

2017 DEC 29 PM 12:39

Craig Peterson, OSB #120365  
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Court clerk has not verified the figures in this writ. If you have questions regarding this writ, please contact your legal counsel, the issuing attorney, or company. Debtor may contest this writ by filing a claim of exception.

CIRCUIT COURT OF OREGON FOR MULTNOMAH COUNTY

DEUTSCHE BANK TRUST COMPANY AMERICAS, AS TRUSTEE FOR RESIDENTIAL ACCREDIT LOANS, INC., MORTGAGE ASSET-BACKED PASS-THROUGH CERTIFICATES, SERIES 2005-QS14,

NO. 17CV12087

WRIT OF EXECUTION IN FORECLOSURE

Plaintiff,

v.

DAVID BROOKS, HOMECOMINGS FINANCIAL NETWORK, INC., MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. (MERS), AND PERSONS OR PARTIES UNKNOWN CLAIMING ANY RIGHT, TITLE, LIEN, OR INTEREST IN THE PROPERTY DESCRIBED IN THE COMPLAINT HEREIN,

Defendants.

TO: MULTNOMAH COUNTY SHERIFF

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

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

6 Deutsche Bank Trust Company Americas, as Trustee for Residential Accredit Loans,  
7 Inc., Mortgage Asset-Backed Pass-Through Certificates, Series 2005-QS14  
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 3, BLOCK 2, ZENO PARK ADDITION, IN THE CITY OF PORTLAND, COUNTY  
19 OF MULTNOMAH, STATE OF OREGON.

20 and commonly known as 206 Northeast 73rd Avenue, Portland, OR 97213.

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 June 23, 2005, the date of the Deed of Trust, and also all of the interest which the defendant(s)  
25 had thereafter, in the real property described in the judgment, to satisfy the judgment, which as of  
26 October 18, 2017,  
27  
28

1  
2 **Lenders Principal Judgment:**

3           1. Unpaid Principal Balance                           \$189,656.40  
4           2. Pre-Judgment Interest from November 1, 2011  
5           to September 2, 2017, the date calculated by the Declarant  
6           in the Declaration in Support of Judgment           \$69,177.78  
7           3. Lenders Fees and Costs                               \$40,190.76  
8           4. Attorney's Fees and Costs                             \$4,656.64  
9  
10                           *Total Judgment Award Entered*                       \$303,681.58

11 **Additional Pre Judgment Interest**

12           1. Accrued Interest from September 3, 2017  
13           to October 12, 2017 the date of entry  
14           of Judgment   \$1,298.80  
15  
16                           *Total Judgment Award*                                       \$304,980.38

17 **Post Judgment Interest**

18           1. Accrued Post Judgment Interest at a rate of 9% per annum or at \$75.20, from October 13,  
19           2017, the day after the entry of judgment, through November 23, 2017,  
20           the date the writ is being requested                       \$3,158.40  
21  
22                           *Current Total Amount Owing*                       \$308,138.78

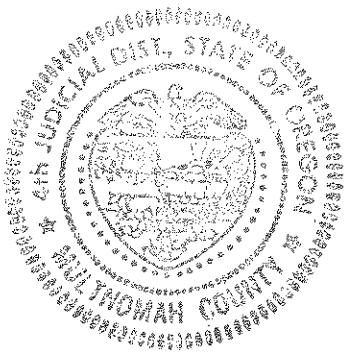
23           In addition to the above, interest continues to accrue on the total of the amounts listed above  
24           at the rate of 9% per annum or at \$75.20 per diem, in accordance with the General Judgment of  
25           Foreclosure and continues to accrue until the date of sale.

26 //  
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 27<sup>th</sup> day of November, 2017.



Handwritten signature over a horizontal line.

EXHIBIT A

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CIRCUIT COURT OF OREGON FOR MULTNOMAH COUNTY

DEUTSCHE BANK TRUST COMPANY  
AMERICAS, AS TRUSTEE FOR  
RESIDENTIAL ACCREDIT LOANS, INC.,  
MORTGAGE ASSET-BACKED PASS-  
THROUGH CERTIFICATES, SERIES 2005-  
QS14,

Plaintiff,

v.

DAVID BROOKS; HOMECOMINGS  
FINANCIAL NETWORK, INC.;  
MORTGAGE ELECTRONIC  
REGISTRATION SYSTEMS, INC. (MERS);  
AND PERSONS OR PARTIES UNKNOWN  
CLAIMING ANY RIGHT, TITLE, LIEN, OR  
INTEREST IN THE PROPERTY  
DESCRIBED IN THE COMPLAINT  
HEREIN,

Defendants.

NO. 17CV12087

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, DEUTSCHE BANK TRUST COMPANY AMERICAS, AS TRUSTEE FOR  
RESIDENTIAL ACCREDIT LOANS. INC., MORTGAGE ASSET-BACKED PASS-THROUGH  
CERTIFICATES. SERIES 2005-QS14. appearing and being represented by CRAIG PETERSON,  
Attorney of Robinson Tait. and after considering the pleadings and affidavits on file herein. findings

GENERAL JUDGMENT DETERMINING  
AMOUNT OWED AND FORECLOSURE - 1  
60128-30958-JUD-OR1807370

*Law Office*  
ROBINSON TAIT, P.S.

