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

GREEN PLANET SERVICING, LLC, ITS
SUCCESSORS AND/OR ASSIGNS,

Plaintiff,

v.

JENNIFER L. GERVAIS; AND ALL OTHER
PERSONS OR PARTIES UNKNOWN
CLAIMING ANY RIGHT, TITLE, LIEN, OR
INTEREST IN THE REAL PROPERTY
COMMONLY KNOWN AS 721 PICKETT
CREEK RD., GRANTS PASS, OR 97527,

Defendant.

Case No. 13CV0977

WRIT OF EXECUTION

TO THE JOSEPHINE COUNTY SHERIFF:

On February 25, 2014, a General Judgment and Money Award by Default was entered by the Josephine 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: GREEN PLANET SERVICING, LLC, ITS SUCCESSORS AND/OR ASSIGNS 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 721 Pickett Creek Rd., Grants Pass, Oregon 97527 ("Subject Property"), and legally described as:

A PARCEL OF LAND SITUATED IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 35 SOUTH, RANGE 7 WEST, OF

1 THE WILLAMETTE MERIDIAN, JOSEPHINE COUNTY, OREGON, MORE
2 PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST
3 CORNER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID
4 SECTION 26; THENCE NORTH 89°52'00" EAST ALONG THE NORTH LINE OF SAID
5 SECTION 26, A

6 DISTANCE OF 256.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE
7 CONTINUING ALONG THE NORTH LINE OF SAID SECTION 26, NORTH 89°52'00"
8 EAST 364.93 FEET TO THE WESTERLY RIGHT OF WAY LINE OF PICKETT CREEK
9 ROAD; THENCE SOUTH 29°38'08" EAST ALONG THE WESTERLY RIGHT OF WAY
10 LINE OF PICKETT CREEK ROAD, 261.88 FEET; THENCE CONTINUING ALONG THE
11 WESTERLY RIGHT OF WAY LINE OF PICKETT CREEK ROAD, SOUTH 19°24'07" EAST
12 23.38 FEET; THENCE SOUTH 89°52'00" WEST 502.92 FEET; THENCE NORTH 0°10'00"
13 EAST 250.00 FEET TO THE TRUE POINT OF BEGINNING.

14 The total amount due and owing on the Judgment as of October 5, 2017;

15	Judgment:	Principal	\$255,496.83
16	Pre-Judgment:	Interest(2.500%, \$15.28/day)	\$61.12 (2/22/14 through 2/25/14)
17		Attorney Fees	\$1,845.00
18		Costs	\$2,228.71
19		Prevailing Party Fee	\$275.00
20	Post-Judgment:	Interest(2.500%, \$15.28/day)	\$20,139.04 (2/26/14 through 10/5/17)
21		Attorney Fees	\$275.00
22		Costs	\$0.00

23 **TOTAL: \$280,250.70**

24 In the name of the State of Oregon, you are hereby directed to proceed to notice for sale
25 and sell the Subject Property. After the sale, you are directed to issue a certificate of sale to the
26 purchaser and file a return on the writ of execution, depositing the sale proceeds with the Court.
Page 2 – WRIT OF EXECUTION

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Further, you are directed to execute, after the time for redemption has elapsed, a deed to the holder of the certificate of sale.

B. Gaspari
Court Clerk
OCT 06 2017


Presented by:
ALDRIDGE PITE, LLP
Katie Riggs
x
Katie L. Riggs, OSB # 095861
(858) 750-7600
(503) 222-2260 (Facsimile)
kriggs@aldridgepite.com

COPY

FEB 25 2014
FILED
JOSEPHINE COUNTY COURTS
BY

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

GREEN PLANET SERVICING, LLC, ITS
SUCCESSORS AND/OR ASSIGNS,

Plaintiff,

v.

JENNIFER L. GERVAIS; and ALL OTHER
PERSONS OR PARTIES UNKNOWN
CLAIMING ANY RIGHT, TITLE, LIEN, OR
INTEREST IN THE REAL PROPERTY
COMMONLY KNOWN AS 721 PICKETT
CREEK RD., GRANTS PASS, OR 97527,

Defendants.

