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2017 DEC 29 PM 12:38

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Jaimie Fender, OSB #120832
Kimberly Hood, OSB #123008
Robinson Tait, P.S.
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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

WILMINGTON SAVINGS FUND SOCIETY,
FSB, D/B/A CHRISTIANA TRUST, NOT
INDIVIDUALLY BUT AS TRUSTEE FOR
PRETIUM MORTGAGE ACQUISITION
TRUST,

Plaintiff,

v.

CHERYL JONETHE DUCRET, PERSONAL
REPRESENTATIVE OF THE ESTATE OF
ROBERT E. DUCRET, DECEASED, LINDA
SUSAN DUCRET, PERSONAL
REPRESENTATIVE OF THE ESTATE OF
ROBERT E. DUCRET, DECEASED, U.S.
BANK TRUST COMPANY, NATIONAL
ASSOCIATION, CHERYL JONETHE
DUCRET, LINDA SUSAN DUCRET, CHAD
MARTIN RUGGLES, 1ST SECURITY BANK
OF WASHINGTON, AND PERSONS OR
PARTIES UNKNOWN CLAIMING ANY
RIGHT, TITLE, LIEN, OR INTEREST IN
THE PROPERTY DESCRIBED IN THE
COMPLAINT HEREIN,

Defendants.

NO. 15CV32633

WRIT OF EXECUTION IN FORECLOSURE

1
2
3 TO: MULTNOMAH COUNTY SHERIFF

4 1. WHEREAS, on September 22, 2017, in the above-entitled court, a judgment of
5 foreclosure was enrolled and docketed in the above-entitled cause, a true copy of which is attached
6 hereto as **Exhibit "A"** and made a part hereof;
7

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

9 WILMINGTON SAVINGS FUND SOCIETY, FSB, D/B/A CHRISTIANA TRUST,
10 NOT INDIVIDUALLY BUT AS TRUSTEE FOR PRETIUM MORTGAGE ACQUISITION
TRUST

11 c/o Selene Finance
12 P.O. Box 421639
Houston, TX 77242
13

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

15 Selene Finance
16 c/o Robinson Tait, P.S.
901 Fifth Avenue, Suite 400
17 Seattle, Washington 98164

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

20 LOT 10, BLOCK 3, CYPRESS PARK, IN THE CITY OF GRESHAM, COUNTY OF
21 MULTNOMAH AND STATE OF OREGON.
22

23 and commonly known as 1044 NE 178TH AVENUE, PORTLAND, OR 97230.

24 4. NOW, THEREFORE, IN THE NAME OF THE STATE OF OREGON, you are
25 hereby commanded to sell the above referenced real property, in the manner prescribed by law for the
26 sale of real property upon execution (subject to redemption), all of the interest which the defendant(s)
27 had on October 5, 2007, the date of the Deed of Trust, and also all of the interest which the
28

1 defendant(s) had thereafter, in the real property described in the judgment, to satisfy the judgment,
2
3 which as of October 30, 2017,

4 **Lenders Principal Judgment:**

- | | | |
|----|--|---------------------|
| 5 | 1. Unpaid Principal Balance | <u>\$151,985.65</u> |
| 6 | 2. Pre-Judgment Interest from May 1, 2015 | |
| 7 | to June 30, 2017, the date calculated by the Declarant | |
| 8 | in the Declaration in Support of Judgment | <u>\$20,090.35</u> |
| 9 | 3. Lenders Fees and Costs | <u>\$7,523.28</u> |
| 10 | 4. Attorney's Fees and Costs | <u>\$5,160.05</u> |

11 ***Total Judgment Award Entered*** \$184,759.33

12 **Additional Pre Judgment Interest**

- | | | |
|----|---|-------------------|
| 13 | 1. Accrued Interest from July 1, 2017 | |
| 14 | to September 22, 2017 the date of entry | |
| 15 | of Judgment | <u>\$2,083.20</u> |

16 ***Total Judgment Award*** \$186,842.53

17 **Post Judgment Interest**

- | | | |
|----|---|-------------------|
| 18 | 1. Accrued Post Judgment Interest at a rate of 9% per annum or at \$46.07, from September | |
| 19 | 23, 2017, the day after the entry of judgment, through November 8, 2017, | |
| 20 | the date the writ is being requested | <u>\$2,165.29</u> |

21 ***Current Total Amount Owning*** \$189,007.82

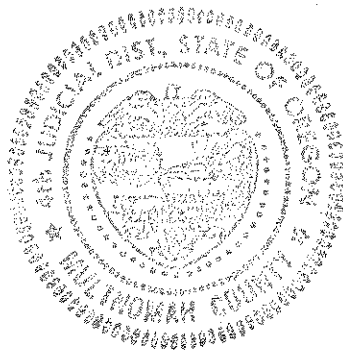
22
23 In addition to the above, interest continues to accrue on the total of the amounts listed above
24 at the rate of 9% per annum or at \$46.07 per diem, in accordance with the General Judgment of
25 Foreclosure and continues to accrue until the date of sale.
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5. THEREFORE, in the name of the State of Oregon you are hereby commanded to seize and sell the above described Property, in the manner prescribed by law; or so much thereof as may be necessary to satisfy the Judgment and Money Award, interest, fees and costs.

