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CLACKAMAS COUNTY SHERIFF

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2 Jaimie Fender, OSB #120832
3 Kimberly Hood, OSB #123008
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CIRCUIT COURT OF OREGON FOR CLACKAMAS COUNTY

OCWEN LOAN SERVICING, LLC,

Plaintiff,

v.

LISA A. STONE, AND PERSONS OR
PARTIES UNKNOWN CLAIMING ANY
RIGHT, TITLE, LIEN, OR INTEREST IN
THE PROPERTY DESCRIBED IN THE
COMPLAINT HEREIN,

Defendants.

NO. 16CV28117

WRIT OF EXECUTION IN FORECLOSURE

TO: CLACKAMAS COUNTY SHERIFF

1. WHEREAS, on October 24, 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

1
2 1661 Worthington Rd., #100
3 West Palm Beach, FL 33409

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

5 Ocwen Loan Servicing
6 c/o Robinson Tait, P.S.
7 901 Fifth Avenue, Suite 400
8 Seattle, Washington 98164

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

11 SEE LEGAL DESCRIPTION ATTACHED TO JUDGMENT HERETO AS EXHIBIT A
12 and commonly known as 23588 S Highway 211, Colton, OR 97017-8505.

13 4. NOW, THEREFORE, IN THE NAME OF THE STATE OF OREGON, you are
14 hereby commanded to sell the above referenced real property, in the manner prescribed by law for the
15 sale of real property upon execution (subject to redemption), all of the interest which the defendant(s)
16 had on March 26, 2007, the date of the Deed of Trust, and also all of the interest which the
17 defendant(s) had thereafter, in the real property described in the judgment, to satisfy the judgment,
18 which as of October 30, 2017,

19
20 **Lenders Principal Judgment:**

21		
22	1. Unpaid Principal Balance	<u>\$163,396.52</u>
23	2. Pre-Judgment Interest from September 1, 2015	
24	to August 1, 2017, the date calculated by the Declarant	
25	in the Declaration in Support of Judgment	<u>\$20,747.84</u>
26	3. Lenders Fees and Costs	<u>\$4,828.94</u>
27	4. Attorney's Fees and Costs	<u>\$3,148.50</u>
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	<i>Total Judgment Award Entered</i>	<u>\$192,121.80</u>

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Additional Pre Judgment Interest

1. Accrued Interest from August 2, 2017
to October 24, 2017 the date of entry
of Judgment \$2,525.04

Total Judgment Award \$194,646.84

Post Judgment Interest

1. Accrued Post Judgment Interest at a rate of 9% per annum or at \$48.00, from October 25,
2017, the day after the entry of judgment, through October 30, 2017,
the date the writ is being requested \$288.00

Current Total Amount Owing \$194,934.84

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 \$48.00 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 3 day of November, 2017.



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12
13 Avery Watson
14

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.

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18 DATED this 30 day of October, 2017.

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

19
20
21 Kimberly Hood
22
23 [] Craig Peterson, OSB #120365
24 Email: cpeterson@robinsontait.com
25 [] Jaimie Fender, OSB #120832
26 Email: jfender@robinsontait.com
27 [] Kimberly Hood, OSB #123008
28 Email: KHood@robinsontait.com
Robinson Tait, P.S.
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,

v.

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

Defendants.

NO. 16CV28117

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
60128-30503-JUD-OR172099

Law Offices
ROBINSON TAIT, P.S.

501 Third Avenue, Suite 100
Seattle, WA 98104
(206) 676-9610

1
2 1. Plaintiff, OCWEN LOAN SERVICING, LLC be awarded judgment in the sum of
3 \$163,396.52, together with interest at a rate as provided in the Note from September 1, 2015 through
4 August 1, 2017 in the amount of \$20,747.84 with additional pre-judgment interest at the per diem rate of
5 \$30.06 as provided in the Note to the date of entry of judgment; plus reasonable attorneys' fees in the
6 amount of \$2,050.00, plus other recoverable amounts of \$4,828.94 which includes the amounts itemized
7 in the declaration of the lender in support of motion for judgment plus allowable costs of \$1,098.50 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 SEE LEGAL DESCRIPTION ATTACHED HERETO AS **EXHIBIT A**.

15 which was recorded on March 30, 2007, under Auditor's File No. 2007-027675, records of
16 Clackamas County, Oregon, be adjudged and decreed to be a first and paramount lien upon the above
17 described real estate and the whole thereof as security for the payment of the judgment herein set
18 forth, and that said Deed of Trust be foreclosed and the property therein described is hereby ordered
19 sold by the Sheriff of Clackamas County in the manner provided for by law, and the proceeds
20 therefrom shall be applied to the payment of the judgment, interest, attorneys' fees and costs, and
21 such other sums as plaintiff has advanced prior to judgment, and that such sums shall constitute a first
22 and specific lien and charge upon said real estate, prior and superior to any right, title, estate, lien or
23 interest of the defendant and of any one claiming by, through or under them; and
24
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 March 26, 2007, the date of the Deed of
28

