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CLACKAMAS CNTY SHERIFF

17 NOV -6 AM 10:05

1 Craig Peterson, OSB #120365
2 Kim Hood, OSB 123008
3 Robinson Tait, P.S.
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5 Seattle WA 98104
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10 CIRCUIT COURT OF OREGON FOR CLACKAMAS COUNTY

11 DEUTSCHE BANK NATIONAL TRUST
12 COMPANY, AS TRUSTEE UNDER
13 POOLING AND SERVICING AGREEMENT
14 DATED AS OF JANUARY 1, 2007
15 SECURITIZED ASSET BACKED
16 RECEIVABLES LLC TRUST 2007-NC1,

17 Plaintiff,

18 v.

19 DANIEL R. RAFFETTO; SUSAN L.
20 RAFFETTO AKA SUSAN LYNN NELSON-
21 RAFFETTO; KEYBANK NATIONAL
22 ASSOCIATION; SOPHIA FRAZIER;
23 CITIBANK SOUTH DAKOTA, NA;
24 PERSONS OR PARTIES UNKNOWN
25 CLAIMING ANY RIGHT, TITLE, LIEN, OR
26 INTEREST IN THE PROPERTY DESCRIBED
27 IN THE COMPLAINT HEREIN,

28 Defendants.

NO. CV12120494

WRIT OF EXECUTION IN FORECLOSURE

TO: CLACKAMAS COUNTY SHERIFF

1. WHEREAS, on October 1, 2014, in the above-entitled court, a judgment of foreclosure was enrolled and docketed in the above-entitled cause, a true copy of which is attached hereto as **Exhibit "A"** and made a part hereof;

2. WHEREAS, pursuant to ORS 18.862, the Judgment Creditor's address is as follows:

1 DEUTSCHE BANK NATIONAL TRUST COMPANY, as Trustee under POOLING
2 AND SERVICING AGREEMENT Dated as of January 1, 2007 SECURITIZED
3 ASSET BACKED RECEIVABLES LLC TRUST 2007-NC1
4 c/o Ocwen Loan Servicing
5 1661 Worthington Rd., #100
6 West Palm Beach, FL 33409

7 For the purpose of this Writ, the Judgment Creditor's address is as follows:

8 DEUTSCHE BANK NATIONAL TRUST COMPANY, as Trustee under POOLING
9 AND SERVICING AGREEMENT Dated as of January 1, 2007 SECURITIZED
10 ASSET BACKED RECEIVABLES LLC TRUST 2007-NC1
11 c/o Robinson Tait, P.S.
12 710 Second Avenue, Suite 710
13 Seattle, Washington 98104

14 3. WHEREAS, the real property to be sold pursuant to the above referenced judgment is
15 legally described as

16 LOT 3, CHINOOK PLACE, IN THE CITY OF WEST LINN, COUNTY OF
17 CLACKAMAS AND STATE OF OREGON

18 and commonly known as 1385 High Touch Street, West Linn, OR 97068.

19 4. NOW, THEREFORE, IN THE NAME OF THE STATE OF OREGON, you are
20 hereby commanded to sell the above referenced real property, in the manner prescribed by law for the
21 sale of real property upon execution (subject to redemption), all of the interest which the defendant(s)
22 had on September 11, 2006, the date of the Deed of Trust, and also all of the interest which the
23 defendant(s) had thereafter, in the real property described in the judgment, to satisfy the judgment,
24 which as of September 18, 2017,

25 **Lenders Principal Judgment:**

| | |
|---|--------------|
| 26 1. Unpaid Principal Balance | \$436,992.37 |
| 27 2. Pre-Judgment Interest from December 1, 2009 to January 22, 2014, the date calculated by the Declarant in the Declaration in Support of Judgment | \$182,797.59 |
| 28 3. Lenders Fees and Costs | \$51,218.66 |
| 4. Attorney's Fees and Costs | \$4,250.00 |

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Total Judgment Award Entered \$675,258.62

