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

U.S. BANK NATIONAL ASSOCIATION,
successor by merger to U. S. Bank National
Association, N.D. a national banking
association,

Plaintiff,

vs.

UNKNOWN HEIRS OF DONNA G. GRAY;
and SHAWN HOOTON.

Defendants.

CASE NUMBER: 161502462

WRIT OF EXECUTION IN FORECLOSURE

TO: THE SHERIFF OF LANE COUNTY, OREGON:

1.

WHEREAS, on November 23, 2016, in the above-entitled Court, a General Judgment of Foreclosure ("Judgment") was entered and docketed in the above-entitled and numbered proceeding

2.

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 real property upon (subject to

1 redemption, if applicable), all of the interest which the Defendants UNKNOWN HEIRS OF
2 DONNA G. GRAY and SHAWN HOOTON ("Defendants") had on December 9, 2010, the date of
3 the foreclosed Deed of Trust which was recorded on January 3, 2011, as Instrument No. 2011-
4 000205 in the official records of the Lane County Recorder's Office, and/or all of the interest which
5 Defendants had thereafter, in the real property described in the Judgment to satisfy the Judgment as
6 follows:

7
8 **Lender's Principal Judgment:**

9 Unpaid Principal Balance:	\$139,967.23
10 Pre-Judgment Interest from September	
11 1, 2012 to January 5, 2016, the date set	
12 forth in the Judgment at 6.240%, per	
13 annum, (\$24.26 per diem):	\$28,862.79
14 Lender's Fees and Costs:	\$1,418.59
15 Attorney's Fees and Costs:	\$18,198.29
16	
17 <i>Total Judgment Entered:</i>	<i>\$188,446.90</i>

18
19 **Additional Pre-Judgment Interest:**

20 Accrued Interest from January 6, 2016,	
21 the day after the date set forth in the	
22 Judgment through November 23, 2016,	
23 the date of entry of the Judgment, at	
24 6.240%%, per annum (\$24.26 per	
25 diem):	\$7,811.72
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Total Judgment Entered Including

Additional Pre-Judgment

Interest: \$196,258.62

3.

Additionally, Plaintiff is entitled to the accrual of post-judgment interest on \$196,258.62 at the legal rate of interest of 9% per annum, \$48.39 per diem, from November 24, 2016 to the date the real property subject to the Judgment is sold by the County Sheriff at its foreclosure auction, plus costs of this Writ, Sherriff's fees and sale costs, and all other recovered costs pursuant to law.

4.

The real property subject to this writ of execution is commonly known as 951 WATER ST, SPRINGFIELD, OR 97477 ("Property") and described in Exhibit "1" attached hereto.

5.

The Judgment Creditor's name and address is:

U.S. BANK NATIONAL ASSOCIATION, successor by merger to U.S. Bank National Association,
N.D. a national banking association
4801 Frederica Street
Owensboro, KY 42301-7441

The Judgment Creditor's name and address for the purpose of this Writ is:

U.S. BANK NATIONAL ASSOCIATION, successor by merger to U.S. Bank National Association,
N.D. a national banking association
c/o Malcolm & Cisneros, ALC (Attention: Nathan F. Smith)
2112 Business Center Drive
Irvine, CA 92612
949-252-9400

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EXHIBIT "1"

Legal Description

LOT 2, BLOCK 11, EMERALD HEIGHTS ADDITION TO SPRINGFIELD, AS PLATTED AND RECORDED IN BOOK 4, PAGE 14, LANE COUNTY OREGON DEED RECORDS, IN LANE COUNTY, OREGON.

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

U.S. BANK NATIONAL ASSOCIATION,
successor by merger to U.S. Bank National
Association, N.D. a national banking
association,

Plaintiff,

vs.

UNKNOWN HEIRS OF DONNA G. GRAY;
and SHAWN HOOTON,

Defendants.

