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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

<p>WILMINGTON SAVINGS FUND SOCIETY, FSB, D/B/A CHRISTIANA TRUST, NOT INDIVIDUALLY BUT AS TRUSTEE FOR CARLSBAD FUNDING MORTGAGE TRUST,</p>	<p>NO. 17CV16809 WRIT OF EXECUTION IN FORECLOSURE</p>
<p>Plaintiff,</p>	
<p>v.</p>	
<p>DEBBIE S. PETTEFER, AS CLAIMING SUCCESSOR TO THE ESTATE OF STEPHEN R. PETTEFER, SR., DEBBIE S. PETTEFER, THE UNKNOWN HEIRS AND DEVISEES OF STEPHEN R. PETTEFER, SR., CACH, LLC, DISCOVER BANK, STEPHEN PETTEFER, JR., ANGELA PETTEFER, THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS THE TRUSTEE FOR THE BENEFIT OF THE CERTIFICATEHOLDERS OF THE CWHEQ, INC., HOME EQUITY LOAN ASSET-BACKED CERTIFICATES, SERIES 2006-S2, AND PERSONS OR PARTIES UNKNOWN CLAIMING ANY RIGHT, TITLE, LIEN, OR INTEREST IN THE PROPERTY DESCRIBED IN THE COMPLAINT HEREIN,</p>	
<p>Defendants.</p>	

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2
3 TO: MULTNOMAH COUNTY SHERIFF

4 1. WHEREAS, on October 19, 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 CARLSBAD FUNDING
11 MORTGAGE TRUST
12 c/o Rushmore Loan Management Services
13 15480 Launa Cny. Rd., Ste. 100,
14 Irvine, CA 92618

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

16 Rushmore Loan Management Services
17 c/o Robinson Tait, P.S.
18 901 Fifth Avenue, Suite 400
19 Seattle, Washington 98164

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

22 SEE JUDGMENT ATTACHED HERETO AS EXHIBIT "A"

23 and commonly known as 5346 SE 92nd Avenue, Portland, OR 97266.

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 March 29, 2004, 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 November 6, 2017,

4 **Lenders Principal Judgment:**

5	1. Unpaid Principal Balance	<u>\$95,975.35</u>
6	2. Pre-Judgment Interest from December 1, 2012	
7	to September 5, 2017, the date calculated by the Declarant	
8	in the Declaration in Support of Judgment	<u>\$27,400.49</u>
9	3. Lenders Fees and Costs	<u>\$14,519.72</u>
10	4. Attorney's Fees and Costs	<u>\$6,075.26</u>
	<i>Total Judgment Award Entered</i>	<u>\$143,970.82</u>

11 **Additional Pre Judgment Interest**

12	1. Accrued Interest from September 6, 2017	
13	to October 19, 2017 the date of entry	
14	of Judgment	<u>\$694.32</u>
15	<i>Total Judgment Award</i>	<u>\$144,665.14</u>

16
17 **Post Judgment Interest**

18	1. Accrued Post Judgment Interest at a rate of 9% per annum or at \$35.67, from October 20,	
19	2017, the day after the entry of judgment, through November 16, 2017,	
20	the date the writ is being requested	<u>\$998.76</u>

21
22 ***Current Total Amount Owing*** **\$145,663.90**

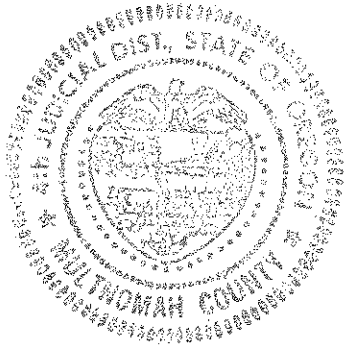
23
24 In addition to the above, interest continues to accrue on the total of the amounts listed above
25 at the rate of 9% per annum or at \$35.67 per diem, in accordance with the General Judgment of
26 Foreclosure and continues to accrue until the date of sale.
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5. 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 24th 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
CARLSBAD FUNDING MORTGAGE
TRUST,

Plaintiff,

v.

