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Craig Peterson, OSB #120365  
Jaimie Fender, OSB #120832  
Kimberly Hood, OSB #123008  
Michael Althouse, OSB #150793  
Gregory Morphew, OSB #170214  
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RECEIVED  
CIVIL DEPARTMENT

17 NOV -1 AM 9:35

ANDY LONG SHERIFF  
TILLAMOOK COUNTY  
TILLAMOOK OREGON

Certified True Copy of The Original  
Dated This 11 Day of May, 2017  
Twenty-seventh Judicial District, State of Oregon  
Trial Court Administrator

By

CIRCUIT COURT OF OREGON FOR TILLAMOOK COUNTY

U.S. BANK NATIONAL ASSOCIATION, AS  
TRUSTEE FOR RESIDENTIAL ASSET  
MORTGAGE PRODUCTS, INC., NO. 16CV01495  
MORTGAGE ASSET-BACKED PASS-  
THROUGH CERTIFICATES, SERIES 2005- WRIT OF EXECUTION IN FORECLOSURE  
EFC5,

Plaintiff,

v.

DANIEL GRUNDY; ELIZABETH GRUNDY;  
AND PERSONS OR PARTIES UNKNOWN  
CLAIMING ANY RIGHT, TITLE, LIEN, OR  
INTEREST IN THE PROPERTY DESCRIBED  
IN THE COMPLAINT HEREIN,

Defendants.

TO: TILLAMOOK COUNTY SHERIFF

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1. WHEREAS, on January 20, 2017, 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:  
  
U.S. Bank National Association, as Trustee for Residential Asset Mortgage Products, Inc., Mortgage Asset-Backed Pass-Through Certificates, Series 2005-EFC5  
c/o Ocwen Loan Servicing  
1661 Worthington Rd., #100  
West Palm Beach, FL 33409

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

Ocwen Loan Servicing  
c/o Robinson Tait, P.S.  
901 Fifth Avenue, Suite 400  
Seattle, Washington 98164

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

LOT 18, DORY POINTE 1, IN THE COUNTY OF TILLAMOOK, STATE OF OREGON,  
RECORDED JULY 26, 2004 IN PLAT CABINET B-845-0, TILLAMOOK COUNTY RECORDS.  
and commonly known as 6215 DORY POINTE LOOP, PACIFIC CITY, OR 97135.

4. NOW, THEREFORE, IN THE NAME OF THE STATE OF OREGON, you are hereby commanded to sell the above referenced real property, in the manner prescribed by law for the sale of real property upon execution (subject to redemption), all of the interest which the defendant(s) had on July 27, 2005, the date of the Deed of Trust, and also all of the interest which the defendant(s) had thereafter, in the real property described in the judgment, to satisfy the judgment, which as of April 28, 2017,

**Lenders Principal Judgment:**

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- 1. Unpaid Principal Balance \$245,184.49
- 2. Pre-Judgment Interest from March 1, 2011  
to November 10, 2016, the date calculated by the Declarant  
in the Declaration in Support of Judgment \$97,539.04
- 3. Lenders Fees and Costs \$30,624.59
- 4. Attorney's Fees and Costs \$4,355.30

**Total Judgment Award Entered** \$377,703.42

**Additional Pre Judgment Interest**

- 1. Accrued Interest from November 12, 2016  
to January 19, 2017, the date of entry  
of Judgment \$3,227.40

**Total Judgment Award** \$380,980.82

**Post Judgment Interest**

- 1. Accrued Post Judgment Interest at a rate of 9% per annum or at \$93.94, from January 20,  
2017, the day after the entry of judgment, through April 28, 2017,  
the date the writ is being requested \$9,300.06

**Current Total Amount Owing** \$390,280.88

In addition to the above, interest continues to accrue on the total of the amounts listed above at the rate of 9% per annum or at \$93.94 per diem, in accordance with the General Judgment of Foreclosure and continues to accrue until the date of sale.

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

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

DATED this 11 day of May, 2017.

*Emily Hushman*



# Exhibit A



RECEIVED  
CIVIL DEPARTMENT

Certified True Copy of The Original  
Dated This 11 Day of May, 2017 AM 9:35  
Twenty-seventh Judicial District, State of Oregon  
Trial Court Administrator  
ANDY LONG SHERIFF  
TILLAMOOK COUNTY  
TILLAMOOK OREGON

By [Signature]

CIRCUIT COURT OF OREGON FOR TILLAMOOK COUNTY

U.S. BANK NATIONAL ASSOCIATION, AS  
TRUSTEE FOR RESIDENTIAL ASSET  
MORTGAGE PRODUCTS, INC.,  
MORTGAGE ASSET-BACKED PASS-  
THROUGH CERTIFICATES, SERIES 2005-  
EFC5,

Plaintiff,

v.