CASE NUMBER: 161502462

**CORRECTED GENERAL JUDGMENT OF
FORECLOSURE**

Based on the order of default and default judgment against all defendants (the "Defendants")
entered February 22, 2016, and the Motion to Correct Judgment filed by Plaintiff, it is hereby

ORDERED AND ADJUDGED as follows:

1. The General Judgment of Foreclosure entered in this matter on February 12, 2016 is
hereby corrected and amended as follows:

2. The Court award plaintiff judgment of foreclosure against all defendants, and a
declaration of the amount due to be recovered by sheriff's sale of the real property located at Lane
County, Oregon, commonly known as 951 Water Street, Springfield, Oregon 97477 (the "Real
Property"), which is legally described as follows:

LOT 2, BLOCK 11, EMERALD HEIGHTS ADDITION TO SPRINGFIELD, AS
PLATTED AND RECORDED IN BOOK 4, PAGE 14, LANE COUNTY OREGON
DEED RECORDS, IN LANE COUNTY, OREGON

1 in the principal amount of \$139,967.23, plus accrued and unpaid interest as of January 5, 2016, in
2 the amount of \$28,862.79, plus interest accruing thereafter at a rate of 6.240 percent per year (\$24.26
3 per day), escrow funds advanced for property taxes in the amount of \$4,545.76 and for insurance in
4 the amount of \$2,565.00, attorney fees through January 31, 2016, in the discounted amount of
5 \$13,854.92 and costs of \$4,313.37, plus expenses and costs, including attorney fees incurred in
6 enforcing its right and remedies, plus a \$275 prevailing party fee authorized by ORS 20.190, less
7 \$5,692.17 for credits owed to borrower, plus postjudgment simple interest on the sum of all
8 foregoing amounts at the statutory rate of 9 percent per year from the date judgment is entered until
9 fully paid;
10

11
12 3. Plaintiff's deed of trust dated December 9, 2010, and recorded January 3, 2011, as
13 Instrument No. 2011-000205 in the official real property records of Lane County, Oregon is a valid
14 lien against the Property and is prior and superior to any right, title, interest, lien, or claim of
15 defendants;
16

17 4. Defendants, and all persons claiming an interest in the Property by, through, or under
18 them, whether as purchaser, owners, encumbrancers, or otherwise, are barred and foreclosed of all
19 right, title, interest, lien, or claim of every kind in and to the Property, and every part and parcel
20 thereof, including the tenements, hereditments, appurtenances, and fixtures, if any, thereunto belonging
21 or appertaining, except for any statutory right of redemption defendants may have in and to the
22 Property;
23

24 5. Plaintiff may purchase the Property at the judicial sale, and Plaintiff may credit bid up
25 to the aggregate amount of its judgment at the sale without advancing any cash;
26

27 6. Upon sale, the purchaser of the Property be let into possession, and that if any person
28 or persons in possession refuse to surrender possession to the purchaser, the purchaser shall have the

1 benefit of all remedies that the law affords to petition the court to secure such possession, including
2 the extraordinary writ of assistance;

3 7. Plaintiff may apply for subsequent supplemental judgments to enforce and collect on
4 this judgment, including supplemental judgments seeking Plaintiff's reasonable attorneys' fee, costs
5 and disbursements.
6

7 **IT IS SO ORDERED.**
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Signed: 11/15/2016 04:24 PM



R.Curtis Conover, Circuit Court Judge

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19 PRESENTED BY:

20 /s/ Steve Bonfiglio

21 Nathan F. Smith, OSB #120112

22 Steve Bonfiglio, OSB #051220

Attorneys for Plaintiff

MALCOLM ♦ CISNEROS, A Law Corporation

2112 Business Center Drive, Second Floor

Irvine, California 92612

(949) 252-9400 (TELEPHONE)

(949) 252-1032 (FAX)
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1 CERTIFICATE OF READINESS

2 This proposed Order or Judgment is ready for judicial signature because:

3 Service is not required under UTCR 5.100 because the other party has been found in
4 default or an order of default is being requested with this proposed Order or Judgment;
5 because this Order or Judgment is submitted ex parte as allowed by statute or rule; or this
6 Order or Judgment is being submitted in open court with all parties present.

7 Each party affected by this Order or Judgment has stipulated to or approved the Order or
8 Judgment, as shown by the signatures on the Order or Judgment.

9 I have served a copy of this Order or Judgment and written notice of the objection period
10 set out in UTCR 5.100 on all parties entitled to service and:

11 No objections have been served on me within that time frame;

12 I received objections that I could not resolve with the other party despite
13 reasonable efforts to do so. I have filed with the Court a copy of the objections I
14 received and indicated which objections remain unresolved.

15 After conferring about objections, the other party agreed to file any remaining
16 objection with the Court.

17
18 DATED: _____

19
20 By: /s/ Steve Bonfiglio

Nathan F. Smith, OSB #120112

Steve Bonfiglio, OSB #051220

Attorneys for Plaintiff

MALCOLM ♦ CISNEROS, A Law Corporation

21 2112 Business Center Drive, Second Floor

22 Irvine, California 92612

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