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

DATED this 20th day of November, 2017.



[Handwritten signature]

EXHIBIT A

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CIRCUIT COURT OF OREGON FOR MULTNOMAH COUNTY

WILMINGTON SAVINGS FUND SOCIETY,
FSB, D/B/A CHRISTIANA TRUST, NOT
INDIVIDUALLY BUT AS TRUSTEE FOR
PRETIUM MORTGAGE ACQUISITION
TRUST,

Plaintiff,

v.

CHERYL JONETHE DUCRET, PERSONAL
REPRESENTATIVE OF THE ESTATE OF
ROBERT E. DUCRET, DECEASED; LINDA
SUSAN DUCRET, PERSONAL
REPRESENTATIVE OF THE ESTATE OF
ROBERT E. DUCRET, DECEASED; U.S.
BANK TRUST COMPANY, NATIONAL
ASSOCIATION; CHERYL JONETHE
DUCRET; LINDA SUSAN DUCRET; CHAD
MARTIN RUGGLES; 1ST SECURITY BANK
OF WASHINGTON; AND PERSONS OR
PARTIES UNKNOWN CLAIMING ANY
RIGHT, TITLE, LIEN, OR INTEREST IN THE
PROPERTY DESCRIBED IN THE
COMPLAINT HEREIN.

Defendants.

NO. 15CV32633

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

GENERAL JUDGMENT DETERMINING
AMOUNT OWED AND FORECLOSURE - 1
60005-00748-JUD-OR1796878

Law Office
ROBINSON JAIT, P.S.

901 17th Avenue, Suite 100
Seattle WA 98101
(206) 576-9810

1 plaintiff, WILMINGTON SAVINGS FUND SOCIETY, FSB, D/B/A CHRISTIANA TRUST, NOT
2 INDIVIDUALLY BUT AS TRUSTEE FOR PRETIUM MORTGAGE ACQUISITION TRUST,
3 appearing and being represented by CRAIG PETERSON, Attorney of Robinson Tait, and after
4 considering the pleadings and affidavits on file herein, findings of fact and conclusion of law being
5 unnecessary under Civil Rule 69D, the court finds that the allegations contained in the plaintiff's
6 Complaint are true, that there are no material issues of fact, that the plaintiff is entitled to judgment as
7 a matter of law, and that the judgment should be entered in favor of the plaintiff forthwith as more
8 particularly hereafter set forth. Therefore,
9

10
11 IT IS HEREBY ORDERED AND ADJUDGED THAT:

12
13 1. Plaintiff, WILMINGTON SAVINGS FUND SOCIETY, FSB, D/B/A CHRISTIANA
14 TRUST, NOT INDIVIDUALLY BUT AS TRUSTEE FOR PRETIUM MORTGAGE ACQUISITION
15 TRUST be awarded judgment in the sum of \$151,985.65, together with interest at a rate as provided in
16 the Note from May 1, 2015 through June 30, 2017 in the amount of \$20,090.35 with additional pre-
17 judgment interest at the per diem rate of \$24.80 as provided in the Note to the date of entry of judgment;
18 plus reasonable attorneys' fees in the amount of \$2,050.00, plus other recoverable amounts of \$7,523.28
19 which includes the amounts itemized in the declaration of the lender in support of motion for judgment
20 plus allowable costs of \$3,110.05 as itemized in the bill of disbursements and an additional amount for
21 post-judgment sheriff's fees. Said judgment to bear interest until paid at the statutory rate or at the
22 contract rate, whichever is greater; and.
23

24
25 2. Plaintiff's Deed of Trust on real property in Multnomah County, Oregon, legally
26 described as follows:

27 LOT 10, BLOCK 3, CYPRESS PARK, IN THE CITY OF GRESHAM, COUNTY
28 OF MULTNOMAH AND STATE OF OREGON.

GENERAL JUDGMENT DETERMINING
AMOUNT OWED AND FORECLOSURE - 2
60005-00748-JUD-OR1796878

In Office
ROBINSON TAIT, P.S.

