

Verified Correct Copy of Original 6/1/2017.

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Certified True Copy of The Original  
Dated This 1 Day of June, 2017  
Twenty-seventh Judicial District, State of Oregon  
Trial Court Administrator

By

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

LAKEVIEW LOAN SERVICING, LLC,

**CASE NUMBER: 16CV05249**

Plaintiff,

**WRIT OF EXECUTION IN  
FORECLOSURE**

vs.

ESTATE OF SUSAN LENORE  
CHRUSOSKIE aka SUSAN L.  
CHRUSOSKIE, an Estate; ANITA  
CHRUSOSKIE-GRANADO, trustee;  
AMANADA CHRUSOSKIE, heir;  
CHELSEA LIBEY, heir; JOHNATHAN  
CHRUSOSKIE aka JOHNATHAN  
CHRUSOSKIE-GRANDAO, heir;  
GABRIELE GUZMAN, heir; UNKNOWN  
HEIRS OF SUSAN LENORE CHRUSOSKIE  
aka SUSAN L. CHRUSOSKIE, unknown  
individuals; and all other persons, parties, or  
occupants unknown claiming any legal or  
equitable right, title, estate, lien, or interest in  
the real property described in the complaint  
herein, adverse to Plaintiff's title, or any cloud  
on Plaintiff's title to the Property.

Defendants.

TO: THE SHERIFF OF TILLAMOOK COUNTY, OREGON:

1.

WHEREAS, on November 30, 2016, in the above-entitled Court, a General Judgment of Foreclosure ("Judgment") was entered and docketed in the above-entitled and numbered proceeding.

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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 redemption, if applicable), all of the interest which the Defendant ESTATE OF SUSAN LENORE CHRUSOSKIE ("Defendant") had on February 6, 2013, the date of the foreclosed Deed of Trust which was recorded on February 12, 2013, as Instrument No. 2013-000880 in the official records of the Tillamook County Recorder's Office, and/or all of the interest which Defendants had thereafter, in the real property described in the Judgment to satisfy the Judgment as follows:

**Lender's Principal Judgment:**

Unpaid Principal Balance:	\$82,502.98
Pre-Judgment Interest from July 1, 2015 to December 1, 2016, at 4.00% (\$18.19 per diem):	\$4,675.17
Lender's Fees and Costs:	\$6,965.10
Attorney's Fees and Costs	\$5,225.00
<b>Total Judgment Entered:</b>	<b>\$99,368.25</b>

3.

Additionally, Plaintiff is entitled to the continued accrual of post-judgment interest at the legal rate of interest of 9% per annum, \$24.50 per diem, from December 2, 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 54655 Cascade Trace Road, Neskowin, Oregon 97149 ("Property") and described in Exhibit "1" attached hereto.

5.

The Judgment Creditor's name and address is:

U.S. Bank National Association  
4801 Frederica Street  
Owensboro, Kentucky 42301-7441

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

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U.S. Bank National Association  
c/o Malcolm & Cisneros, ALC (Attention: Jennifer Yoon)  
2112 Business Center Drive  
Irvine, CA 92612  
949-252-9400

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

MAKE RETURN HEREOF within 60 days after you receive this Writ.

*Emily Huslina*  
6/1/17 TCA



Submitted by:

*Douglas A. Kincaid*

Dated: May 31, 2017

Douglas A. Kincaid, OSB #121032  
Attorney for Plaintiff  
MALCOLM ♦ CISNEROS, A Law Corporation  
2112 Business Center Drive, Second Floor  
Irvine, California 92612  
Phone: (949) 252-9400  
Fax: (949) 252-1032  
Email: dkincaid@melaw.org

# Exhibit “1”

[REDACTED]

[REDACTED]

[REDACTED]

LOTS 3, 4 AND 5, BLOCK 5, SILVER VALLEY MOBILE RANCH, IN TILLAMOOK COUNTY, OREGON, ACCORDING TO THE OFFICIAL PLAT THEREOF RECORDED IN PLAT 2A, PAGE 130, TILLAMOOK COUNTY RECORDS.

