

2011 DEC 29 PM 12:37

Craig Peterson, OSB #120365
Jaimie Fender, OSB #120832
Kimberly Hood, OSB #123008
Robinson Tait, P.S.
901 Fifth Avenue, Suite 400
Seattle, WA 98164
Phone: (206) 676-9640
Fax: (206) 676-9659
Email: cpeterson@robinsontait.com
Email: jfender@robinsontait.com
Email: khood@robinsontait.com

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

WELLS FARGO BANK, N.A.,	
Plaintiff,	NO. 16CV03201
v.	WRIT OF EXECUTION IN FORECLOSURE
KATHRYN M. BRADFORD, DUSTIN J. CANFIELD, DUSTIN J. CANFIELD, KATHRYN MARIE BRADFORD, CAPITAL ONE BANK (USA), 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. WHEREAS, on May 3, 2017, in the above-entitled court, a judgment of foreclosure was enrolled and docketed in the above-entitled cause, a true copy of which is attached hereto as Exhibit "A" and made a part hereof;

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

1
2 WELLS FARGO BANK, N.A.
3 c/o Rushmore Loan Management Services
4 15480 Launa Cny. Rd., Ste. 100,
5 Irvine, CA 92618

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

7 Rushmore Loan Management Services
8 c/o Robinson Tait, P.S.
9 901 Fifth Avenue, Suite 400
10 Seattle, Washington 98164

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

13 LOT 12, EXCEPT THE WEST 118.5 FEET AND EXCEPT THE NORTH 21 FEET,
14 REPLAT OF TRACTS 3, 4 AND PART OF TRACT 5, LINN PARK, IN THE CITY OF
15 PORTLAND, COUNTY OF MULTNOMAH AND STATE OF OREGON.
16 and commonly known as 3921 SOUTHEAST 130TH AVE, PORTLAND, OR 97236.

17 4. NOW, THEREFORE, IN THE NAME OF THE STATE OF OREGON, you are
18 hereby commanded to sell the above referenced real property, in the manner prescribed by law for the
19 sale of real property upon execution (subject to redemption), all of the interest which the defendant(s)
20 had on November 29, 2007, the date of the Deed of Trust, and also all of the interest which the
21 defendant(s) had thereafter, in the real property described in the judgment, to satisfy the judgment,
22 which as of November 1, 2017,

23
24 **Lenders Principal Judgment:**

25	1. Unpaid Principal Balance	\$156,801.36
26	2. Pre-Judgment Interest from September 1, 2014	
27	to September 28, 2016, the date calculated by the Declarant	
28	in the Declaration in Support of Judgment	\$21,138.09
	3. Lenders Fees and Costs	\$4,767.69
	4. Attorney's Fees and Costs	\$4,999.96

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Total Judgment Award Entered \$187,707.10

Additional Pre Judgment Interest

1. Accrued Interest from August 29, 2016
to May 3, 2017 the date of entry
of Judgment \$6,924.16

Total Judgment Award \$194,631.26

Post Judgment Interest

1. Accrued Post Judgment Interest at a rate of 9% per annum or at \$47.99, from May 4,
2017, the day after the entry of judgment, through November 10, 2017,
the date the writ is being requested \$9,166.09

Current Total Amount Owing \$203,797.35

In addition to the above, interest continues to accrue on the total of the amounts listed above
at the rate of 9% per annum or at \$47.99 per diem, in accordance with the General Judgment of
Foreclosure and continues to accrue until the date of sale.

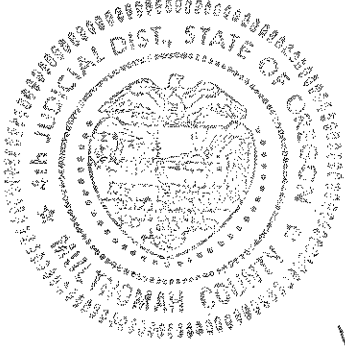
//
//
//
//
//
//
//

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

CIRCUIT COURT OF OREGON FOR MULTNOMAH COUNTY

WELLS FARGO BANK, N.A.,

Plaintiff,

v.

KATHRYN M. BRADFORD; UNKNOWN
HEIRS AND DEVISEES OF DUSTIN J.
CANFIELD, DECEASED; CAPITAL ONE
BANK (USA); AND PERSONS OR PARTIES
UNKNOWN CLAIMING ANY RIGHT,
TITLE, LIEN, OR INTEREST IN THE
PROPERTY DESCRIBED IN THE
COMPLAINT HEREIN,

Defendants.

NO. 16CV03201

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, WELLS FARGO BANK, N.A., 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 being unnecessary under Civil Rule 69D, the court finds that the
allegations contained in the plaintiff's Complaint are true, that there are no material issues of fact,

GENERAL JUDGMENT DETERMINING
AMOUNT OWED AND FORECLOSURE - 1
60005-00776-JUD-OR Judgment_Decree_Foreclosure_-_OR_Revised (5)

Law Offices
ROBINSON TAIT, P.S.