Case No. 13CV0977

**GENERAL JUDGMENT AND MONEY
AWARD BY DEFAULT**

ORCP Rule 69

Based upon the Court's Order of Default against defendants JENNIFER L. GERVAIS; and ALL OTHER PERSONS OR PARTIES UNKNOWN CLAIMING ANY RIGHT, TITLE, LIEN, OR INTEREST IN THE REAL PROPERTY COMMONLY KNOWN AS 721 PICKETT CREEK RD., GRANTS PASS, OR 97527, the records on file herein, and pursuant to the Motion for General Judgment and Money Award by Default by Plaintiff GREEN PLANET SERVICING, LLC, ITS SUCCESSORS AND/OR ASSIGNS ("Plaintiff"),

IT IS HEREBY ORDERED AND ADJUDGED:

AGAINST JENNIFER L. GERVAIS ("Judgment Debtor(s)")

1. Plaintiff is awarded payment in full of the total amount due under the Note and Deed of Trust, which as of February 21, 2014, is \$255,496.83 (excluding attorney fees and costs), together with interest and any future advances and/or fees that may be made or incurred pursuant to the terms of the Note and Deed of Trust up to the date of the execution sale. This amount is

1 detailed in the Money Award, and is to be satisfied by sale of the Subject Property as directed
2 under this Judgment;

3 2. Plaintiff is awarded reasonable attorney fees in the amount of \$1,845.00, plus the
4 remaining flat rate fees of \$205.00 for an uncontested execution on the Judgment, pursuant to the
5 Note and Deed of Trust and ORCP Rule 68(C), which amount may be added to the outstanding
6 obligation due and owing under the Note and Deed of Trust and recovered from the proceeds of
7 the sheriff's sale. Pursuant to the Deed of Trust, these fees continue to accrue to the date of the
8 execution sale. This amount to be satisfied by sale of the Subject Property as directed under this
9 Judgment;

10 3. Plaintiff is awarded costs of suit in the amount of \$2,228.71, pursuant to the Note
11 and Deed of Trust, ORCP Rule 68(A)(2) and ORS 20.115(4), which may be added to the
12 outstanding obligation due and owing under the Note and Deed of Trust and recovered from the
13 proceeds of the sheriff's sale. Pursuant to the Deed of Trust, these costs continue to accrue to the
14 date of the execution sale. This amount to be satisfied by sale of the Subject Property as directed
15 under this Judgment;

16 **AGAINST ALL DEFENDANTS (Judgment Debtor(s) and Lien Claimants)**

17 4. The Deed of Trust is foreclosed and upon entry of this Judgment Plaintiff shall
18 request and the court administrator shall issue a writ of execution for the sale, by the Sheriff, in the
19 manner provided by law, of the real property located at 721 Pickett Creek Rd., Grants Pass,
20 Oregon 97527 ("Subject Property") legally described as:

21 **A PARCEL OF LAND SITUATED IN THE NORTHEAST QUARTER OF THE**
22 **NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 35 SOUTH, RANGE 7**
23 **WEST, OF THE WILLAMETTE MERIDIAN, JOSEPHINE COUNTY, OREGON,**
24 **MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE**
25 **NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE**
26 **NORTHWEST QUARTER OF SAID SECTION 26; THENCE NORTH 89° 52' 00"**
EAST ALONG THE NORTH LINE OF SAID SECTION 26, A DISTANCE OF
256.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING
ALONG THE NORTH LINE OF SAID SECTION 26, NORTH 89° 52' 00" EAST
364.93 FEET TO THE WESTERLY RIGHT OF WAY LINE OF PICKETT CREEK

1 ROAD; THENCE SOUTH 29° 38' 08" EAST ALONG THE WESTERLY RIGHT
2 OF WAY LINE OF PICKETT CREEK ROAD, 261.88 FEET; THENCE
3 CONTINUING ALONG THE WESTERLY RIGHT OF WAY LINE OF PICKETT
4 CREEK ROAD, SOUTH 19° 24' 07" EAST 23.38 FEET; THENCE SOUTH 89° 52'
00" WEST 502.92 FEET; THENCE NORTH 0° 10' 00" EAST 250.00 FEET TO THE
TRUE POINT OF BEGINNING.