DANIEL GRUNDY; ELIZABETH A.  
GRUNDY; AND PERSONS OR PARTIES  
UNKNOWN CLAIMING ANY RIGHT,  
TITLE, LIEN, OR INTEREST IN THE  
PROPERTY DESCRIBED IN THE  
COMPLAINT HEREIN,

Defendants.

NO. 16CV01495

GENERAL JUDGMENT DETERMINING  
AMOUNT OWED AND FORECLOSURE

(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, U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR RESIDENTIAL ASSET  
MORTGAGE PRODUCTS, INC., MORTGAGE ASSET-BACKED PASS-THROUGH  
CERTIFICATES, SERIES 2005-EFC5, appearing and being represented by BRANDON SMITH,  
Attorney of Robinson Tait, and after considering the pleadings and affidavits on file herein, findings

GENERAL JUDGMENT DETERMINING  
AMOUNT OWED AND FORECLOSURE - 1  
60128-27584-JUD-OR1623896

Law Offices  
ROBINSON TAIT, P.S.

901 Fifth Avenue, Suite 400  
Seattle WA 98161  
(206) 676-9640

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2 of fact and conclusion of law being unnecessary under Civil Rule 69D, the court finds that the  
3 allegations contained in the plaintiff's Complaint are true, that there are no material issues of fact,  
4 that the plaintiff is entitled to judgment as a matter of law, and that the judgment should be entered in  
5 favor of the plaintiff forthwith as more particularly hereafter set forth. Therefore,

6  
7 IT IS HEREBY ORDERED AND ADJUDGED THAT:

8 1. Plaintiff, U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR  
9 RESIDENTIAL ASSET MORTGAGE PRODUCTS, INC., MORTGAGE ASSET-BACKED PASS-  
10 THROUGH CERTIFICATES, SERIES 2005-EFC5 be awarded judgment in the sum of \$245,184.49,  
11 together with interest at a rate as provided in the Note from March 1, 2011 through November 10, 2016  
12 in the amount of \$97,539.04 with additional pre-judgment interest at the per diem rate of \$46.82 as  
13 provided in the Note to the date of entry of judgment; plus reasonable attorneys' fees in the amount of  
14 \$2,050.00, plus other recoverable amounts of \$30,624.59 which includes the amounts itemized in the  
15 declaration of the lender in support of motion for judgment plus allowable costs of \$2,305.30 as itemized  
16 in the bill of disbursements and an additional amount for post-judgment sheriff's fees. Said judgment to  
17 bear interest until paid at the statutory rate or at the contract rate, whichever is greater; and  
18

19  
20 2. Plaintiff's Deed of Trust on real property in Tillamook County, Oregon, legally  
21 described as follows:

22 LOT 18, DORY POINTE 1, IN THE COUNTY OF TILLAMOOK. STATE OF  
23 OREGON, RECORDED JULY 26, 2004 IN PLAT CABINET B-845-0.  
24 TILLAMOOK COUNTY RECORDS.

25 which was recorded on August 1, 2005, under Auditor's File No. 2005-006676. records of Tillamook  
26 County, Oregon, be adjudged and decreed to be a first and paramount lien upon the above described  
27 real estate and the whole thereof as security for the payment of the judgment herein set forth. and that  
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2 said Deed of Trust be foreclosed and the property therein described is hereby ordered sold by the  
3 Sheriff of Tillamook County in the manner provided for by law, and the proceeds therefrom shall be  
4 applied to the payment of the judgment, interest, attorneys' fees and costs, and such other sums as  
5 plaintiff has advanced prior to judgment, and that such sums shall constitute a first and specific lien  
6 and charge upon said real estate, prior and superior to any right, title, estate, lien or interest of the  
7 defendants Daniel Grundy, Elizabeth A. Grundy, and Persons Or Parties Unknown Claiming Any  
8 Right, Title, Lien, Or Interest In The Property Described In The Complaint Herein and of any one  
9 claiming by, through or under them; and  
10

11           3. Daniel Grundy, Elizabeth A. Grundy, and Persons Or Parties Unknown Claiming Any  
12 Right, Title, Lien, Or Interest In The Property Described In The Complaint Herein subsequent to July  
13 27, 2005, the date of the Deed of Trust which is foreclosed herein, be forever barred and estopped  
14 from claiming or asserting any right, title, lien or interest in or to said property or any part thereof,  
15 save and except for the right of redemption as allowed by law; and  
16

