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

OREGON HOUSING AND COMMUNITY SERVICES DEPARTMENT, STATE OF OREGON, Assignee of Banner Bank, Successor by Merger to Siuslaw Bank;

Plaintiff,

v.

DOE 1 and DOE 2, being the occupants of or parties in possession or claiming any right to possession of the Real Property commonly known as 2545 Orchard Avenue, Klamath Falls, OR 97601; DOE 3 and DOE 4, being the unknown heirs and devisees of Robert G. Leep aka Robert Garry Leep; and also all other persons or parties unknown claiming any right, title, lien, or interest in the property described in the Complaint herein; SUSAN J. KUNNELS; and OREGON AFFORDABLE HOUSING ASSISTANCE CORPORATION;

Defendants.

Case No. 17CV01655

WRIT OF EXECUTION
(SPECIFIC REAL PROPERTY)

TO THE SHERIFF OF KLAMATH COUNTY:

WHEREAS, on April 19, 2017, in the above-entitled court, a General Judgment was entered in the above matter, a true copy of which is attached to this Writ as Exhibit 1, in which

1 Plaintiff is Judgment Creditor and Defendants are Judgment Debtors,

2 AND WHEREAS the General Judgment requires the Sheriff to sell the specific real
3 property described below,

4 NOW, THEREFORE, IN THE NAME OF THE STATE OF OREGON, you are hereby
5 commanded to sell, in the manner prescribed by law for the sale of real property upon execution,
6 subject to redemption, all of the interest which the Defendants had on April 19, 2017, or
7 thereafter and may now have in the real property described below to satisfy the Judgment and the
8 costs of this Writ, making due return after you receive this Writ pursuant to ORS 18.872. The
9 property which is to be sold is as follows:

10 Lots 12, 13 and 14 of Subdivision Plat of Block 125, MILLS ADDITION
11 to Klamath Falls, according to the official plat thereof on file in the office
12 of the County Clerk of Klamath County, Oregon. EXCEPTING
13 THEREFROM the Easterly part of Lot 14, deeded to Klamath County in
14 Book 335 at page 87, Deed Records of Klamath County, Oregon.

15 and commonly known as 2545 Orchard Avenue, Klamath Falls, OR 97601.

16 The amounts owing on the money awards in the Judgment as of April 19, 2017, were as
17 follows:

- 18 a. The principal amount of \$117,549.07, plus accrued interest to April 14, 2017,
19 of \$4,865.22, plus accruing interest at the rate of 5.25% per annum (\$16.90 per diem) from
20 April 14, 2017, until date of entry of judgment (April 19, 2017) of \$84.50, plus accrued late
21 charges of \$295.80, plus escrow shortage of \$1,174.70, plus property preservation/inspection
22 expenses of \$120.00, plus fees and expenses of \$97.90, plus accruing fees, expenses and
23 advances; plus
24 b. Plaintiff's reasonable pre-judgment attorney fees of \$6,357.00; plus
25 c. Plaintiff's costs and disbursements of \$2,538.56; plus
26 d. Plaintiff's post-judgment collection fees and costs of \$4,277.50; plus
e. Interest on the sum of the amounts in subparagraphs a. through d., above, at
the rate of 9% per annum from the date of entry of judgment (April 19, 2017) until paid.

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The total amount owing on the money award as of July 31, 2017, is \$140,848.82.

The per diem rate is \$33.87 per day from July 31, 2017, until paid.

The mailing address for the judgment creditor is: c/o Nancy K. Cary, at Hershner Hunter, LLP, P.O. Box 1475, Eugene, OR 97440.

John M. Powell
By [Signature] 7/31/17



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

OREGON HOUSING AND COMMUNITY
SERVICES DEPARTMENT, STATE OF
OREGON, Assignee of Banner Bank, Successor
by Merger to Siuslaw Bank;

Plaintiff,

v.

DOE 1 and DOE 2, being the occupants of or
parties in possession or claiming any right to
possession of the Real Property commonly known
as 2545 Orchard Avenue, Klamath Falls, OR
97601; DOE 3 and DOE 4, being the unknown
heirs and devisees of Robert G. Leep aka Robert
Garry Leep; and also all other persons or parties
unknown claiming any right, title, lien, or interest
in the property described in the Complaint herein;
SUSAN J. RUNNELS; and OREGON
AFFORDABLE HOUSING ASSISTANCE
CORPORATION;

Defendants.