DEBBIE S. PETTEFER, AS CLAIMING
SUCCESSOR TO THE ESTATE OF
STEPHEN R. PETTEFER, SR.; DEBBIE S.
PETTEFER; THE UNKNOWN HEIRS AND
DEVEISEES OF STEPHEN R. PETTEFER,
SR.; CACH, LLC; DISCOVER BANK;
STEPHEN PETTEFER JR.; ANGELA
PETTEFER; THE BANK OF NEW YORK
MELLON FKA THE BANK OF NEW YORK,
AS THE TRUSTEE FOR THE BENEFIT OF
THE CERTIFICATEHOLDERS OF THE
CWHEQ, INC., HOME EQUITY LOAN
ASSET-BACKED CERTIFICATES, SERIES
2006-S2; AND PERSONS OR PARTIES
UNKNOWN CLAIMING ANY RIGHT,
TITLE, LIEN, OR INTEREST IN THE
PROPERTY DESCRIBED IN THE
COMPLAINT HEREIN,

Defendants.

NO. 17CV16809

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
60430-00085-1111-OR1812779

In Office
ROBINSON TAIT, P.S.

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2 plaintiff, WILMINGTON SAVINGS FUND SOCIETY, FSB, D/B/A CHRISTIANA TRUST, NOT
3 INDIVIDUALLY BUT AS TRUSTEE FOR CARLSBAD FUNDING MORTGAGE TRUST,
4 appearing and being represented by CRAIG PETERSON, Attorney of Robinson Tait, and after
5 considering the pleadings and affidavits on file herein, findings of fact and conclusion of law being
6 unnecessary under Civil Rule 69D, the court finds that the allegations contained in the plaintiff's
7 Complaint are true, that there are no material issues of fact, that the plaintiff is entitled to judgment as
8 a matter of law, and that the judgment should be entered in favor of the plaintiff forthwith as more
9 particularly hereafter set forth. Therefore,
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 CARLSBAD FUNDING MORTGAGE
15 TRUST be awarded judgment in the sum of \$95,975.35, together with interest at a rate as provided in the
16 Note from December 1, 2012 through September 5, 2017 in the amount of \$27,400.49 with additional
17 pre-judgment interest at the per diem rate of \$15.78 as provided in the Note to the date of entry of
18 judgment; plus reasonable attorneys' fees in the amount of \$2,600.00, plus other recoverable amounts of
19 \$14,519.72 which includes the amounts itemized in the declaration of the lender in support of motion for
20 judgment plus allowable costs of \$3,475.26 as itemized in the bill of disbursements and an additional
21 amount for post-judgment sheriff's fees. Said judgment to bear interest until paid at the statutory rate or
22 at the 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 SEE EXHIBIT "A"
28

GENERAL JUDGMENT DETERMINING
AMOUNT OWED AND FORECLOSURE - 2
60430-00085-JLD-OR1812779

Law Offices
ROBINSON TAIT, P.S.

901 4th Avenue, Suite 400
Seattle WA 98101
(206) 466-9600

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2 which was recorded on April 1, 2004, under Auditor's File No. 2004-054271, records of Multnomah
3 County, Oregon, be adjudged and decreed to be a first and paramount lien upon the above described
4 real estate and the whole thereof as security for the payment of the judgment herein set forth, and that
5 said Deed of Trust be foreclosed and the property therein described is hereby ordered sold by the
6 Sheriff of Multnomah County in the manner provided for by law, and the proceeds therefrom shall be
7 applied to the payment of the judgment, interest, attorneys' fees and costs, and such other sums as
8 plaintiff has advanced prior to judgment, and that such sums shall constitute a first and specific lien
9 and charge upon said real estate, prior and superior to any right, title, estate, lien or interest of the
10 defendant and of any one claiming by, through or under them; and "

11
12 3. Any and all persons acquiring any right, title, estate, lien or interest in or to the
13 property described above or any part thereof subsequent to March 29, 2004, the date of the Deed of
14 Trust which is foreclosed herein, be forever barred and estopped from claiming or asserting any right,
15 title, lien or interest in or to said property or any part thereof, save and except for the right of
16 redemption as allowed by law; and
17