17           4. Plaintiff be granted the right to become a bidder and purchaser at the sale and the  
18 purchaser shall be entitled to exclusive possession of the property upon completion of sale according to  
19 law, and to all right, title and interest in any rents and profits generated or arising from the property  
20 during the statutory redemption period; and plaintiff is entitled to such remedies as are available at law to  
21 secure possession, including writ of assistance, if defendants or any of them or any other party or person  
22 shall refuse to surrender possession to the purchaser immediately upon purchaser's demand for  
23 possession; and  
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2 5. Pursuant to ORS 18.950, if any proceeds from the execution sale remain after the  
3 payment of costs under ORS 18.950(3) and satisfaction of the judgment, the court administrator shall  
4 pay the remaining proceeds as directed by the court in the order of distribution.  
5

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7 **DECLARATION DETERMINING AMOUNT OF DEBT**  
8 *(Not a Money Award, see ORS 18.862, 86.797, and 88.010)*

9 Judgment Creditor: U.S. BANK NATIONAL ASSOCIATION, AS  
10 TRUSTEE FOR RESIDENTIAL ASSET  
11 MORTGAGE PRODUCTS, INC.,  
12 MORTGAGE ASSET-BACKED PASS-  
13 THROUGH CERTIFICATES, SERIES 2005-  
14 EFC5  
c/o Robinson Tait, P.S.  
901 Fifth Avenue, Suite 400  
Seattle, WA 98164  
(206) 676-9640

15 Attorney for Judgment Creditor: Craig Peterson  
16 Robinson Tait, P.S.  
17 901 Fifth Avenue, Suite 400  
18 Seattle, WA 98164  
(206) 676-9640

19 The name of any person or public body,  
20 other than the Judgment Creditor's  
21 Attorney, who is entitled to any  
portion of the judgment: None

22 Principal Balance: \$245,184.49

23 Simple Interest on the Principal Balance  
24 from March 1, 2011 to November 10, 2016: \$97,539.04

25 Other Amounts Due Under Terms of Loan: \$30,624.59

26 Attorneys' Fees and Costs:  
27 Attorneys' Fee: \$2,050.00  
28 Total Costs: \$2,305.30

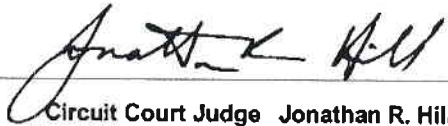
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2 Total Attorney Fees and Costs: \$4,355.30

3 TOTAL DEBT OWED \$377,703.42

4 Pre-Judgment: Additional pre-judgment interest accrues from November 11, 2016, to the date  
5 of entry of judgment at the per diem rate of \$46.82, in accordance with the Note.

6 Post-Judgment: Interest Accrues on the total of the amounts listed above in accordance with  
7 the contract rate in the Note, or at the statutory rate of 9% per annum, whichever is greater.  
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Signed: 1/19/2017 05:02 PM

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16 Circuit Court Judge Jonathan R. Hill

17 Submitted by:

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19   
20  Craig Peterson, OSB #120365  
21 Email: cpeterson@robinsontait.com  
22 [ ] Brandon Smith, OSB #124584  
23 Email: bsmith@robinsontait.com  
24 [ ] Jaimie Fender, OSB #120832  
25 Email: jfender@robinsontait.com  
26 [ ] Kimberly Hood, OSB #123008  
27 Email: KHood@robinsontait.com  
28 [ ] Michael Althouse, OSB #150793  
Email: malthouse@robinsontait.com  
Robinson Tait. P.S.  
Attorneys for Plaintiff  
Tel: (206) 676-9640  
Fax: (206) 676-9659

GENERAL JUDGMENT DETERMINING  
AMOUNT OWED AND FORECLOSURE - 5  
60128-27584-JUD-OR1623896

Law Offices  
ROBINSON TAIT. P.S.

901 Fifth Avenue, Suite 400  
Seattle WA 98161  
(206) 676-9610


CERTIFICATE OF READINESS- UTCR 5.100

This proposed order or judgment is ready for judicial signature because:

1.  Each opposing party affected by this order or judgment has stipulated to or approved its terms, as shown by each party's signature on the proposed order or judgment being submitted.
2.  Each opposing party affected by this order has approved the form of the document, as shown by written communication to me.
3.  I have served a copy on all parties entitled to service and:
  - No objection has been served on me within that time frame.
  - I received objections that I could not resolve with the objecting 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 [role and name of opposing party] agreed to independently file any remaining objection.
4.  The relief sought is against a party who has been found in default.
5.  An order of default is being requested with this proposed judgment.
6.  Service is not required pursuant to subsection (1)(c) of UTCR 5.100, or by statute, rule, or otherwise.
7.  This is a proposed judgment that includes an award of punitive damages and notice has been served on the Director of the Crime Victims' Assistance Section as required by subsection (1)(d) of UTCR 5.100.

Date:

1-9-17

  
\_\_\_\_\_  
Attorney, OSB

12036T