IN THE CIRCUIT COURT OF THE STATE OF OREGON

FOR THE COUNTY OF MARION

NATIONSTAR MORTGAGE LLC D/B/A CHAMPION MORTGAGE COMPANY, Plaintiff, vs. ESTATE OF JIM T. DENNHARDT, an estate; LORYN MOORE, an heir; PATRICIA MUNRO, an heir; UNKNOWN HEIRS OF JIM T. DENNHARDT, unknown heirs; and all other persons, parties, or occupants unknown claiming any legal or equitable right, title, estate, lien, or interest in the real property described in the complaint herein, adverse to Plaintiff's title, or any cloud on Plaintiff's title to the Property. Defendants.	**CASE NUMBER: 16CV29752** **WRIT OF EXECUTION IN FORECLOSURE**

TO: THE SHERIFF OF MARION COUNTY, OREGON:

1.

WHEREAS, on May 10, 2017, in the above-entitled Court, a General Judgment of Foreclosure ("Judgment") was entered and docketed in the above-entitled and numbered proceeding

2.

NOW, THEREFORE, IN THE NAME OF THE STATE OF OREGON, you are hereby commanded to sell, in the manner prescribed by law for the sale of real property upon (subject to

redemption, if applicable), all of the interest which the Defendants Estate of Jim T. Dennhardt, Loryn Moore, and Patricia Munro ("Defendants") had on June 13, 2007, the date of the foreclosed Deed of Trust which was recorded on June 18, 2007, as Reel: 2826 Page: 192 in the official records of the Marion County Recorder's Office, and/or all of the interest which Defendants had thereafter, in the real property described in the Judgment to satisfy the Judgment as follows:

Lender's Principal Judgment:

Unpaid Principal Balance:	$112,923.41
Pre-Judgment Interest from September 30, 2012 to April 30, 2017, the date set forth in the Judgment at 1.81%, per annum, ($5.63 per diem):	$7,925.66
Lender's Fees and Costs:	$24,138.07
Attorney's Fees and Costs:	$5,224.00
Total Judgment Entered:	***$150,211.14***

Additional Pre-Judgment Interest:

Accrued Interest from May 1, 2017, the day after the date set forth in the Judgment through May 10, 2017, the date of entry of the Judgment, at 1.81%, per annum ($5.63 per diem):	$50.67
Total Judgment Entered Including Additional Pre-Judgment Interest:	***$150,261.81***

3.

Additionally, Plaintiff is entitled to the accrual of post-judgment interest on $150,261.81 at the legal rate of interest of 9% per annum, $37.05 per diem, from May 11, 2017 to the date the real property subject to the Judgment is sold by the County Sheriff at its foreclosure auction, plus costs of this Writ, Sherriff's fees and sale costs, and all other recovered costs pursuant to law.

4.

The real property subject to this writ of execution is commonly known as 3180 Jack Street North, Salem, OR 97303 ("Property") and described in Exhibit "1" attached hereto.

5.

The Judgment Creditor's name and address is:

Nationstar Mortgage LLC d/b/a Champion Mortgage Company
c/o Champion Mortgage Company
4000 Horizon Way
Irving, TX 75063

The Judgment Creditor's name and address for the purpose of this Writ is:

Nationstar Mortgage LLC d/b/a Champion Mortgage Company
c/o Malcolm & Cisneros, ALC (Attention: Nathan F. Smith)
2112 Business Center Drive
Irvine, CA 92612
949-252-9400

///
///
///
///
///
///
///
///

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

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

Signed: 6/7/2017 04:20 PM

J. Tolman, Court Clerk

CIRCUIT COURT MARION COUNTY, OREGON

Submitted by:

Dated: 5/25/17

Nathan F. Smith, OSB #120112
Attorney for Plaintiff
MALCOLM ♦ CISNEROS, A Law Corporation
2112 Business Center Drive, Second Floor
Irvine, California 92612
Phone: (949) 252-9400
Fax: (949) 252-1032
Email: nathan@mclaw.org

EXHIBIT 1

EXHIBIT "A"

LOT 23 AND THE WEST 10 FEET OF LOT 22, BLOCK 2, HENNINGSEN TRACTS, SALEM, MARION COUNTY, OREGON.