Case No. 17CV01655

GENERAL JUDGMENT
OF FORECLOSURE

It appearing that Defendants were served with Summons, Complaint and First Amended
Complaint herein in the manner prescribed by law and have failed to file an appearance within

1 the time allowed by law; and it further appearing that Defendants Does 1 and 2 were dismissed
2 by previous Order of this Court; and it further appearing that Defendants Doe 3, Doe 4, Susan J.
3 Runnels, and Oregon Affordable Housing Assistance Corporation were defaulted by previous
4 Orders of this Court; and that the Court finds that there is no just reason for delay in the entry of
5 the general judgment; now, therefore,

6 JUDGMENT is hereby entered in favor of Plaintiff and against Defendants Doe 3, Doe 4,
7 Susan J. Runnels, and Oregon Affordable Housing Assistance Corporation, jointly and severally,
8 as follows:

9 IT IS ADJUDGED:

10 1. That the debt owing to Plaintiff under the Promissory Note and Trust Deed
11 executed by Robert G. Leep aka Robert Garry Leep, is an amount equal to the sum of the
12 following ("Debt Amount"):

- 13 a. The principal amount of \$117,549.07, plus accrued interest to April 14, 2017,
14 of \$4,865.22, plus accruing interest at the rate of 5.25% per annum (\$16.90 per diem) per the
15 terms of the Note from April 14, 2017, until date of entry of judgment, plus accrued late charges
16 of \$295.80, plus escrow shortage of \$1,174.70, plus property preservation/inspection expenses
17 of \$120.00, plus fees and expenses of \$97.90, plus accruing fees, expenses and advances; plus
18 b. Plaintiff's reasonable pre-judgment attorney fees of \$6,357.00; plus
19 c. Plaintiff's costs and disbursements of \$2,538.56; plus
20 d. Plaintiff's post-judgment collection fees and costs of \$4,277.50; plus
21 e. Interest on the sum of the amounts in subparagraphs a. through d., above, at
22 the rate of 9% per annum from the date of judgment until paid.

23 2. The lien of the Trust Deed executed in favor of Plaintiff, recorded in the official
24 records of Klamath County, Oregon, on March 22, 2006, Recording No. M06, Page 05200, is a
25 valid and subsisting lien against all of the Real Property located at 2545 Orchard Avenue,
26 Klamath Falls, OR 97601, and described as:

1 Lots 12, 13 and 14 of Subdivision Plat of Block 125, MILLS ADDITION
2 to Klamath Falls, according to the official plat thereof on file in the office
3 of the County Clerk of Klamath County, Oregon. EXCEPTING
4 THEREFROM the Easterly part of Lot 14, deeded to Klamath County in
5 Book 335 at page 87, Deed Records of Klamath County, Oregon.

6 3. The lien of the aforesaid Trust Deed is superior to any interest, lien or claim of
7 Defendants, or any of them, in the Real Property and secures the Debt Amount.

8 4. The lien of the Trust Deed is hereby foreclosed, and the Real Property shall be sold
9 by the sheriff of Klamath County, Oregon, in the manner prescribed by law.

10 5. Any proceeds received by any receiver appointed herein during the pendency of this
11 action and the proceeds of the sale prayed for in the preceding paragraph shall be applied first
12 toward the costs of sale and expenses incurred by any such receiver for the receiver's
13 compensation and for the necessary care and preservation of the property in the receiver's
14 possession; then toward satisfaction of the Debt Amount and any supplemental judgment, and
15 any surplus to the party or parties who may have established their right to the surplus.

16 6. Each Defendant and all persons claiming through or under them either as
17 purchasers, encumbrancers, or otherwise are forever foreclosed of all interest or claim in the Real
18 Property except any statutory right of redemption that such Defendants may have in the Real
19 Property or any statutory right to excess proceeds.

20 7. Plaintiff or any other party may become the purchaser at the sale, and the
21 purchaser shall be entitled to exclusive possession of the Real Property from the date of sale and
22 the purchaser shall be entitled to such remedies as are available to secure possession, including
23 requesting a writ of assistance, if Defendants or any other person shall refuse to surrender
24 possession.

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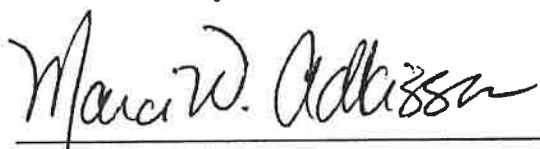
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The clerk of the court is hereby directed to enter this judgment as a general judgment and shall note it in the court's register.

Signed: 4/19/2017 11:54 AM



Circuit Court Judge Marci W. Adkisson

SUBMITTED BY:
Nancy K. Cary, OSB No. 902254
ncary@hershnerhunter.com
HERSHNER HUNTER, LLP
Of Attorneys for Plaintiff
Trial Attorney