18
19 4. Plaintiff be granted the right to become a bidder and purchaser at the sale and the
20 purchaser shall be entitled to exclusive possession of the property upon completion of sale according to
21 law, and to all right, title and interest in any rents and profits generated or arising from the property
22 during the statutory redemption period; and plaintiff is entitled to such remedies as are available at law to
23 secure possession, including writ of assistance, if defendants or any of them or any other party or person
24 shall refuse to surrender possession to the purchaser immediately upon purchaser's demand for
25 possession; and
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GENERAL JUDGMENT DETERMINING
AMOUNT OWED AND FORECLOSURE - 3
60430-00085-JUD-OR1812779

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503 106 Avenue, Suite 100
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(206) 478-0610

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

6
7 **DECLARATION DETERMINING AMOUNT OF DEBT**
(Not a Money Award, see ORS 18.862, 86.797, and 88.010)

8 Judgment Creditor: WILMINGTON SAVINGS FUND SOCIETY,
9 FSB, D/B/A CHRISTIANA TRUST, NOT INDIVIDUALLY BUT AS TRUSTEE FOR
10 CARLSBAD FUNDING MORTGAGE TRUST
11 c/o Robinson Tait, P.S.
12 901 Fifth Avenue, Suite 400
Seattle, WA 98164
(206) 676-9640

13 Attorney for Judgment Creditor: Craig Peterson
14 Robinson Tait, P.S.
15 901 Fifth Avenue, Suite 400
16 Seattle, WA 98164
(206) 676-9640

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

20 Principal Balance: \$95,975.35

21 Simple Interest on the Principal Balance
22 from December 1, 2012
23 to September 5, 2017: \$27,400.49

24 Other Amounts Due Under Terms of Loan: \$14,519.72

25 Attorneys' Fees and Costs:
26 Attorneys' Fee: \$2,600.00
Total Costs: \$3,475.26

27 Total Attorney Fees and Costs: \$6,075.26
28

GENERAL JUDGMENT DETERMINING
AMOUNT OWED AND FORECLOSURE - 4
60430-00085-JUD-OR1812779

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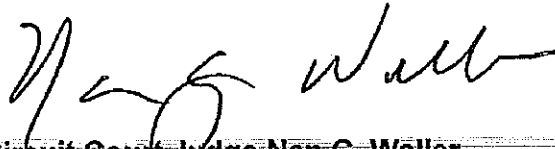
TOTAL DEBT OWED \$143,970.82

Pre-Judgment: Additional pre-judgment interest accrues from September 6, 2017, to the date of entry of judgment at the per diem rate of \$15.78, in accordance with the Note

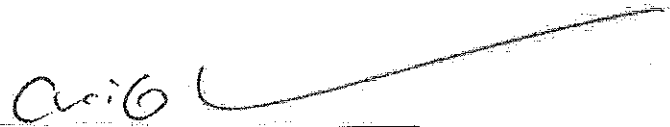
Post-Judgment: Interest Accrues on the total of the amounts listed above in accordance with the contract rate in the Note, or at the statutory rate of 9% per annum, whichever is greater.

DONE IN COURT this ____ day of _____, 2017.

Signed: 10/19/2017 11:40 AM


Circuit Court Judge Nan G. Waller
proxy signed by LD

Submitted by:



Craig Peterson, OSB #120365
Email: cpeterson@robinsontait.com
 Jaimie Fender, OSB #120832
Email: jfender@robinsontait.com
 Kimberly Hood, OSB #123008
Email: KHood@robinsontait.com
Robinson Tait, P.S.
Attorneys for Plaintiff
Tel: (206) 676-9640
Fax: (206) 676-9659

Exhibit A

A tract of land in the Northeast one-quarter of Section 16, Township 1 South, Range 2 East of the Willamette Meridian, in the City of Portland, County of Multnomah and State of Oregon, described as follows:

Beginning at a point in the center line of SE 92nd Avenue, 362.29 feet North of the center of Section 16, Township 1 South, Range 2 East of the Willamette Meridian; running thence East 130 feet; thence North 50 feet; thence West 130 feet; thence South 50 feet to the point of beginning.

EXCEPTING THEREFROM the West 30 feet thereof lying within SE 92nd Avenue.