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CLACKAMAS CNTY SHERIFF

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CIRCUIT COURT OF OREGON FOR CLACKAMAS COUNTY

HSBC BANK USA, NATIONAL
ASSOCIATION, AS TRUSTEE FOR ACE
SECURITIES CORP. HOME EQUITY LOAN NO. 16CV19599
TRUST, SERIES 2006-OP1,

WRIT OF EXECUTION IN FORECLOSURE

Plaintiff,

v.

ROSANN M. HENSLEY, THOMAS C.
HENSLEY, AMERICAN GENERAL
FINANCIAL SERVICES, INC., QUICK
COLLECT, INC., STATE OF OREGON,
DEPARTMENT OF REVENUE, AND
PERSONS OR PARTIES UNKNOWN
CLAIMING ANY RIGHT, TITLE, LIEN, OR
INTEREST IN THE PROPERTY DESCRIBED
IN THE COMPLAINT HEREIN,

Defendants.

TO: CLACKAMAS COUNTY SHERIFF

1
2 1. WHEREAS, on July 12, 2017, in the above-entitled court, a judgment of foreclosure
3 was enrolled and docketed in the above-entitled cause, a true copy of which is attached hereto as
4 **Exhibit "A"** and made a part hereof;

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

6 HSBC Bank USA, National Association, as Trustee for ACE Securities Corp. Home
7 Equity Loan Trust, Series 2006-OP1
8 c/o Ocwen Loan Servicing
9 1661 Worthington Rd., #100
10 West Palm Beach, FL 33409

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

12 Ocwen Loan Servicing
13 c/o Robinson Tait, P.S.
14 901 Fifth Avenue, Suite 400
15 Seattle, Washington 98164

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

18 LOT 47, CASTLEBERRY PARK 2, IN THE CITY OF OREGON CITY, CLACKAMAS
19 COUNTY AND STATE OF OREGON.

20 and commonly known as 19838 Castleberry Loop, Oregon City, OR 97045.

21 4. NOW, THEREFORE, IN THE NAME OF THE STATE OF OREGON, you are
22 hereby commanded to sell the above referenced real property, in the manner prescribed by law for the
23 sale of real property upon execution (subject to redemption), all of the interest which the defendant(s)
24 had on January 25, 2006, the date of the Deed of Trust, and also all of the interest which the
25 defendant(s) had thereafter, in the real property described in the judgment, to satisfy the judgment,
26 which as of September 29, 2017,
27
28

1
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 17th day of November, 2017.



Wendy Watson

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

Submitted by:

Kenby Peterson

[] Craig Peterson, OSB #120365
Email: cpeterson@robinsontait.com

[] Jaimie Fender, OSB #120832
Email: jfender@robinsontait.com

[x] Kimberly Hood, OSB #123008
Email: KHood@robinsontait.com

Robinson Tait, P.S.
Attorneys for Plaintiff
Tel: (206) 676-9640
Fax: (206) 676-9659

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.

EXHIBIT A

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CIRCUIT COURT OF OREGON FOR CLACKAMAS COUNTY

HSBC BANK USA, NATIONAL ASSOCIATION, AS TRUSTEE FOR ACE SECURITIES CORP. HOME EQUITY LOAN TRUST, SERIES 2006-OP1,

Plaintiff,

v.

ROSANN M. HENSLEY; THOMAS C. HENSLEY; AMERICAN GENERAL FINANCIAL SERVICES, INC.; QUICK COLLECT, INC.; STATE OF OREGON, DEPARTMENT OF REVENUE; AND PERSONS OR PARTIES UNKNOWN CLAIMING ANY RIGHT, TITLE, LIEN, OR INTEREST IN THE PROPERTY DESCRIBED IN THE COMPLAINT HEREIN,

Defendants.

NO. 16CV19599

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, HSBC BANK USA, NATIONAL ASSOCIATION, AS TRUSTEE FOR ACE SECURITIES CORP. HOME EQUITY LOAN TRUST, SERIES 2006-OP1, 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

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

5 Therefore,

6 IT IS HEREBY ORDERED AND ADJUDGED THAT:
7

8 1. Plaintiff, HSBC BANK USA, NATIONAL ASSOCIATION, AS TRUSTEE FOR ACE
9 SECURITIES CORP. HOME EQUITY LOAN TRUST, SERIES 2006-OP1 be awarded judgment in
10 the sum of the unpaid principal balance of \$262,632.51 and deferred principal balance of \$73,492.81
11 totaling \$336,125.32, together with interest at a rate as provided in the Note from May 1, 2012 through
12 January 12, 2017 in the amount of \$30,961.40 with additional pre-judgment interest at the per diem rate
13 of \$29.18 as provided in the Note to the date of entry of judgment; plus reasonable attorneys' fees in the
14 amount of \$2,050.00, plus other recoverable amounts of \$27,079.15 which includes the amounts
15 itemized in the declaration of the lender in support of motion for judgment plus allowable costs of
16 \$2,827.66 as itemized in the bill of disbursements and an additional amount for post-judgment sheriff's
17 fees. Said judgment to bear interest until paid at the statutory rate or at the contract rate, whichever is
18 greater; and
19
20