901 Fifth Avenue, Suite 100
Seattle, WA 98101
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2 which was recorded on October 8, 2007, under Auditor's File No. 2007-177592, records of
3 Multnomah County, Oregon, be adjudged and decreed to be a first and paramount lien upon the
4 above described real estate and the whole thereof as security for the payment of the judgment herein
5 set forth, and that said Deed of Trust be foreclosed and the property therein described is hereby
6 ordered sold by the Sheriff of Multnomah County in the manner provided for by law, and the
7 proceeds therefrom shall be applied to the payment of the judgment, interest, attorneys' fees and
8 costs, and such other sums as plaintiff has advanced prior to judgment, and that such sums shall
9 constitute a first and specific lien and charge upon said real estate, prior and superior to any right,
10 title, estate, lien or interest of Linda Susan Ducret, Personal Representative of the Estate of Robert E.
11 Ducret, Deceased, U.S. Bank Trust Company, National Association, Cheryl Jonethe Ducret, Linda
12 Susan Ducret, Chad Martin Ruggles, and 1st Security Bank of Washington and of any one claiming
13 by, through or under them; and
14

15
16 3. Linda Susan Ducret, Personal Representative of the Estate of Robert E. Ducret,
17 Deceased, U.S. Bank Trust Company, National Association, Cheryl Jonethe Ducret, Linda Susan
18 Ducret, Chad Martin Ruggles, and 1st Security Bank of Washington subsequent to October 5, 2007,
19 the date of the Deed of Trust which is foreclosed herein, be forever barred and estopped from
20 claiming or asserting any right, title, lien or interest in or to said property or any part thereof, save
21 and except for the right of redemption as allowed by law; and
22

23
24 4. Plaintiff be granted the right to become a bidder and purchaser at the sale and the
25 purchaser shall be entitled to exclusive possession of the property upon completion of sale according to
26 law, and to all right, title and interest in any rents and profits generated or arising from the property
27 during the statutory redemption period; and plaintiff is entitled to such remedies as are available at law to
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GENERAL JUDGMENT DETERMINING
AMOUNT OWED AND FORECLOSURE - 3

00005-00748-JUD-OR1796878

Law Office
ROBINSON TAIT, P. S.

801 Fifth Avenue, Suite 1200
Seattle, WA 98101
(206) 475-0610

1
2 secure possession, including writ of assistance, if defendants or any of them or any other party or person
3 shall refuse to surrender possession to the purchaser immediately upon purchaser's demand for
4 possession; and

5 5. Pursuant to ORS 18.950, if any proceeds from the execution sale remain after the
6 payment of costs under ORS 18.950(3) and satisfaction of the judgment, the court administrator shall
7 pay the remaining proceeds as directed by the court in the order of distribution.
8

9
10 **DECLARATION DETERMINING AMOUNT OF DEBT**
11 *(Not a Money Award, see ORS 18.862, 86.797, and 88.010)*

12 Judgment Creditor: WILMINGTON SAVINGS FUND SOCIETY,
13 FSB, D/B/A CHRISTIANA TRUST, NOT
14 INDIVIDUALLY BUT AS TRUSTEE FOR
PRETIUM MORTGAGE ACQUISITION TRUST
c/o Robinson Tait, P.S.
15 901 Fifth Avenue, Suite 400
16 Seattle, WA 98164
(206) 676-9640

17 Attorney for Judgment Creditor: Craig Peterson
18 Robinson Tait, P.S.
19 901 Fifth Avenue, Suite 400
20 Seattle, WA 98164
(206) 676-9640

21 The name of any person or public body,
22 other than the Judgment Creditor's
23 Attorney, who is entitled to any
portion of the judgment: None

24 Principal Balance: \$151,985.65

25 Simple Interest on the Principal Balance
26 from May 1, 2015 to June 30, 2017: \$20,090.35

27 Other Amounts Due Under Terms of Loan: \$7,523.28
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Attorneys' Fees and Costs:
Attorneys' Fee: \$2,050.00
Total Costs: \$3,110.05

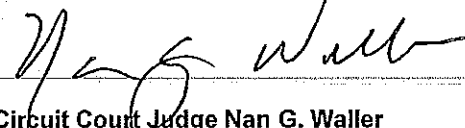
Total Attorney Fees and Costs: \$5,160.05

TOTAL DEBT OWED \$184,759.33

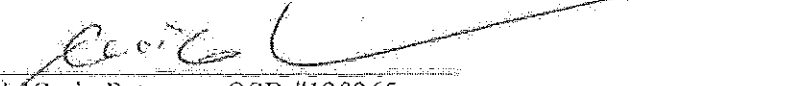
Pre-Judgment: Additional pre-judgment interest accrues from July 1, 2017, to the date of entry of judgment at the per diem rate of \$24.80, in accordance with the Note

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: 9/22/2017 01:01 PM


Circuit Court Judge Nan G. Waller
proxy signed by LD

Submitted by:



Craig Peterson, OSB #120365
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 Jaimie Fender, OSB #120832
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 Kimberly Hood, OSB #123008
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