Additional Pre Judgment Interest

1. Accrued Interest from January 23, 2014 to
October 1, 2014 the date of entry of Judgment \$30,895.20

Total Judgment Award \$706,153.82

Post Judgment Interest

1. Accrued Post Judgment Interest at a rate of \$122.60,
from October 2, 2014, the day after the entry of
judgment, through September 18, 2017, the date the
writ is being requested \$132,775.80

Current Total Amount Owing on the Judgment Award \$838,929.62

In addition to the above, interest continues to accrue on the total of the amounts listed above
at the rate of \$122.60 per diem, in accordance with the General Judgment of Foreclosure and
continues to accrue until the date of sale.

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2 5. THEREFORE, in the name of the State of Oregon you are hereby commanded to seize
3 and sell the above described Property, in the manner prescribed by law; or so much thereof as may be
4 necessary to satisfy the Judgment and Money Award, interest, fees and costs.

5 MAKE RETURN HEREOF within 60 days after you receive this writ.

6
7 DATED this 3rd day of October, 2017.



8
9
10
11 Clerk
12 Title
13 Wendy Peterson
14 By:

15 Requested by:

16 Krusalobes
17 [] Craig Peterson, OSB #120365
18 Email: cpeterson@robinsontait.com
19 [] Jaimie Fender, OSB #120832
20 Email: jfender@robinsontait.com
21 [x] Kim Hood, OSB #123008
22 Email: khood@robinsontait.com
23 Robinson Tait, P.S.
24 Attorneys for Plaintiff
25 Tel: (206) 676-9640
26 Fax: (206) 676-9659
27
28

COURT CLERK HAS NOT VERIFIED FIGURES IN THIS WRIT.
IF YOU HAVE ANY QUESTIONS REGARDING THIS WRIT,
PLEASE CONTACT YOUR LEGAL COUNSEL, THE ISSUING
ATTORNEY OR THE ISSUING COMPANY. DEBTOR MAY CONTEST
THIS WRIT BY FILING A CLAIM OF EXEMPTION.

Court Administrator relies on the information
provided by the person seeking issuance of
this writ of execution and is not liable for any
errors or omissions in the information

EXHIBIT A

CLACKAMAS COUNTY
FILED
SEP 30 2014
TRIAL COURT ADMINISTRATION
BY: _____

CIRCUIT COURT OF OREGON FOR CLACKAMAS COUNTY

DEUTSCHE BANK NATIONAL TRUST
COMPANY, AS TRUSTEE UNDER
POOLING AND SERVICING AGREEMENT
DATED AS OF JANUARY 1, 2007
SECURITIZED ASSET BACKED
RECEIVABLES LLC TRUST 2007-NC1,

Plaintiff,

v.

DANIEL R. RAFFETTO; SUSAN L.
RAFFETTO AKA SUSAN LYNN NELSON-
RAFFETTO; KEYBANK NATIONAL
ASSOCIATION; SOPHIA FRAZIER;
CITIBANK SOUTH DAKOTA, NA;
PERSONS OR PARTIES UNKNOWN
CLAIMING ANY RIGHT, TITLE, LIEN, OR
INTEREST IN THE PROPERTY DESCRIBED
IN THE COMPLAINT HEREIN,

Defendants.

NO. CV12120494

GENERAL JUDGMENT DETERMINING
AMOUNT OWED AND FORECLOSURE

MONETARY JUDGMENT AGAINST:
DEFENDANT #1 DANIEL R. RAFFETTO

GENERAL JUDGMENT AGAINST:
DEFENDANT #2 SUSAN L. RAFFETTO
AKA SUSAN LYNN NELSON-RAFFETTO
DEFENDANT #3 KEYBANK NATIONAL
ASSOCIATION
DEFENDANT #4 SOPHIA FRAZIER
DEFENDANT #5 CITIBANK SOUTH
DAKOTA, NA
DEFENDANT #6 PERSONS OR PARTIES
UNKNOWN CLAIMING ANY RIGHT,
TITLE, LIEN, OR INTEREST IN THE
PROPERTY DESCRIBED IN THE
COMPLAINT HEREIN

(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, DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE UNDER

GENERAL JUDGMENT DETERMINING
AMOUNT OWED AND FORECLOSURE - 1
60128-2214-JUD-2548567

Law Offices
ROBINSON TAIT, P.S.