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

23 LOT 47, CASTLEBERRY PARK 2, IN THE CITY OF OREGON CITY,
24 CLACKAMAS COUNTY AND STATE OF OREGON.

25 which was recorded on February 2, 2006, under Auditor's File No. 2006-010016, records of
26 Clackamas County, Oregon, be adjudged and decreed to be a first and paramount lien upon the above
27 described real estate and the whole thereof as security for the payment of the judgment herein set
28

GENERAL JUDGMENT DETERMINING
AMOUNT OWED AND FORECLOSURE - 2
60128-28958-JUD-OR;Judgment_Decree_Foreclosure_-_OR (Revised)

Law Offices
ROBINSON TAIT, P.S.

901 Fifth Avenue, Suite 100
Seattle WA 98161
(206) 676-8510

1
2 forth, and that said Deed of Trust be foreclosed and the property therein described is hereby ordered
3 sold by the Sheriff of Clackamas County in the manner provided for by law, and the proceeds
4 therefrom shall be applied to the payment of the judgment, interest, attorneys' fees and costs, and
5 such other sums as plaintiff has advanced prior to judgment, and that such sums shall constitute a first
6 and specific lien and charge upon said real estate, prior and superior to any right, title, estate, lien or
7 interest of the defendant and of any one claiming by, through or under them; and
8

9 3. Any and all persons acquiring any right, title, estate, lien or interest in or to the
10 property described above or any part thereof subsequent to January 25, 2006, the date of the Deed of
11 Trust which is foreclosed herein, be forever barred and estopped from claiming or asserting any right,
12 title, lien or interest in or to said property or any part thereof, save and except for the right of
13 redemption as allowed by law; and
14

15 4. Plaintiff be granted the right to become a bidder and purchaser at the sale and the
16 purchaser shall be entitled to exclusive possession of the property upon completion of sale according to
17 law, and to all right, title and interest in any rents and profits generated or arising from the property
18 during the statutory redemption period; and plaintiff is entitled to such remedies as are available at law to
19 secure possession, including writ of assistance, if defendants or any of them or any other party or person
20 shall refuse to surrender possession to the purchaser immediately upon purchaser's demand for
21 possession; and
22

23 5. Pursuant to ORS 18.950, if any proceeds from the execution sale remain after the
24 payment of costs under ORS 18.950(3) and satisfaction of the judgment, the court administrator shall
25 pay the remaining proceeds as directed by the court in the order of distribution.
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DECLARATION DETERMINING AMOUNT OF DEBT
(Not a Money Award, see ORS 18.862, 86.797, and 88.010)

Judgment Creditor: HSBC BANK USA, NATIONAL
ASSOCIATION, AS TRUSTEE FOR ACE
SECURITIES CORP. HOME EQUITY LOAN
TRUST, SERIES 2006-OP1
c/o Robinson Tait, P.S.
901 Fifth Avenue, Suite 400
Seattle, WA 98164
(206) 676-9640

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

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

Principal Balance: \$336,125.32

Simple Interest on the Principal Balance
from May 1, 2012
to January 12, 2017: \$30,961.40

Other Amounts Due Under Terms of Loan: \$27,079.15

Attorneys' Fees and Costs:
Attorneys' Fee: \$2,050.00
Total Costs: \$2,827.66

Total Attorney Fees and Costs: \$4,877.66

TOTAL DEBT OWED \$399,043.53

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GENERAL JUDGMENT DETERMINING
AMOUNT OWED AND FORECLOSURE - 4
60128-28958-JUD-ORJudgment_Decree_Foreclosure_-_OR (Revised)

Law Office
ROBINSON TAIT, P.S.

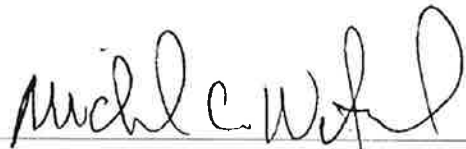
901 Fifth Avenue, Suite 400
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Pre-Judgment: Additional pre-judgment interest accrues from January 13, 2017, to the date of entry of judgment at the per diem rate of \$29.18, in accordance with the Note

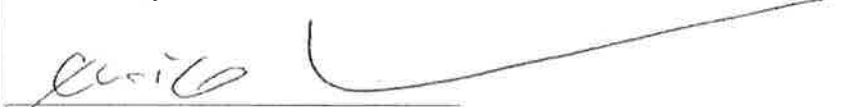
Post-Judgment: Interest Accrues on the total of the amounts listed above in accordance with the contract rate in the Note, or at the statutory rate of 9% per annum, whichever is greater.

Signed: 7/12/2017 04:12 PM



Circuit Court Judge Michael C. Wetzel

Submitted by:



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- 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:

5-4-17



Attorney, OSB

120365