IN THE CIRCUIT COURT OF THE STATE OF OREGON

FOR THE COUNTY OF MARION

NATIONSTAR MORTGAGE LLC D/B/A CHAMPION MORTGAGE COMPANY, Plaintiff, vs. ESTATE OF JIM T. DENNHARDT, an estate; LORYN MOORE, an heir; PATRICIA MUNRO, an heir; UNKNOWN HEIRS OF JIM T. DENNHARDT, unknown heirs; and all other persons, parties, or occupants unknown claiming any legal or equitable right, title, estate, lien, or interest in the real property described in the complaint herein, adverse to Plaintiff's title, or any cloud on Plaintiff's title to the Property. Defendants.	**CASE NUMBER: 16CV29752** **GENERAL JUDGMENT OF FORECLOSURE AGAINST:** **1. ESTATE OF JIM T. DENNHARDT** **2. LORYN MOORE** **3. PATRICIA MUNRO**

1.

THIS MATTER, coming on regularly before the Court, and it appearing from the record herein that Plaintiff, Nationstar Mortgage LLC d/b/a Champion Mortgage Company ("Plaintiff"), filed its Complaint for Foreclosure of Deed of Trust; that Defendants ESTATE OF JIM T. DENNHARDT, LORYN MOORE, and PATRICIA MUNRO ("Defendants") were duly served with

the Summons and Complaint as required by law; that Defendants failed to appear, that orders of defaults have been entered against them on Plaintiff's Complaint, and that Plaintiff is entitled to entry of a General Judgment foreclosing Plaintiff's deed of trust against the property commonly known as 3180 Jack Street North, Salem, OR 97303 ("Property") and extinguishing any and all interest of the Defendants in the Property.

2.

The Court being fully advised; it is hereby

ORDERED AND ADJUDGED that:

3.

Plaintiff is the holder of that certain Adjustable-Rate Note Home Equity Conversion note ("Note"), dated June 13, 2007, in the amount of $265,500.00, and executed by ESTATE OF JIM T. DENNHARDT.

4.

The Note is secured by that certain deed of trust ("Deed of Trust") dated June 13, 2007 and executed by decedent JIM T. DENNHARDT. The Deed of Trust was recorded on June 18, 2007 under the recording number Reel: 2826 Page: 192 of the Official Records of Marion County, Oregon, against the Property, which is legally described as: see Exhibit "1" attached hereto. ("Property") and constitutes a valid lien against the Property.

5.

The terms of the Note and Deed of Trust are in breach, therefore, Plaintiff has now declared all sums due and owing under the Note and Deed of Trust as immediately due and payable.

6.

The Deed of Trust is a valid first priority lien encumbering the Property, is superior to any interest, lien, or claim of the Defendants and any other party in the Property, which are hereby foreclosed and terminated, excepting only any statutory right of redemption to which the Defendants may be entitled under Oregon law.

7.

A judgment of foreclosure in the amount of $150,211.14 shall be granted in favor of Plaintiff,

and its successors and/or assigns, as further described below in the Declaration of Amount Owed – Not a Money Award ("Amount Owed").

8.

The Property is hereby ordered to be sold by law and the proceeds of sale applied toward the satisfaction of Plaintiff's Amount Owed herein; and the surplus, if any to the Clerk of the Court to be disbursed to such party or parties as may establish their right thereto.

9.

Plaintiff is entitled to recover its reasonable attorney's fees and all reasonable and necessary costs and expenses incurred to enforcing the Note and Deed of Trust.

10.

Any increased interest or any such additional amounts as Plaintiff may advance for taxes, assessments, municipal charges, and such other items as may constitute liens on the Property, together with insurance and repairs necessary to prevent the impairment of the Property, together with interest thereon from the date of payment may also be added to the Amount Owed and paid from the proceeds from the sale of the Property.

11.

Defendants and all parties claiming an interest in the Property as purchasers, encumbrancers, or otherwise, are forever barred and foreclosed of all interests, liens, or claims in the Property and every portion thereof, excepting only any statutory right of redemption provided by the laws of the State of Oregon.

12.

Defendants are not entitled to a homestead exemption in the Property.

13.

Plaintiff may become purchaser at the Sheriff's Sale of the Property and may bid up to the aggregate amount of its Amount Owed, plus any additional interest and reasonable costs until sale.

14.

