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

BANK OF AMERICA, N.A.,

Case No. 15CV13382

Plaintiff,

WRIT OF EXECUTION

v.

CLIFFORD B. GILL; and ALL OTHER
PERSONS OR PARTIES UNKNOWN
CLAIMING ANY RIGHT, TITLE, LIEN, OR
INTEREST IN THE REAL PROPERTY
COMMONLY KNOWN AS 855 MAHAYA
COURT SE, SALEM, OR 97317,

Defendants.

TO THE MARION COUNTY SHERIFF:

On May 24, 2016, a General Judgment of Foreclosure and Declaration of Amount Due by Default was entered by the Marion County Circuit Court, foreclosing Plaintiff's Deed of Trust and directing that the property subject to the Deed of Trust be sold to satisfy the unpaid debt due to Plaintiff.

The judgment creditor is BANK OF AMERICA, N.A., whose mailing address is 4161 Piedmont Parkway Greensboro, NC 27410 NC4-105-03-84.

The real property to be sold at public auction is commonly known as 855 Mahaya Ct. SE, Salem, OR 97317 ("Subject Property"), and legally described as:

LOT 16, BLOCK 1, SANTANA VILLAGE PHASE 1-A, IN THE COUNTY OF MARION AND STATE OF OREGON. (PLAT VOLUME 24 PAGE 3)

The total amount due and owing on the Judgment is \$298,202.07, as of June 13, 2016. This includes interest accrued to that date, at the rate of \$34.3338/day, pursuant to the Judgment.

1 This interest continues to accrue to the date of sale.

2 In the name of the State of Oregon, you are hereby directed to proceed to notice for sale
3 and sell the Subject Property. After the sale, you are directed to issue a certificate of sale to the
4 purchaser and file a return on the writ of execution, depositing the sale proceeds with the Court.
5 Further, you are directed to execute, after the time for redemption has elapsed, a deed to the
6 holder of the certificate of sale.

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Signed: 7/19/2016 09:25 AM



J. Tolman, Court Clerk



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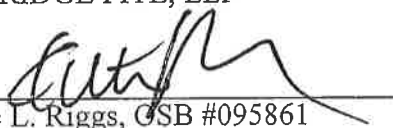
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Presented by:
ALDRIDGE PITE, LLP

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Katie L. Riggs, OSB #095861
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(619) 326-2430 (Facsimile)
kriggs@aldridgepite.com

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111 SW Columbia Street Suite 950
Portland, OR 97201

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Of Attorneys for Plaintiff

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IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF MARION

BANK OF AMERICA, N.A.,

Case No. 15CV13382

Plaintiff,

ASSIGNMENT OF JUDGMENT

v.

CLIFFORD B. GILL; and ALL OTHER
PERSONS OR PARTIES UNKNOWN
CLAIMING ANY RIGHT, TITLE, LIEN, OR
INTEREST IN THE REAL PROPERTY
COMMONLY KNOWN AS 855 MAHAYA
COURT SE, SALEM, OR 97317,

Defendants.

Pursuant to ORS 18.205, the judgment creditor Bank Of America, N.A., hereby assigns its entire interest in the general judgment granted on May 24, 2016 in this matter, to Wilmington Savings Fund Society, FSB, as trustee of Stanwich Mortgage Loan Trust A.

ALDRIDGE PITE, LLP

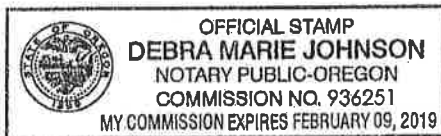
Dated: 6/6/2017

By: Christina Andreoni
Christina Andreoni, OSB #160875
Of Attorneys for the Judgment Creditor

STATE OF OREGON }
COUNTY OF Multnomah }

The foregoing instrument was acknowledged before me on this 6th day of June, 2017 by Christina Andreoni of Aldridge Pite LLP, corporation, on behalf of the corporation.

WITNESS my hand and official seal.
Signature Debra Marie Johnson (seal)
Notary Public
My Commission Expires: 2/9/2019



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

BANK OF AMERICA, N.A.,

Plaintiff,

v.

CLIFFORD B. GILL; and ALL OTHER
PERSONS OR PARTIES UNKNOWN
CLAIMING ANY RIGHT, TITLE, LIEN, OR
INTEREST IN THE REAL PROPERTY
COMMONLY KNOWN AS 855 MAHAYA
COURT SE, SALEM, OR 97317,

Defendants.

Case No. 15CV13382

**GENERAL JUDGMENT OF
FORECLOSURE AND DECLARATION OF
AMOUNT DUE BY DEFAULT**

ORCP Rule 69

PURSUANT TO SB368, THIS IS A
JUDGMENT OF FORECLOSURE AND DOES
NOT CONSTITUTE A MONEY AWARD
AGAINST ANY DEFENDANT

Based upon the Court's Order of Default against Defendants CLIFFORD B. GILL; and
ALL OTHER PERSONS OR PARTIES UNKNOWN CLAIMING ANY RIGHT, TITLE, LIEN,
OR INTEREST IN THE REAL PROPERTY COMMONLY KNOWN AS 855 MAHAYA
COURT SE, SALEM, OR 97317, the records on file herein, and pursuant to the Motion for
General Judgment and Declaration of Amount Due by Default by Plaintiff BANK OF
AMERICA, N.A. ("Plaintiff"),

IT IS HEREBY ADJUDGED:

1. Plaintiff's security interest in the real property located at 855 Mahaya Ct. SE,
Salem, OR 97317 ("Subject Property"), as evidenced by the Deed of Trust recorded October 24,
2008 in the official records of Marion County as REEL:3004 PAGE: 255 ("Deed of Trust"), is a
viable first priority lien, superior to the interests of all the Defendants. All rights, claims,
ownerships, liens, titles and demands of all Defendants are subsequent to Plaintiff's lien as
created by the Note and Deed of Trust. The Subject Property is legally described as follows:

LOT 16, BLOCK 1, SANTANA VILLAGE PHASE 1-A, IN THE COUNTY OF

2 2. The Deed of Trust is foreclosed and upon entry of this Judgment the court
3 administrator shall upon request of Plaintiff issue a writ of execution for the sale, by the Sheriff,
4 in the manner provided by law;

5 3. Plaintiff has submitted a Declaration of Amount Due and is owed the total amount
6 due under the Note and Deed of Trust and any future advances and/or fees that may be made or
7 incurred pursuant to the terms of the Note and Deed of Trust up to the date of the execution sale.
8 This amount is to be satisfied by sale of the Subject Property as directed under this Judgment;

9 4. Plaintiff is owed reasonable attorney fees plus the remaining flat rate fees for an
10 uncontested execution on the Judgment, pursuant to the Note and Deed of Trust and ORCP Rule
11 68(C), which amount may be added to the outstanding obligation due and owing under the Note
12 and Deed of Trust and recovered from the proceeds of the sheriff's sale. Pursuant to the Deed of
13 Trust, these fees continue to accrue to the date of the execution sale. This amount to be satisfied
14 by sale of the Subject Property as directed under this Judgment;

15 5. Plaintiff is owed costs of suit pursuant to the Note and Deed of Trust, ORCP Rule
16 68(A)(2) and ORS 20.115(4), which may be added to the outstanding obligation due and owing
17 under the Note and Deed of Trust and recovered from the proceeds of the sheriff's sale. Pursuant
18 to the Deed of Trust, these costs continue to accrue to the date of the execution sale. This
19 amount to be satisfied by sale of the Subject Property as directed under this Judgment;

20 6. Plaintiff is owed the prevailing party fee of \$300.00, this amount to be satisfied by
21 sale of the Subject Property as directed under this Judgment.

22 7. The Sheriff shall make a return on the writ of execution to the court administrator
23 along with the proceeds of the sale, if any. The proceeds of the sale, if any, shall be applied first
24 toward the costs of the sale; then toward the satisfaction of Plaintiff's Judgment of Foreclosure
25 awarded herein; and the surplus, if any, to the clerk of the court to be distributed to such party or
26 parties as may establish their right thereto. The Defendants and all persons claiming through or

Page 2 – GENERAL JUDGMENT AND DECLARATION OF AMOUNT DUE BY DEFAULT

1 under Defendants, whether lien claimants, judgment creditors, claimants arising under junior
2 mortgages or deeds of trust, purchasers, encumbrances or otherwise, shall be barred and
3 foreclosed from all rights, claims, interest or equity of redemption in the Subject Property and
4 every part of the Subject Property when the time for redemption has elapsed;

5 8. Plaintiff or any other party to this action may become a purchaser at the
6 foreclosure sale, and such purchaser shall be immediately let into possession of the subject
7 property, until redemption of the property, if any. The purchaser at the foreclosure sale or any
8 successor in interest may apply to this Court for a writ of assistance to gain possession of the
9 subject property if Defendants or any other party or person refuses to surrender possession;

10 DECLARATION OF AMOUNT DUE BY DEFAULT

11 (PURSUANT TO SB 368, THIS IS A JUDGMENT OF FORECLOSURE AND DOES NOT
12 CONSTITUTE A MONEY AWARD AGAINST ANY DEFENDANT)

- 13 1. The amount of the judgment is \$284,690.39.
14 2. Simple interest at the variable rate currently at 6.250% (\$34.3338 *per diem*) after
15 December 18, 2015, through the date of sale.
16 3. Attorney fees of \$2,040.00, plus \$410.00, through the date of sale.
17 4. Costs of \$4,649.52, plus costs accrued through the date of sale.
18 5. Prevailing party fee: \$300.00.

19 **IT IS SO ADJUDGED**

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23 Signed: 5/24/2016 03:35 PM

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25 **Circuit Court Judge Channing Bennett**

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CERTIFICATE OF READINESS

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

1. Each opposing party affected by this Order or Judgment has stipulated to the Order or Judgment, as shown by each opposing party's signature on the document being submitted.
2. Each opposing party affected by this Order or Judgment has approved the Order or Judgment, as shown by signature on the document being submitted or by written confirmation of approval sent to me.
3. I have served a copy of this Order or Judgment on all parties entitled to service and:
 - a. No objections have been served on me within that time frame;
 - b. I received objections that I could not resolve with the opposing 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;
 - c. After conferring about objections, [**Opposing Party**] agreed to independently file any remaining objection with the Court.
4. The relief sought is against an opposing 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 (3) of this rule, 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 (4) of this rule.

Presented By:
ALDRIDGE PITE, LLP



Katie Riggs, OSB #095861
(858) 750-7600
(503) 222-2260 (facsimile)
klriggs@aldridgepite.com
Of Attorneys for Plaintiff

Date: 5/23/16