1 Trust which is foreclosed herein, be forever barred and estopped from claiming or asserting any right,
2 title, lien or interest in or to said property or any part thereof, save and except for the right of
3 redemption as allowed by law; and
4

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 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
12

13 5. Pursuant to ORS 18.950, if any proceeds from the execution sale remain after the
14 payment of costs under ORS 18.950(3) and satisfaction of the judgment, the court administrator shall
15 pay the remaining proceeds as directed by the court in the order of distribution.
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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
24 Seattle, WA 98164
25 (206) 676-9640

26 Attorney for Judgment Creditor: Craig Peterson
27 Robinson Tait, P.S.
28 901 Fifth Avenue, Suite 400
Seattle, WA 98164
(206) 676-9640

The name of any person or public body,

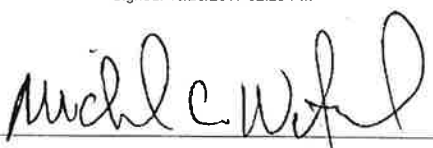
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other than the Judgment Creditor's Attorney, who is entitled to any portion of the judgment:	None
Principal Balance:	\$163,396.52
Simple Interest on the Principal Balance from September 1, 2015 to August 1, 2017:	\$20,747.84
Other Amounts Due Under Terms of Loan:	\$4,828.94
Attorneys' Fees and Costs:	
Attorneys' Fee:	\$2,050.00
Total Costs:	\$1,098.50
Total Attorney Fees and Costs:	\$3,148.50
TOTAL DEBT OWED	\$192,121.80

Pre-Judgment: Additional pre-judgment interest accrues from August 2, 2017, to the date of entry of judgment at the per diem rate of \$30.06, 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: 10/20/2017 02:29 PM



Circuit Court Judge Michael C. Wetzel

Submitted by:



Craig Peterson, OSB #120365
 Email: cpeterson@robinsontait.com
 Jaimie Fender, OSB #120832
 Email: jfender@robinsontait.com
 Robinson Tait, P.S.
 Attorneys for Plaintiff
 Tel: (206) 676-9640
 Fax: (206) 676-9659

Exhibit A

EXHIBIT "A"
LEGAL DESCRIPTION

PARCEL I:

A tract of land in the Southwest one-quarter of the Southeast one-quarter of Section 24, Township 4 South, Range 3 East of the Willamette Meridian in the County of Clackamas, State of Oregon, described as follows:

Beginning at a point on the Southeasterly line of Market Road No. 35, also known as Colton-Sandy Highway No. 211, a distance of 794 feet from the intersection of the South line of said section and said Southeasterly line, said point also being the most Westerly corner of that tract conveyed to W.H. Wade by Deed, recorded May 14, 1959, in Book 555, Page 340, Clackamas County Deed Records; thence Southwesterly along the Southeasterly line of said Market Road No. 35, a distance of 150 feet, more or less, to the most Northerly corner of that tract conveyed to Welford L. Robillard, et ux, by Deed, recorded April 27, 1939 in Book 257, Page 482, Clackamas County Deed Records; thence South 46°57' East along the East line and its extension of said Robillard Tract, 207.4 feet, more or less, to the most Easterly corner of that tract conveyed to W.L. Robillard, et ux, by Deed recorded August 4, 1942, in Book 297, Page 295, Clackamas County Deed Records; thence North 38°03' East, 103.5 feet; thence North 38°30' East, 50.2 feet to the most Southerly corner of the aforementioned Wade Tract; thence North 46°57' West along the Southwesterly line of said Wade Tract, 185.5 feet to the point of beginning.

PARCEL II:

The Northeasterly 45 feet as drawn parallel and at right angles to the Northeasterly line of the tract herein described:

A tract of land in Section 24, Township 4 South, Range 3 East of the Willamette Meridian, in the County of Clackamas, State of Oregon, described as follows:

Beginning at a point North 41°40' East, 568.5 feet from the South one-quarter corner of said section, which point is on the South line of Market Road No. 35, also known as Foothills Highway; thence North 38°36' East, along said South line 75.35 feet to the most Northerly corner of that tract described in Book 257, Page 482, Clackamas County Deed Records, and the most Westerly corner of that tract conveyed to G.W. McKelvey, et ux, by Deed recorded January 20, 1960 in Book 586, Page 385, Clackamas County Deed Records; thence South 46°57' East, along the Southwesterly line of said McKelvey Tract, 207.4 feet, more or less, to the most Southerly corner thereof and a point in the Northerly line of that tract conveyed to G.W. McKelvey, et ux; by Deed, recorded July 14, 1966 in Book 876, Page 818, Clackamas County Deed Records; thence South 58°03' West along said Northerly line 76.95 feet to the Southeast corner of that tract conveyed to G. W. McKelvey, et ux, by Deed recorded March 25, 1969 as Recorder's Fee No. 69-4865, Clackamas County Deed Records; thence North 46°57' West along the Northeasterly line of said McKelvey tract 181.45 feet to the point of beginning.


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:

8-23-17



Attorney, OSB

120365