710 Second Avenue, Suite 710
Seattle WA 98104
(206) 876-8640

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2 POOLING AND SERVICING AGREEMENT DATED AS OF JANUARY 1, 2007 SECURITIZED
3 ASSET BACKED RECEIVABLES LLC TRUST 2007-NC1, appearing and being represented by
4 ZACHARY BRYANT, Attorney of Robinson Tait, and Daniel R. Rafetto appearing pro se, and after
5 considering the pleadings and affidavits on file herein, findings of fact and conclusion of law being
6 unnecessary under Civil Rule 69D as to the non-appearing defendants, the court finds that the
7 allegations contained in the plaintiff's Complaint are true, that there are no material issues of fact,
8 that the plaintiff is entitled to judgment as a matter of law, and that the judgment should be entered in
9 favor of the plaintiff forthwith as more particularly hereafter set forth. Therefore,
10

11 IT IS HEREBY ORDERED AND ADJUDGED THAT:

12
13 1. Plaintiff, DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE
14 UNDER POOLING AND SERVICING AGREEMENT DATED AS OF JANUARY 1, 2007
15 SECURITIZED ASSET BACKED RECEIVABLES LLC TRUST 2007-NC1 be awarded judgment
16 against defendant, Daniel R. Raffetto, in the sum of \$436,992.37, together with interest at the rate of
17 10.10% per annum as provided in the Note from December 1, 2009 to January 22, 2014 in the amount of
18 \$182,797.59 with additional interest at \$122.60 per diem as provided in the Note to the date of sale; plus
19 reasonable attorneys' fees in the amount of \$4,250.00, plus other recoverable amounts of \$47,615.22
20 which includes the amounts itemized in the declaration of the lender in support of motion for judgment
21 plus allowable costs of \$3,603.44 as itemized in the bill of disbursements and an additional amount for
22 post-judgment sheriff's fees. Said judgment to bear interest until paid at the statutory rate; and,
23

24
25 2. Plaintiff's Deed of Trust on real property in Clackamas County, Oregon, legally
26 described as follows:

27 LOT 3, CHINOOK PLACE, IN THE CITY OF WEST LINN, COUNTY OF
28 CLACKAMAS AND STATE OF OREGON

1
2 And more commonly known as 1385 High Touch Street, West Linn, OR 97068, which was recorded
3 on September 15, 2006, under Auditor's File No. 2006-086027, records of Clackamas County,
4 Oregon, be adjudged and decreed to be a first and paramount lien upon the above described real
5 estate and the whole thereof as security for the payment of the judgment herein set forth, and that said
6 Deed of Trust be foreclosed and the property therein described is hereby ordered sold by the Sheriff
7 of Clackamas County in the manner provided for by law, and the proceeds therefrom shall be applied
8 to the payment of the judgment, interest, attorneys' fees and costs, and such other sums as plaintiff
9 has advanced prior to judgment, and that such sums shall constitute a first and specific lien and
10 charge upon said real estate, prior and superior to any right, title, estate, lien or interest of DANIEL R.
11 RAFFETTO; SUSAN L. RAFFETTO AKA SUSAN LYNN NELSON-RAFFETTO; KEYBANK
12 NATIONAL ASSOCIATION; SOPHIA FRAZIER; CITIBANK SOUTH DAKOTA, NA; PERSONS
13 OR PARTIES UNKNOWN CLAIMING ANY RIGHT, TITLE, LIEN, OR INTEREST IN THE
14 PROPERTY DESCRIBED IN THE COMPLAINT HEREIN, and of any one claiming by, through or
15 under them; and
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19 3. DANIEL R. RAFFETTO; SUSAN L. RAFFETTO AKA SUSAN LYNN NELSON-
20 RAFFETTO; KEYBANK NATIONAL ASSOCIATION; SOPHIA FRAZIER; CITIBANK SOUTH
21 DAKOTA, NA; PERSONS OR PARTIES UNKNOWN CLAIMING ANY RIGHT, TITLE, LIEN, OR
22 INTEREST IN THE PROPERTY DESCRIBED IN THE COMPLAINT HEREIN, subsequent to
23 September 11, 2006, the date of the Deed of Trust which is foreclosed herein, be forever barred and
24 estopped from claiming or asserting any right, title, lien or interest in or to said property or any part
25 thereof, save and except for the right of redemption as allowed by law; and
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GENERAL JUDGMENT DETERMINING
AMOUNT OWED AND FORECLOSURE - 3
60128-2214-JUD-2548567

