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2 Craig Peterson, OSB #120365
3 Jaimie Fender, OSB #120832
4 Kimberly Hood, OSB #123008
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CIRCUIT COURT OF OREGON FOR MARION COUNTY

14 RESIDENTIAL MORTGAGE LOAN TRUST
15 2013-TT2, BY U.S. BANK NATIONAL
16 ASSOCIATION, NOT IN ITS INDIVIDUAL
17 CAPACITY, BUT SOLELY AS LEGAL
18 TITLE TRUSTEE,

NO. 15CV16224

WRIT OF EXECUTION IN FORECLOSURE

Plaintiff,

v.

20 YOLANDA CRUZ-QUINTERO; THOMAS
21 ZEPEDA, MILA, INC.; MORTGAGE
22 ELECTRONIC REGISTRATION SYSTEMS,
23 INC.; AND PERSONS OR PARTIES
24 UNKNOWN CLAIMING ANY RIGHT,
25 TITLE, LIEN, OR INTEREST IN THE
26 PROPERTY DESCRIBED IN THE
27 COMPLAINT HEREIN,

Defendants.

28 TO: MARION COUNTY SHERIFF

1
2 1. WHEREAS, on March 29, 2016, 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 RESIDENTIAL MORTGAGE LOAN TRUST 2013-TT2, BY U.S. BANK
7 NATIONAL ASSOCIATION, NOT IN ITS INDIVIDUAL CAPACITY, BUT
8 SOLELY AS LEGAL TITLE TRUSTEE
9 c/o Planet Home Lending, LLC
10 321 Research Parkway, Suite 303
11 Meriden, CT 06450

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

13 Planet Home Lending, LLC
14 c/o Robinson Tait, P.S.
15 901 Fifth Avenue, Suite 400
16 Seattle, Washington 98164

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

19 LOT 3, ELLIS SUBDIVISION, IN THE CITY OF SALEM, COUNTY OF MARION,
20 STATE OF OREGON.

21 and commonly known as 2735 Ladd Avenue Northeast, Salem, OR 97301.

22 4. NOW, THEREFORE, IN THE NAME OF THE STATE OF OREGON, you are
23 hereby commanded to sell the above referenced real property, in the manner prescribed by law for the
24 sale of real property upon execution (subject to redemption), all of the interest which the defendant(s)
25 had on December 20, 2006, the date of the Deed of Trust, and also all of the interest which the
26 defendant(s) had thereafter, in the real property described in the judgment, to satisfy the judgment,
27 which as of May 11, 2017,
28

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2 **Lenders Principal Judgment:**

- 3 1. Unpaid Principal Balance \$156,493.41
4 2. Pre-Judgment Interest from 3/1/2013
5 to 2/19/2016, the date calculated by the Declarant
6 in the Declaration in Support of Judgment \$9,908.46
7 3. Lenders Fees and Costs \$9,933.04
8 4. Attorney's Fees and Costs \$4,382.12

9 ***Total Judgment Award Entered*** \$180,717.03

10 **Additional Pre Judgment Interest**

- 11 1. Accrued Interest from 2/20/2016
12 to 3/29/2016 the date of entry
13 of Judgment \$501.54

14 ***Total Judgment Award*** \$181,218.57

15 **Post Judgment Interest**

- 16 1. Accrued Post Judgment Interest at a rate of 9% per annum or at \$44.68, from 3/30/2016,
17 the day after the entry of judgment, through 5/11/2017,
18 the date the writ is being requested \$18,229.44

19 ***Current Total Amount Owing*** \$ 199,448.01

20
21 In addition to the above, interest continues to accrue on the total of the amounts listed above
22 at the rate of 9% per annum or at \$44.68 per diem, in accordance with the General Judgment of
23 Foreclosure and continues to accrue until the date of sale.
24

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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 _____ day of _____, 2017.
8

9
10 _____
11 Title

Signed: 5/23/2017 04:36 PM

12 _____
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14 By:

J. Tolman, Court Clerk



EXHIBIT A

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CIRCUIT COURT OF OREGON FOR MARION COUNTY

RESIDENTIAL MORTGAGE LOAN TRUST
2013-TT2, BY U.S. BANK NATIONAL
ASSOCIATION, NOT IN ITS INDIVIDUAL
CAPACITY, BUT SOLELY AS LEGAL
TITLE TRUSTEE,

Plaintiff,

v.

YOLANDA CRUZ-QUINTERO; THOMAS
ZEPEDA; MILA, INC.; MORTGAGE
ELECTRONIC REGISTRATION SYSTEMS,
INC.; AND PERSONS OR PARTIES
UNKNOWN CLAIMING ANY RIGHT,
TITLE, LIEN, OR INTEREST IN THE
PROPERTY DESCRIBED IN THE
COMPLAINT HEREIN,

Defendants.