901 Fifth Avenue, Suite 180  
Seattle WA 98161  
(206) 676-8610

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

6 IT IS HEREBY ORDERED AND ADJUDGED THAT:  
7

8 1. Plaintiff, DEUTSCHE BANK TRUST COMPANY AMERICAS, AS TRUSTEE FOR  
9 RESIDENTIAL ACCREDIT LOANS, INC., MORTGAGE ASSET-BACKED PASS-THROUGH  
10 CERTIFICATES, SERIES 2005-QS14 be awarded judgment in the sum of \$189,656.40, together with  
11 interest at a rate as provided in the Note from November 1, 2011 through September 2, 2017 in the  
12 amount of \$69,177.79 with additional pre-judgment interest at the per diem rate of \$32.47 as provided in  
13 the Note to the date of entry of judgment; plus reasonable attorneys' fees in the amount of \$2,600.00,  
14 plus other recoverable amounts of \$40,190.76 which includes the amounts itemized in the declaration of  
15 the lender in support of motion for judgment plus allowable costs of \$2,056.64 as itemized in the bill of  
16 disbursements and an additional amount for post-judgment sheriff's fees. Said judgment to bear interest  
17 until paid at the statutory rate or at the contract rate, whichever is greater; and  
18

19  
20 2. Plaintiff's Deed of Trust on real property in Multnomah County, Oregon, legally  
21 described as follows:

22 LOT 3, BLOCK 2, ZENO PARK ADDITION, IN THE CITY OF PORTLAND,  
23 COUNTY OF MULTNOMAH, STATE OF OREGON.

24 which was recorded on June 28, 2005, under Auditor's File No. 2005-118238, records of Multnomah  
25 County, Oregon, be adjudged and decreed to be a first and paramount lien upon the above described  
26 real estate and the whole thereof as security for the payment of the judgment herein set forth, and that  
27 said Deed of Trust be foreclosed and the property therein described is hereby ordered sold by the  
28

GENERAL JUDGMENT DETERMINING  
AMOUNT OWED AND FORECLOSURE - 2  
60128-30958-JUD-OR1807370

*Law Office*  
ROBINSON TAIT, P.S.

100 Fifth Avenue, Suite 100  
Seattle WA 98164  
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1 Sheriff of Multnomah County in the manner provided for by law, and the proceeds therefrom shall be  
2 applied to the payment of the judgment, interest, attorneys' fees and costs, and such other sums as  
3 plaintiff has advanced prior to judgment, and that such sums shall constitute a first and specific lien  
4 and charge upon said real estate, prior and superior to any right, title, estate, lien or interest of the  
5 defendant and of any one claiming by, through or under them; and  
6

7  
8 3. Any and all persons acquiring any right, title, estate, lien or interest in or to the  
9 property described above or any part thereof subsequent to June 23, 2005, the date of the Deed of  
10 Trust which is foreclosed herein, be forever barred and estopped from claiming or asserting any right,  
11 title, lien or interest in or to said property or any part thereof, save and except for the right of  
12 redemption as allowed by law; and  
13

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

22 5. Pursuant to ORS 18.950, if any proceeds from the execution sale remain after the  
23 payment of costs under ORS 18.950(3) and satisfaction of the judgment, the court administrator shall  
24 pay the remaining proceeds as directed by the court in the order of distribution.  
25

26  
27 **DECLARATION DETERMINING AMOUNT OF DEBT**  
28 *(Not a Money Award, see ORS 18.862, 86.797, and 88.010)*

GENERAL JUDGMENT DETERMINING  
AMOUNT OWED AND FORECLOSURE - 3  
60128-30958-JUD-OR1807370

*Law Office of*  
**ROBINSON TAIT, P.S.**

901 Fifth Avenue, Suite 100  
Seattle WA 98104  
(206) 476-9610



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Judgment Creditor:

DEUTSCHE BANK TRUST COMPANY  
AMERICAS, AS TRUSTEE FOR  
RESIDENTIAL ACCREDIT LOANS, INC.,  
MORTGAGE ASSET-BACKED PASS-  
THROUGH CERTIFICATES, SERIES 2005-  
QS14  
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:

\$189,656.40

Simple Interest on the Principal Balance  
from November 1, 2011  
to September 2, 2017:

\$69,177.78

Other Amounts Due Under Terms of Loan:

\$40,190.76

Attorneys' Fees and Costs:

Attorneys' Fee:

\$2,600.00

Total Costs:

\$2,056.64

Total Attorney Fees and Costs:

\$4,656.64

*TOTAL DEBT OWED*

\$303,681.58

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Pre-Judgment: Additional pre-judgment interest accrues from September 3, 2017 to the date of entry of judgment at the per diem rate of \$32.47, 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.

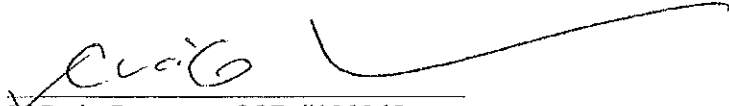
DONE IN COURT this \_\_\_\_ day of \_\_\_\_\_, 2017.

Signed: 10/12/2017 03:31 PM



JUDGE ~~Circuit Court~~ Judge Nan G. Waller  
proxy signed by KRR

Submitted by:



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 Jaimie Fender, OSB #120832  
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 Kimberly Hood, OSB #123008  
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