post-Judgment:	Interest(9.00%,\$51.47/day)	\$24,654.13 (3/2/16 through 6/23/17)
11	TOTAL: \$233,427.18		

12 In the name of the State of Oregon, you are hereby directed to proceed to notice for sale
 13 and sell the Subject Property. After the sale, you are directed to issue a certificate of sale to the
 14 purchaser and file a return on the writ of execution, depositing the sale proceeds with the Court.
 15 Further, you are directed to execute, after the time for redemption has elapsed, a deed to the
 16 holder of the certificate of sale.

17
 18
 19 7/3/17 John M Powell, Ct
 20 Amy Hammann, clerk



21 Presented by:
 ALDRIDGE PITE, LLP
 22 Christina M. Andreoni
 23 Christina M. Andreoni OSB# 160875
 24 (858) 750-7600
 (503) 222-2260 (Facsimile)
 25 candreoni@aldridgepite.com
 111 SW Columbia Street, Suite 950
 26 Portland, OR 97201
 Of Attorneys for Plaintiff

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CIRCUIT COURT OF OREGON FOR KLAMATH COUNTY

BANK OF AMERICA, N.A.,

Plaintiff,

v.

SARAH MOYA-SANTOS; MIDLAND
FUNDING, LLC; PORTFOLIO RECOVERY
ASSOCIATES, LLC; PHEASANT RUN
HOMEOWNER ASSOCIATION; AND
PERSONS OR PARTIES UNKNOWN
CLAIMING ANY RIGHT, TITLE, LIEN, OR
INTEREST IN THE PROPERTY DESCRIBED
IN THE COMPLAINT HEREIN,

Defendants.

NO. 15CV21333

AMENDED GENERAL JUDGMENT
DETERMINING AMOUNT OWED AND
FORECLOSURE

(Clerk's Action Required)

THIS MATTER having come on for hearing this day before the undersigned Judge of the above entitled court upon the motion of the plaintiff for judgment and foreclosure herein, the plaintiff, BANK OF AMERICA, N.A., appearing and being represented by CRAIG PETERSON, Attorney of Robinson Tait, 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 the allegations contained in the plaintiff's Complaint are true, that there are no material issues of fact, that the plaintiff is entitled to judgment as a matter of law, and that the judgment should be entered in favor of the plaintiff forthwith as more particularly hereafter set forth. Therefore,

GENERAL JUDGMENT DETERMINING
AMOUNT OWED AND FORECLOSURE - 1
60364-05100-JUD-ORAMENDED Judgment_Decree_Foreclosure_-_OR

Law Office
ROBINSON TAIT, P.S.

710 Second Avenue, Suite 710
Seattle WA 98104
(206) 476-8800
Exhibit 1
Page 1 of 5

1 IT IS HEREBY ORDERED AND ADJUDGED THAT:
2

3 1. Plaintiff, BANK OF AMERICA, N.A. be awarded judgment in the sum of \$165,604.78,
4 together with interest at a rate as provided in the Note from August 1, 2012 through February 5, 2016 in
5 the amount of \$29,071.33 with additional pre-judgment interest at the per diem rate of \$22.6236 as
6 provided in the Note to the date of entry of judgment; plus reasonable attorneys' fees in the amount of
7 \$2,050.00, plus other recoverable amounts of \$9,994.35 which includes the amounts itemized in the
8 declaration of the lender in support of motion for judgment plus allowable costs of \$1,487.00 as itemized
9 in the bill of disbursements and an additional amount for post-judgment sheriff's fees. Said judgment to
10 bear interest until paid at the statutory rate or at the contract rate, whichever is greater; and.
11

12 2. Plaintiff's Deed of Trust on real property in Klamath County, Oregon, legally
13 described as follows:
14

15 LOT 9 IN TRACT 1473-PHEASANT RUN, ACCORDING TO THE OFFICIAL
16 PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK,
17 KLAMATH COUNTY, OREGON.