TOGETHER WITH AN EASEMENT OVER AND ACROSS THE FOLLOWING PROPERTY:

BEGINNING AT THE WEST SIDE OF HIGHWAY NO. 101;

THENCE WEST ALONG THE NORTH PROPERTY LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 6 SOUTH, RANGE 10 WEST OF THE WILLAMETTE MERIDIAN, IN TILLAMOOK COUNTY, OREGON; AND EXTENDING TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 6 SOUTH, RANGE 10 WEST OF THE WILLAMETTE MERIDIAN, IN TILLAMOOK COUNTY, OREGON.

[REDACTED]

[REDACTED]

[REDACTED]



Certified True Copy of The Original  
Dated This 7 Day of Aug, 2017  
Twenty-seventh Judicial District, State of Oregon  
Trial Court Administrator

By [Signature]

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

LAKEVIEW LOAN SERVICING, LLC,

CASE NUMBER: 16CV05249

Plaintiff,

vs.

**GENERAL JUDGMENT OF  
FORECLOSURE AGAINST:**

ESTATE OF SUSAN LENORE  
CHRUSOSKIE aka SUSAN L.  
CHRUSOSKIE, an Estate; ANITA  
CHRUSOSKIE-GRANADO, trustee;  
AMANADA CHRUSOSKIE, heir;  
CHELSEA LIBEY, heir; JOHNATHAN  
CHRUSOSKIE aka JOHNATHAN  
CHRUSOSKIE-GRANDAO, heir;  
GABRIELE GUZMAN, heir; UNKNOWN  
HEIRS OF SUSAN LENORE CHRUSOSKIE  
aka SUSAN L. CHRUSOSKIE, unknown  
individuals; and all other persons, parties, or  
occupants unknown claiming any legal or  
equitable right, title, estate, lien, or interest in  
the real property described in the complaint  
herein, adverse to Plaintiff's title, or any cloud  
on Plaintiff's title to the Property.

1. ESTATE OF SUSAN LENORE  
CHRUSOSKIE AKA SUSAN L.  
CHRUSOSKIE
2. ANITA CHRUSOSKIE-  
GRANADO
3. AMANADA CHRUSOSKIE
4. CHELSEA LIBEY
5. JOHNATHAN CHRUSOSKIE  
AKA JOHNATHAN CHRUSOSKIE-  
GRANDAO
6. GABRIELE GUZMAN
7. UNKNOWN HEIRS OF SUSAN  
LENORE CHRUSOSKIE AKA SUSAN L.  
CHRUSOSKIE

Defendants.

1.

THIS MATTER, coming on regularly before the Court, and it appearing from the record herein that Plaintiff, Lakeview Loan Servicing, LLC ("Plaintiff"), filed its Complaint for Foreclosure of Deed of Trust; that Defendants ESTATE OF SUSAN LENORE CHRUSOSKIE AKA SUSAN L.

1 CHRUSOSKIE, ANITA CHRUSOSKIE-GRANADO, AMANADA CHRUSOSKIE, CHELSEA  
2 LIBEY, JOHNATHAN CHRUSOSKIE AKA JOHNATHAN CHRUSOSKIE-GRANDAO,  
3 GABRIELE GUZMAN, and UNKNOWN HERIS OF SUSAN LENORE CHRUSOSKIE AKA  
4 SUSAN L. CHRUSOSKIE (“Defendants”) were duly served with the Summons and Complaint as  
5 required by law; that Defendants failed to appear, that the ORDER FOR ENTRY OF DEFAULT  
6 AGAINST DEFENDANTS ESTATE OF SUSAN LENORE CHRUSOSKIE AKA SUSAN L.  
7 CHRUSOSKIE, ANITA CHRUSOSKIE-GRANADO, AMANADA CHRUSOSKIE, CHELSEA  
8 LIBEY, JOHNATHAN CHRUSOSKIE AKA JOHNATHAN CHRUSOSKIE-GRANDAO,  
9 GABRIELE GUZMAN AND UNKNOWN HERIS OF SUSAN LENORE CHRUSOSKIE AKA  
10 SUSAN L. CHRUSOSKIE has been entered against them on Plaintiff’s Complaint, and that Plaintiff  
11 is entitled to entry of a General Judgment foreclosing Plaintiff’s deed of trust against the property  
12 commonly known as 54655 Cascade Trace Road, Neskowin, OR 97149 (“Property”) and  
13 extinguishing any and all interest of the Defendants in the Property.

14 2.

