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CLACKAMAS COUNTY SHERIFF

17 DEC 19 AM 11:14

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2 Jaimie Fender, OSB #120832
3 Kimberly Hood, OSB #123008
4 Robinson Tait, P.S.
5 901 Fifth Avenue, Suite 400
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CIRCUIT COURT OF OREGON FOR CLACKAMAS COUNTY

OCWEN LOAN SERVICING, LLC,

Plaintiff,

v.

ALISON A. ADSITT, KEVIN M. ADSITT,
UNITED STATES OF AMERICA
SECRETARY OF HOUSING AND URBAN
DEVELOPMENT, AND PERSONS OR
PARTIES UNKNOWN CLAIMING ANY
RIGHT, TITLE, LIEN, OR INTEREST IN
THE PROPERTY DESCRIBED IN THE
COMPLAINT HEREIN,

Defendants.

NO. 17CV17582

WRIT OF EXECUTION IN FORECLOSURE

TO: CLACKAMAS COUNTY SHERIFF

1. WHEREAS, on November 7, 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:

Ocwen Loan Servicing, LLC
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 37, CHIARA TERRACE, IN THE CITY OF OREGON CITY, COUNTY OF CLACKAMAS AND STATE OF OREGON.

and commonly known as 18880 Boynton St, Oregon City, OR 97045.

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 September 26, 2008, 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 November 8, 2017,

Lenders Principal Judgment:

1. Unpaid Principal Balance	<u>\$237,174.28</u>
2. Pre-Judgment Interest from September 1, 2016 to July 1, 2017, the date calculated by the Declarant in the Declaration in Support of Judgment	<u>\$7,905.80</u>
3. Lenders Fees and Costs	<u>\$4,892.00</u>
4. Attorney's Fees and Costs	<u>\$3,987.01</u>

Total Judgment Award Entered \$253,959.09

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Additional Pre Judgment Interest

1. Accrued Interest from July 2, 2017 to November 7, 2017 the date of entry of Judgment	<u>\$3,399.15</u>
<i>Total Judgment Award</i>	<u>\$257,358.24</u>

Post Judgment Interest

1. Accrued Post Judgment Interest at a rate of 9% per annum or at \$77.64, from November 8, 2017, the day after the entry of judgment, through November 8, 2017, the date the writ is being requested	<u>\$77.64</u>
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Current Total Amount Owing **\$257,435.88**

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 \$77.64 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 15 day of November, 2017.



13
14 Wendy Watson

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18 DATED this 8 day of November, 2017.

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

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22 Kimberly Hood
[] Craig Peterson, OSB #120365
23 Email: cpeterson@robinsontait.com
[] Jaimie Fender, OSB #120832
24 Email: jfender@robinsontait.com
25 [X] Kimberly Hood, OSB #123008
26 Email: KHood@robinsontait.com
27 Robinson Tait, P.S.
28 Attorneys for Plaintiff
Tel: (206) 676-9640
Fax: (206) 676-9659

EXHIBIT A

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CIRCUIT COURT OF OREGON FOR CLACKAMAS COUNTY

OCWEN LOAN SERVICING, LLC,

Plaintiff,

vs.

ALISON A. ADSITT; KEVIN M. ADSITT;
UNITED STATES OF AMERICA
SECRETARY OF HOUSING AND URBAN
DEVELOPMENT; AND PERSONS OR
PARTIES UNKNOWN CLAIMING ANY
RIGHT, TITLE, LIEN, OR INTEREST IN
THE PROPERTY DESCRIBED IN THE
COMPLAINT HEREIN,

Defendants.

NO. 17CV17582

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, OCWEN LOAN SERVICING, LLC, appearing and being represented by CRAIG PETERSON, Attorney of Robinson Tait, and after considering the pleadings and affidavits on file herein. findings of fact and conclusion of law being unnecessary under Civil Rule 69D, the court finds that the allegations contained in the plaintiff's Complaint are true, that there are no material issues of fact, that the plaintiff is entitled to judgment as a matter of law, and that the judgment should be entered in favor of the plaintiff forthwith as more particularly hereafter set forth. Therefore,

IT IS HEREBY ORDERED AND ADJUDGED THAT:

GENERAL JUDGMENT DETERMINING
AMOUNT OWED AND FORECLOSURE - 1

60128-31822-JUD-OR1756539

Law Offices
ROBINSON TAIT, P.S.