18 which was recorded on December 31, 2009, under Auditor's File No. 2009-016319, records of
19 Klamath County, Oregon, be adjudged and decreed to be a first and paramount lien upon the above
20 described real estate and the whole thereof as security for the payment of the judgment herein set
21 forth, and that said Deed of Trust be foreclosed and the property therein described is hereby ordered
22 sold by the Sheriff of Klamath County in the manner provided for by law, and the proceeds therefrom
23 shall be applied to the payment of the judgment, interest, attorneys' fees and costs, and such other
24 sums as plaintiff has advanced prior to judgment, and that such sums shall constitute a first and
25 specific lien and charge upon said real estate, prior and superior to any right, title, estate, lien or
26 interest of the defendant and of any one claiming by, through or under them; and
27
28

GENERAL JUDGMENT DETERMINING
AMOUNT OWED AND FORECLOSURE - 2
60364-05100-JUD-ORAMENDED Judgment_Decree_Foreclosure_-_OR

Law Officer
ROBINSON TAIT, P.S.

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Seattle WA 98104 Exhibit 1
(206) 470-9611 Page 2 of 5

1
2 3. Any and all persons acquiring any right, title, estate, lien or interest in or to the
3 property described above or any part thereof subsequent to December 24, 2009, the date of the Deed
4 of Trust which is foreclosed herein, be forever barred and estopped from claiming or asserting any
5 right, title, lien or interest in or to said property or any part thereof, save and except for the right of
6 redemption as allowed by law; and

7
8 4. Plaintiff be granted the right to become a bidder and purchaser at the sale and the
9 purchaser shall be entitled to exclusive possession of the property upon completion of sale according to
10 law, and to all right, title and interest in any rents and profits generated or arising from the property
11 during the statutory redemption period; and plaintiff is entitled to such remedies as are available at law to
12 secure possession, including writ of assistance, if defendants or any of them or any other party or person
13 shall refuse to surrender possession to the purchaser immediately upon purchaser's demand for
14 possession; and

15
16 5. Pursuant to ORS 18.950, if any proceeds from the execution sale remain after the
17 payment of costs under ORS 18.950(3) and satisfaction of the judgment, the court administrator shall
18 pay the remaining proceeds as directed by the court in the order of distribution.
19

20
21 **DECLARATION DETERMINING AMOUNT OF DEBT**
22 *(Not a Money Award, see ORS 18.862, 86.797, and 88.010)*

23 Judgment Creditor:

BANK OF AMERICA, N.A.
c/o Robinson Tait, P.S.
710 Second Ave., Suite 710
Seattle, WA 98104
(206) 676-9640

24
25
26 Attorney for Judgment Creditor:

Craig Peterson
Robinson Tait, P.S.
710 Second Ave., Suite 710

27
28
GENERAL JUDGMENT DETERMINING
AMOUNT OWED AND FORECLOSURE - 3
60364-05100-IUD-ORAMENDED Judgment_Decree_Foreclosure_-_OR

Law Offices
ROBINSON TAIT, P.S.

710 Second Avenue, Suite 710
Seattle WA 98104 Exhibit 1
(206) 676-9640 Page 3 of 5

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Seattle, WA 98104
(206) 676-9640

The name of any person or public body,
other than the Judgment Creditor's
Attorney, who is entitled to any
portion of the judgment:

None

Principal Balance: \$165,604.78

Simple Interest on the Principal Balance
from August 1, 2012
to February 5, 2016: \$29,071.33

Other Amounts Due Under Terms of Loan: \$9,994.35

Attorneys' Fees and Costs:

Attorneys' Fee: \$2,050.00
Total Costs: \$1,487.00

Total Attorney Fees and Costs: \$3,537.00

TOTAL DEBT OWED \$208,207.46

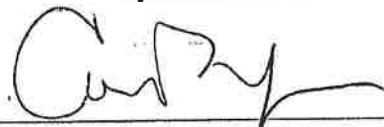
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Pre-Judgment: Additional pre-judgment interest accrues from February 6, 2016, to the date of entry of judgment at the per diem rate of \$22.6236, in accordance with the Note

Post-Judgment: Interest Accrues on the total of the 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: 2/29/2016 08:31 PM



Circuit Court Judge Cameron F. Wogan

Submitted by:



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GENERAL JUDGMENT DETERMINING
AMOUNT OWED AND FORECLOSURE - 5
60364-05100-JUD-ORAMENDED Judgment_Decree_Foreclosure_-_OR

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(206) 676-0000 Page 5 of 5