901 Fifth Avenue, Suite 400
Seattle WA 98101
(206) 466-9610

1
2 that the plaintiff is entitled to judgment as a matter of law, and that the judgment should be entered in
3 favor of the plaintiff forthwith as more particularly hereafter set forth. Therefore,

4 IT IS HEREBY ORDERED AND ADJUDGED THAT:

5 1. Plaintiff, WELLS FARGO BANK, N.A. be awarded judgment in the sum of
6 \$156,801.36, together with interest at a rate as provided in the Note from September 1, 2014 through
7 September 28, 2016 in the amount of \$21,138.09 with additional pre-judgment interest at the per diem
8 rate of \$27.92 as provided in the Note to the date of entry of judgment; plus reasonable attorneys' fees in
9 the amount of \$2,600.00, plus other recoverable amounts of \$4,767.69 which includes the amounts
10 itemized in the declaration of the lender in support of motion for judgment plus allowable costs of
11 \$2,399.96 as itemized in the bill of disbursements and an additional amount for post-judgment sheriff's
12 fees. Said judgment to bear interest until paid at the statutory rate or at the contract rate, whichever is
13 greater; and.

14
15
16 2. Plaintiff's Deed of Trust on real property in Multnomah County, Oregon, legally
17 described as follows:

18
19 LOT 12, EXCEPT THE WEST 118.5 FEET AND EXCEPT THE NORTH 21 FEET,
20 REPLAT OF TRACTS 3, 4 AND PART OF TRACT 5, LINN PARK, IN THE CITY
OF PORTLAND, COUNTY OF MULTNOMAH AND STATE OF OREGON.

21 which was recorded on December 6, 2007, under Auditor's File No. 2007-208801, records of
22 Multnomah County, Oregon, be adjudged and decreed to be a first and paramount lien upon the
23 above described real estate and the whole thereof as security for the payment of the judgment herein
24 set forth, and that said Deed of Trust be foreclosed and the property therein described is hereby
25 ordered sold by the Sheriff of Multnomah County in the manner provided for by law, and the
26 proceeds therefrom shall be applied to the payment of the judgment, interest, attorneys' fees and
27
28

1
2 costs, and such other sums as plaintiff has advanced prior to judgment, and that such sums shall
3 constitute a first and specific lien and charge upon said real estate, prior and superior to any right,
4 title, estate, lien or interest of the defendants and of any one claiming by, through or under them; and

5 3. Any and all persons acquiring any right, title, estate, lien or interest in or to the
6 property described above or any part thereof subsequent to November 29, 2007, the date of the Deed
7 of Trust which is foreclosed herein, be forever barred and estopped from claiming or asserting any
8 right, title, lien or interest in or to said property or any part thereof, save and except for the right of
9 redemption as allowed by law; and
10

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

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

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

27 Judgment Creditor:

WELLS FARGO BANK, N.A.
c/o Robinson Tait, P.S.
901 Fifth Avenue, Suite 400
28

GENERAL JUDGMENT DETERMINING
AMOUNT OWED AND FORECLOSURE - 3
60005-00776-JUD-ORJudgment_Decree_Foreclosure_-_OR_Revised (5)

Law Offices
ROBINSON TAIT, P. S.

901 Fifth Avenue, Suite 400
Seattle WA 98164
(206) 676-9640

1
2 Seattle, WA 98164
(206) 676-9640

3 Attorney for Judgment Creditor: Craig Peterson
4 Robinson Tait, P.S.
5 901 Fifth Avenue, Suite 400
6 Seattle, WA 98164
(206) 676-9640

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

10 Principal Balance: \$156,801.36

11 Simple Interest on the Principal Balance
12 from September 1, 2014
13 to September 28, 2016: \$21,138.09

14 Other Amounts Due Under Terms of Loan: \$4,767.69

15 Attorneys' Fees and Costs:
16 Attorneys' Fee: \$2,600.00
Total Costs: \$2,399.96

17 Total Attorney Fees and Costs: \$4,999.96

18
19 *TOTAL DEBT OWED* \$187,707.10

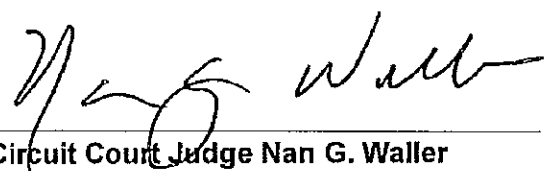
20 ///
21 ///
22 ///
23 ///
24 ///
25 ///
26 ///
27 ///

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28


Pre-Judgment: Additional pre-judgment interest accrues from September 29, 2016, to the date of entry of judgment at the per diem rate of \$27.92, 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: 5/3/2017 11:18 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
 Michael Althouse, OSB #150793
Email: malthouse@robinsontait.com
Robinson Tait, P.S.
Attorneys for Plaintiff
Tel: (206) 676-9640
Fax: (206) 676-9659

GENERAL JUDGMENT DETERMINING
AMOUNT OWED AND FORECLOSURE - 5
60005-00776-JUD-ORJudgment_Decree_Foreclosure_-_OR_Revised (5)

Law Offices
ROBINSON TAIT, P.S.
901 Fifth Avenue, Suite 400
Seattle WA 98164
(206) 676-9640