The purchaser of the Property at the Sheriff's Sale is entitled to exclusive and immediate possession of the Property from and after the date of the sale, and is entitled to such remedies as are

available at law to secure possession of the Property, and may apply to the Clerk of the Court for a writ of assistance, if Defendants any of them, or any other party or person shall refuse to surrender possession of the Property to the purchaser immediately on the purchaser`s demand for possession.

15.

This Court shall retain jurisdiction to enforce all provisions of this General Judgment and to enter such additional order, judgment, or decree necessary for the purchaser at the foreclosure sale to obtain possession of the Property.

16.

Under the Note, there is now due and owing to Plaintiff, the following amounts, to be hereinafter described as the Amount Owed.

17.

This suit does not constitute an attempt to collect the debt against Defendants. Rather, it is a suit to execute upon the Property as security for the Amount Owed.

DECLARATION OF DEBT SECURED BY DEED OF TRUST

(Pursuant to Senate Bill 368)

18.

Under the terms of the Deed of Trust and the Note dated June 13, 2007, in the original principal amount of $265,500.00, there is now due and owing the following amounts, to be hereinafter described as the Amount Due:

///

///

///

///

///

///

///

///

///

DECLARATION OF AMOUNT OWED – NOT A MONEY AWARD

1. Judgment Creditor:	Nationstar Mortgage LLC d/b/a Champion Mortgage Company
Address:	c/o MALCOLM ♦ CISNEROS, A Law Corporation 2112 Business Center Drive, 2nd Floor Irvine, California 92612
Judgment Attorney:	Nathan F. Smith
Address:	MALCOLM ♦ CISNEROS, A Law Corporation 2112 Business Center Drive, 2nd Floor Irvine, California 92612
Telephone Number:	(949) 252-9400
2. Persons or Public Bodies Entitled to a Portion the Judgment:	N/A
3. Judgment Amount:	$144,987.14
4. Pre-Judgment Interest:	Simple interest to accrue on $112,923.41 from May 1, 2017 to the date the Judgment is entered into the Court's register at 1.81% per annum, $5.63 per diem.
5. Post-Judgment Interest:	Simple interest to accrue on $150,211.14 plus Pre-Judgment Interest from the day after the General Judgment is entered to the date upon which the Writ of Execution in Foreclosure is levied at the legal rate of interest or 9% per annum, whichever is greater.
6. Periodic accrual:	N/A

7. Attorney's Fees and Costs: An award of $5,224.00 in attorney's fees and costs is made.

Attorney Fees	$2790.00
Litigation Guarantee	$487.00
Filing Cost	$531.00
Recording Cost	$61.00
Process Service Cost	$850.00
Mediation Cost	$200.00
Probate Investigation Cost	$305.00

Signed: 5/10/2017 04:17 PM

Audrey J. Broyles

Circuit Court Judge Audrey J. Broyles

Submitted by:

Dated: 5/9/17

Nathan F. Smith, OSB #120112
Attorney for Plaintiff
MALCOLM ♦ CISNEROS, A Law Corporation
2112 Business Center Drive, Second Floor
Irvine, California 92612
Phone: (949) 252-9400
Fax: (949) 252-1032
Email: nathan@mclaw.org

CERTIFICATE OF READINESS

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

- ☒ Service is not required pursuant to subsection (3) of UTCR 5.100, or by statute, rule or otherwise.
- ☒ The relief sought is against an opposing party who has been found in default.
- ☐ An order of default is being requested with this proposed judgment.
- ☐ 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.
- ☐ 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.
- ☐ I have served a copy of this order or judgment on all parties entitled to service and:
  - ☐ No objection has been served on me.
  - ☐ I received objections that I could not resolve with the opposing party despite reasonable efforts to do so. I have filed 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.
- ☐ This is a proposed judgment that includes an award of punitive damages.

DATED: 5/9, 2017

By: _____

Nathan F. Smith, OSB #120112
Attorney for Plaintiff
MALCOLM ♦ CISNEROS, A Law Corporation
2112 Business Center Drive, Second Floor
Irvine, California 92612
(949) 252-9400 (TELEPHONE)
(949) 252-1032 (FAX)

EXHIBIT 1

EXHIBIT "A"

LOT 23 AND THE WEST 10 FEET OF LOT 22, BLOCK 2, HENNINGSEN TRACTS, SALEM, MARION COUNTY, OREGON.

OREGON