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

1
2 1. Plaintiff, OCWEN LOAN SERVICING, LLC be awarded judgment in the sum of
3 \$237,174.28, together with interest at a rate as provided in the Note from September 1, 2016 through
4 July 1, 2017 in the amount of \$7,905.80 with additional pre-judgment interest at the per diem rate of
5 \$26.35 as provided in the Note to the date of entry of judgment; plus reasonable attorneys' fees in the
6 amount of \$2,600.00, plus other recoverable amounts of \$4,892.00 which includes the amounts itemized
7 in the declaration of the lender in support of motion for judgment plus allowable costs of \$1,387.01 as
8 itemized in the bill of disbursements and an additional amount for post-judgment sheriff's fees. Said
9 judgment to bear interest until paid at the statutory rate or at the contract rate, whichever is greater; and.

10
11 2. Plaintiff's Deed of Trust on real property in Clackamas County, Oregon, legally
12 described as follows:

13
14 LOT 37, CHIARA TERRACE, IN THE CITY OF OREGON CITY, COUNTY OF
15 CLACKAMAS AND STATE OF OREGON.

16 which was recorded on September 30, 2008, under Auditor's File No. 2008-068125, records of
17 Clackamas County, Oregon, be adjudged and decreed to be a first and paramount lien upon the above
18 described real estate and the whole thereof as security for the payment of the judgment herein set
19 forth, and that said Deed of Trust be foreclosed and the property therein described is hereby ordered
20 sold by the Sheriff of Clackamas County in the manner provided for by law, and the proceeds
21 therefrom shall be applied to the payment of the judgment, interest, attorneys' fees and costs, and
22 such other sums as plaintiff has advanced prior to judgment, and that such sums shall constitute a first
23 and specific lien and charge upon said real estate, prior and superior to any right, title, estate, lien or
24 interest of the defendant and of any one claiming by, through or under them; and

25
26 3. Any and all persons acquiring any right, title, estate, lien or interest in or to the
27 property described above or any part thereof subsequent to September 26, 2008, the date of the Deed
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2 of Trust which is foreclosed herein, be forever barred and estopped from claiming or asserting any
3 right, title, lien or interest in or to said property or any part thereof, save and except for the right of
4 redemption as allowed by law; and

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

18
19 **DECLARATION DETERMINING AMOUNT OF DEBT**
20 *(Not a Money Award, see ORS 18.862, 86.797, and 88.010)*

21 Judgment Creditor: OCWEN LOAN SERVICING, LLC
22 c/o Robinson Tait, P.S.
23 901 Fifth Avenue, Suite 400
Seattle, WA 98164
(206) 676-9640

24 Attorney for Judgment Creditor: Craig Peterson
25 Robinson Tait, P.S.
26 901 Fifth Avenue, Suite 400
27 Seattle, WA 98164
(206) 676-9640

28 The name of any person or public body,

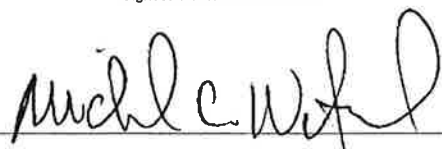
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other than the Judgment Creditor's Attorney, who is entitled to any portion of the judgment:	None
Principal Balance:	\$237,174.28
Simple Interest on the Principal Balance from September 1, 2016 to July 1, 2017:	\$7,905.80
Other Amounts Due Under Terms of Loan:	\$4,892.00
Attorneys' Fees and Costs:	
Attorneys' Fee:	\$2,600.00
Total Costs:	\$1,387.01
Total Attorney Fees and Costs:	\$3,987.01
TOTAL DEBT OWED	\$253,959.09

Pre-Judgment: Additional pre-judgment interest accrues from July 2, 2017, to the date of entry of judgment at the per diem rate of \$26.35, in accordance with the Note

Post-Judgment: Interest Accrues on the total of the amounts listed above in accordance with the contract rate in the Note, or at the statutory rate of 9% per annum, whichever is greater.

Signed: 10/27/2017 10:05 AM



Circuit Court Judge Michael C. Wetzel

Submitted by:



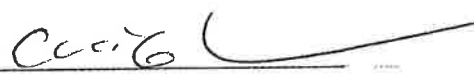
 Craig Peterson, OSB #120365
 Email: cpeterson@robinsontait.com
 Robinson Tait, P.S.
 Attorneys for Plaintiff
 Tel: (206) 676-9640
 Fax: (206) 676-9659

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: 9-23-17



Attorney, OSB

120365