5 5. Plaintiff's security interest in the Subject Property, as evidenced by the Deed of
6 Trust recorded August 27, 2010 in the official records of Josephine County as Instrument Number
7 2010-010987 ("Deed of Trust"), is a viable first priority lien, superior to the interests of all
8 Defendants. All rights, claims, ownerships, liens, titles and demands of all Defendants are
9 subsequent to Plaintiff's lien as created by the Note and Deed of Trust;

10 6. The Sheriff shall make a return on the writ of execution to the court administrator
11 along with the proceeds of the sale. The return shall have the same effect as a full satisfaction of
12 money award and the court administrator shall note in the register and in the judgment lien record
13 that the satisfaction has been filed and the money award has been fully satisfied;

14 7. The proceeds of the sale shall be applied first toward the costs of the sale; then
15 toward the satisfaction of Plaintiff's Judgment awarded herein; and the surplus, if any, to the clerk
16 of the court to be distributed to such party or parties as may establish their right thereto. The
17 Defendants and all persons claiming through or under Defendants, whether lien claimants,
18 judgment creditors, claimants arising under junior mortgages or deeds of trust, purchasers,
19 encumbrances or otherwise, shall be barred and foreclosed from all rights, claims, interest or
20 equity of redemption in the Subject Property and every part of the Subject Property when the time
21 for redemption has elapsed;

22 8. Plaintiff or any other party to this action may become a purchaser at the foreclosure
23 sale, and such purchaser shall be immediately let into possession of the subject property, until
24 redemption of the property, if any. The purchaser at the foreclosure sale or any successor in
25 interest may apply to this Court for a writ of assistance to gain possession of the subject property if
26 Defendants or any other party or person refuses to surrender possession;

1 9. After the time for redemption has elapsed, the Sheriff shall execute a deed to the
2 holder of the certificate of sale issued by the Sheriff based on the execution sale;

3 **MONEY AWARD**

4 1. The name and address of the judgment creditor is:

5 Green Planet Servicing, LLC
6 c/o Kamil Andrukiewicz
7 321 Research Parkway, Suite 303
8 Meriden, CT 06450

9 2. The name, address and number of the judgment creditor's attorney is:

10 Tracy J. Frazier
11 Pite Duncan, LLP
12 621 SW Morrison Street, Suite 425
13 Portland, OR 97205
14 (858) 750-7600

15 3. The name of the judgment debtors and last known address:

16 Jennifer L. Gervais
17 721 Pickett Creek Rd.
18 Grants Pass, Oregon 97527
19 Year of Birth: 1970
20 SSN: XXX-XX-3483
21 Driver's License Number/State: UNKNOWN

22 4. Judgment debtors' attorney: NONE KNOWN

23 5. Name of any person or entity known to the judgment creditor, other than the
24 judgment creditor's attorney, which may be entitled to any portion of a payment
25 made on the judgment: NONE KNOWN
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- 6. The amount of the judgment is \$255,496.83.
- 7. Simple interest of 2.500% (\$15.28 per diem) after February 21, 2014 through the date of sale.
- 8. Attorney Fees of \$1,845.00, plus \$205.00, through the date of sale.
- 9. Costs of \$2,228.71, plus costs accrued through the date of sale.
- 10. Prevailing party fee: \$275.00.

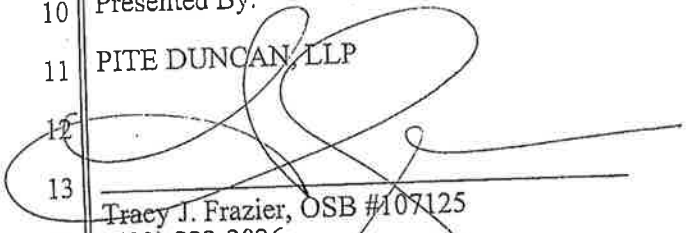
IT IS SO ORDERED.
FEB 25 2014

PAT WOLKE


 CIRCUIT COURT JUDGE

Dated: _____

Presented By:
 PITE DUNCAN, LLP



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Of Attorneys for Plaintiff
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