15 The Court being fully advised; it is hereby

16 ORDERED AND ADJUDGED that:

17 3.

18 Plaintiff is the holder of that certain promissory note (“Note”), dated February 6, 2013, in the  
19 amount of \$86,141.00, and executed by Susan Lenore Chrusoskie (“Decedent Chrusoskie”).

20 4.

21 The Note is secured by that certain deed of trust (“Deed of Trust”) executed on or about  
22 February 7, 2013, by Susan Lenore Chrusoskie. The Deed of Trust was recorded on February 12,  
23 2013 under the recording number 2013-000880 of the Official Records of Tillamook County,  
24 Oregon, against the Property, which is legally described in Exhibit “1” attached hereto (“Property”)  
25 and constitutes a valid lien against the Property.

26 5.

27 On or about September 12, 2015, Decedent Chrusoskie died. Plaintiff is informed and  
28 believes, and on that basis alleges that Defendant ESTATE OF SUSAN LENORE CHRUSOSKIE

1 aka SUSAN L. CHRUSOSKIE is the successor-in-interest to Decedent Chrusoskie

2 6.

3 Based upon the death of Decedent Chrusoskie, all amounts due and owing under the  
4 promissory note and deed of trust are now due and payable.

5 7.

6 The Deed of Trust is a valid first priority lien encumbering the Property, is superior to any  
7 interest, lien, or claim of the Defendants and any other party in the Property, which are hereby  
8 foreclosed and terminated, excepting only any statutory right of redemption to which the Defendants  
9 may be entitled under Oregon law.

10 8.

11 A judgment of foreclosure in the amount of \$99,368.25 shall be granted in favor of Plaintiff,  
12 and its successors and/or assigns, as further described below in the Declaration of Amount Owed –  
13 Not a Money Award (“Amount Owed”).

14 9.

15 The Property is hereby ordered to be sold by law and the proceeds of sale applied toward the  
16 satisfaction of Plaintiff's Amount Owed herein; and the surplus, if any to the Clerk of the Court to be  
17 disbursed to such party or parties as may establish their right thereto.

18 10.

19 Plaintiff is entitled to recover its reasonable attorney's fees and all reasonable and necessary  
20 costs and expenses incurred to enforcing the Note and Deed of Trust.

21 11.

22 Any increased interest or any such additional amounts as Plaintiff may advance for taxes,  
23 assessments, municipal charges, and such other items as may constitute liens on the Property,  
24 together with insurance and repairs necessary to prevent the impairment of the Property, together  
25 with interest thereon from the date of payment may also be added to the Amount Owed and paid  
26 from the proceeds from the sale of the Property.

27 12.

28 Defendants and all parties claiming an interest in the Property as purchasers, encumbrancers,



1 or otherwise, are forever barred and foreclosed of all interests, liens, or claims in the Property and  
2 every portion thereof, excepting only any statutory right of redemption provided by the laws of the  
3 State of Oregon.

4 13.

5 Defendant ESTATE OF SUSAN LENORE CHRUSOSKIE aka SUSAN L. CHRUSOSKIE  
6 is not entitled to a homestead exemption in the Property.

7 14.

8 Plaintiff may become purchaser at the Sheriff's Sale of the Property and may bid up to the  
9 aggregate amount of its Amount Owed, plus any additional interest and reasonable costs until sale.

10 15.

11 The purchaser of the Property at the Sheriff's Sale is entitled to exclusive and immediate  
12 possession of the Property from and after the date of the sale, and is entitled to such remedies as are  
13 available at law to secure possession of the Property, and may apply to the Clerk of the Court for a  
14 writ of assistance, if Defendants, any of them, or any other party or person shall refuse to surrender  
15 possession of the Property to the purchaser immediately on the purchaser's demand for possession.

16 16.

17 This Court shall retain jurisdiction to enforce all provisions of this General Judgment and to  
18 enter such additional order, judgment, or decree necessary for the purchaser at the foreclosure sale to  
19 obtain possession of the Property.

20 17.

21 Under the Note, there is now due and owing to Plaintiff, the following amounts, to be  
22 hereinafter described as the Amount Owed.

23 18.