NO. 15CV16224

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, RESIDENTIAL MORTGAGE LOAN TRUST 2013-TT2, BY U.S. BANK NATIONAL
ASSOCIATION, NOT IN ITS INDIVIDUAL CAPACITY, BUT SOLELY AS LEGAL TITLE
TRUSTEE, 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

GENERAL JUDGMENT DETERMINING
AMOUNT OWED AND FORECLOSURE - 1
60310-00022-JUD-OR1330519

Law Office
ROBINSON TAIT, P.S.

710 Second Avenue, Suite 719
Seattle WA 98104
(206) 465-8000

1 being unnecessary under Civil Rule 69D, the court finds that the allegations contained in the
2 plaintiff's Complaint are true, that there are no material issues of fact, that the plaintiff is entitled to
3 judgment as a matter of law, and that the judgment should be entered in favor of the plaintiff
4 forthwith as more particularly hereafter set forth. Therefore,
5

6 IT IS HEREBY ORDERED AND ADJUDGED THAT:
7

8 1. Plaintiff, RESIDENTIAL MORTGAGE LOAN TRUST 2013-TT2, BY U.S. BANK
9 NATIONAL ASSOCIATION, NOT IN ITS INDIVIDUAL CAPACITY, BUT SOLELY AS LEGAL
10 TITLE TRUSTEE be awarded judgment in the sum of \$156,493.41, together with interest at a rate as
11 provided in the Note from March 1, 2013 through February 19, 2016 in the amount of \$9,908.46 with
12 additional pre-judgment interest at the per diem rate of \$12.86 as provided in the Note to the date of
13 entry of judgment; plus reasonable attorneys' fees in the amount of \$2,050.00, plus other recoverable
14 amounts of \$9,933.04 which includes the amounts itemized in the declaration of the lender in support of
15 motion for judgment plus allowable costs of \$2,332.12 as itemized in the bill of disbursements and an
16 additional amount for post-judgment sheriff's fees. Said judgment to bear interest until paid at the
17 statutory rate or at the contract rate, whichever is greater; and.
18
19

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

22 LOT 3, ELLIS SUBDIVISION, IN THE CITY OF SALEM, COUNTY OF
23 MARION, STATE OF OREGON.

24 which was recorded on December 22, 2006, under Auditor's File No. Reel: 2751 Page: 221, records
25 of Marion County, Oregon, be adjudged and decreed to be a first and paramount lien upon the above
26 described real estate and the whole thereof as security for the payment of the judgment herein set
27 forth, and that said Deed of Trust be foreclosed and the property therein described is hereby ordered
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2 sold by the Sheriff of Marion County in the manner provided for by law, and the proceeds therefrom
3 shall be applied to the payment of the judgment, interest, attorneys' fees and costs, and such other
4 sums as plaintiff has advanced prior to judgment, and that such sums shall constitute a first and
5 specific lien and charge upon said real estate, prior and superior to any right, title, estate, lien or
6 interest of the defendants Yolanda Cruz-Quintero, Thomas Zepeda, Mila, Inc., And Mortgage
7 Electronic Registration Systems and of any one claiming by, through or under them; and
8

9 3. Yolanda Cruz-Quintero, Thomas Zepeda, Mila, Inc., And Mortgage Electronic
10 Registration Systems subsequent to December 20, 2006, the date of the Deed of Trust which is
11 foreclosed herein, be forever barred and estopped from claiming or asserting any right, title, lien or
12 interest in or to said property or any part thereof, save and except for the right of redemption as
13 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: RESIDENTIAL MORTGAGE LOAN TRUST
2013-TT2, BY U.S. BANK NATIONAL
ASSOCIATION, NOT IN ITS INDIVIDUAL
CAPACITY, BUT SOLELY AS LEGAL
TITLE TRUSTEE
c/o Robinson Tait, P.S.
710 Second Ave., Suite 710
Seattle, WA 98104
(206) 676-9640

Attorney for Judgment Creditor: CRAIG PETERSON
Robinson Tait, P.S.
710 Second Ave., Suite 710
Seattle, WA 98104
(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: \$156,493.41

Simple Interest on the Principal Balance
from March 1, 2013 to February 19, 2016: \$9,908.46

Other Amounts Due Under Terms of Loan: \$9,933.04

Attorneys' Fees and Costs:
Attorneys' Fee: \$2,050.00
Total Costs: \$2,332.12

Total Attorney Fees and Costs: \$4,382.12

TOTAL DEBT OWED \$180,717.03

Pre-Judgment: Additional pre-judgment interest accrues from February 20, 2016, to the date
of entry of judgment at the per diem rate of \$12.86, in accordance with the Note.

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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: 3/29/2016 04:27 PM


Circuit Court Judge Sean E. Armstrong

Submitted by:



Craig Peterson, OSB #120365
Email: cpeterson@robinsontait.com
 Brandon Smith, OSB #124584
Email: bsmith@robinsontait.com
 Jaimie Fender, OSB #120832
Email: jfender@robinsontait.com
 Kimberly Hood, OSB # 123008
Email: KHood@robinsontait.com
 Michael Althouse, OSB # 150793
Email: malthouse@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:

3-28-16



Attorney, OSB

120365