Law Office
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Seattle WA 98104
(206) 879-8640

1
2 4. Plaintiff be granted the right to become a bidder and purchaser at the sale and the
3 purchaser shall be entitled to exclusive possession of the property upon completion of sale according to
4 law, and to all right, title and interest in any rents and profits generated or arising from the property
5 during the statutory redemption period; and plaintiff is entitled to such remedies as are available at law to
6 secure possession, including writ of assistance, if defendants or any of them or any other party or person
7 shall refuse to surrender possession to the purchaser immediately upon purchaser's demand for
8 possession.
9

10 **MONEY AWARD**

11 Judgment Creditor: DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE
12 UNDER POOLING AND SERVICING AGREEMENT DATED AS OF JANUARY 1, 2007
13 SECURITIZED ASSET BACKED RECEIVABLES LLC TRUST 2007-NC1

C/O Robinson Tait, P.S.
710 Second Ave., Suite 710
Seattle, WA 98104
206-676-9640

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15
16 Attorney for Judgment Creditor:

Zachary Bryant
Robinson Tait, P.S.
710 Second Ave., Suite 710
Seattle, WA 98104
206-676-9640

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20 Judgment Debtor:

Daniel R. Raffetto *In rem for execution only
1385 High Touch Street
West Linn, OR 97068
DOB: Unknown
Social Security No.: ***-**-2062
Driver's License Number: Unknown

21
22
23
24 Attorney for Judgment Debtor:

Pro Se

25 Other Entities entitle to Portion of
26 Judgment, Other than Creditor's Attorney:

N/A

27 Principal Amount:

\$436,992.37
28

1 Simple Interest on the Principal Amount
2 from December 1, 2009 to January 22, 2014
3 with a per diem of \$122.60 thereafter: \$182,797.59

4 Other Recovery Amounts \$47,615.22

5 Post-Judgment: Simple Interest Accrues on the total of the amounts listed above at \$122.60
6 per diem and in accordance with the Note from the date of entry of this Judgment.

7 Total Costs: \$3,603.44

8 Attorneys' Fee (for determination of
9 Amount owed, establishment of priority,
10 and foreclosure) : \$4,250.00

11 Post-Judgment: Simple Interest Accrues on the total of the amounts listed above at \$122.60
12 per diem and in accordance with the Note from the date of entry of this Judgment.

13 DONE IN COURT this 26 day of Sept, 2014.

14
15 /s/Michael C. Wetzel

16 JUDGE

17 Presented by:

18
19 
20 [] Matt Booth, OSB #082663

Email: mbooth@robinsontait.com

21 [x] Zachary Bryant, OSB #113409

Email: zbryant@robinsontait.com

22 [] Craig Peterson, OSB #120365

Email: cpeterson@robinsontait.com

23 [] Brandon Smith, OSB #124584

Email: bsmith@robinsontait.com

24 Robinson Tait, P.S.

25 Attorneys for Plaintiff

26 Tel: (206) 676-9640

27 Fax: (206) 676-9659

28
GENERAL JUDGMENT DETERMINING
AMOUNT OWED AND FORECLOSURE - 5
60128-2214-JUD-2548567

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