24 This suit does not constitute an attempt to collect the debt against Defendants ESTATE OF  
25 SUSAN LENORE CHRUSOSKIE AKA SUSAN L. CHRUSOSKIE, ANITA CHRUSOSKIE-  
26 GRANADO, AMANADA CHRUSOSKIE, CHELSEA LIBEY, JOHNATHAN CHRUSOSKIE  
27 AKA JOHNATHAN CHRUSOSKIE-GRANDAO, GABRIELE GUZMAN, and UNKNOWN  
28 HERIS OF SUSAN LENORE CHRUSOSKIE AKA SUSAN L. CHRUSOSKIE. Rather, it is a suit

1 to execute upon the Property as security for the Amount Owed.

2 **DECLARATION OF DEBT SECURED BY DEED OF TRUST**

3 **(Pursuant to Senate Bill 368)**

4 19.

5 Under the terms of the Deed of Trust and the Note dated February 6, 2013, in the original  
6 principal amount of \$86,141.00, there is now due and owing the following amounts, to be hereinafter  
7 described as the Amount Due:

8  
9 **DECLARATION OF AMOUNT OWED – NOT A MONEY AWARD**

- 10 **1. Judgment Creditor:** Lakeview Loan Servicing, LLC  
11 Address: c/o MALCOLM ♦ CISNEROS,  
12 A Law Corporation  
13 2112 Business Center Drive, 2<sup>nd</sup> Floor  
14 Irvine, California 92612
- 15 **Judgment Attorney:** Nathan F. Smith  
16 Address: MALCOLM ♦ CISNEROS, A Law Corporation  
17 2112 Business Center Drive, 2<sup>nd</sup> Floor  
18 Irvine, California 92612  
19 Telephone Number: (949) 252-9400
- 20 **2. Persons or Public Bodies Entitled to**  
21 **a Portion the Judgment:** N/A
- 22 **3. Judgment Amount:** \$94,143.25
- 23 **4. Pre-Judgment Interest:** Simple interest to accrue on \$82,502.98 from  
24 December 2, 2016 to the date the Judgment is  
25 entered into the Court's register at 4.000% per  
26 annum, \$275.01 per diem.  
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**5. Post-Judgment Interest:**

Simple interest to accrue on \$99,368.25 plus Pre-Judgment Interest from the day after the General Judgment is entered to the date upon which the Writ of Execution in Foreclosure is levied at the legal rate of interest or 9% per annum, whichever is greater.

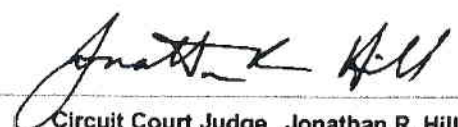
**6. Periodic accrual:**

N/A


**7. Attorney's Fees and Costs:**

An award of \$5,225.00 in attorney's fees and costs is made.

Signed: 11/30/2016 09:45 AM

  
Circuit Court Judge Jonathan R. Hill

Submitted by:

  
Nathan F. Smith, OSB #120112  
Attorney for Plaintiff  
MALCOLM ♦ CISNEROS, A Law Corporation  
2112 Business Center Drive, Second Floor  
Irvine, California 92612  
Phone: (949) 252-9400  
Fax: (949) 252-1032  
Email: nathan@mclaw.org

Dated: 11/21/16

# EXHIBIT 1



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**CERTIFICATE OF READINESS**

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

- Service is not required under UTCR 5.100 because the other party has been found in default or an order of default is being requested with this proposed Order or Judgment; because this Order or Judgment is submitted ex parte as allowed by statute or rule; or this Order or Judgment is being submitted in open court with all parties present.
- Each party affected by this Order or Judgment has stipulated to or approved the Order or Judgment, as shown by the signatures on the Order or Judgment.
- I have served a copy of this Order or Judgment and written notice of the objection period set out in UTCR 5.100 on all parties entitled to service and:
- No objections have been served on me within that time frame;
  - I received objections that I could not resolve with the other party despite reasonable efforts to do so. I have filed with the Court a copy of the objections I received and indicated which objections remain unresolved.
  - After conferring about objections, the other party agreed to file any remaining objection with the Court.

DATED: 11/21/16

By: 

Nathan F. Smith, OSB #120112  
Attorney for Plaintiff  
MALCOLM ♦ CISNEROS, A Law Corporation  
2112 Business Center Drive, Second Floor  
Irvine, California 92612  
(949) 252-9400 (TELEPHONE)  
(949) 252-1032 (FAX)