

pd \$45

2018 JAN -9 AM 11:17

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.

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF MULTNOMAH

LEANN M. HERGERT, individually and as personal representative of the estate of Ronald E. Hergert,

Case No. 16CV40964

WRIT OF EXECUTION (Real Property)

Plaintiff,

v.

ALL UNKNOWN HEIRS AND DEVISEES OF THE ESTATE OF EDGAR A. COX, DECEASED; ALLEN B. COX, known heir of the Estate of Edgar A. Cox, deceased; DKC INVESTMENTS LLC on behalf of Chase Manhattan Bank USA, NA; AND ALSO ALL OTHER PERSONS OR PARTIES UNKNOWN CLAIMING ANY RIGHT, TITLE, LIEN, OR INTEREST IN THE REAL PROPERTY DESCRIBED IN THE COMPLAINT HEREIN,

Defendants.

TO: SHERIFF OF MULTNOMAH COUNTY:

On or about October 12, 2017, a General Judgment of Foreclosure was entered in the register for this case in the above-entitled court, in favor of LeAnn M. Hergert, plaintiff/judgment creditor, whose address is c/o Ward Greene, 1515 SW 5th Avenue, Ste. 600, Portland, OR 97201 in the principal amount of \$50,000.00 plus pre-judgment interest of \$22,759.08 as of September 30, 2017, together with post-judgment interest on \$72,759.08 at the rate of 6.00 percent per annum from October 12, 2017, until paid. On or about December 19, 2017, a Supplemental Judgment was entered in the register for

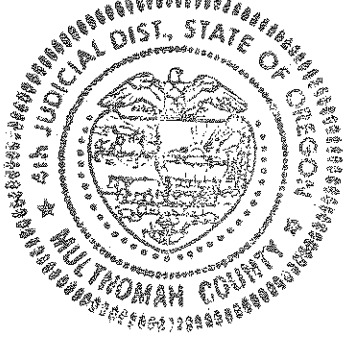
1 this case for attorney fees of \$26,857.99 and costs and disbursements of \$1,155.00,
2 together with post-judgment interest on \$28,012.99 at the rate of 9 percent per annum
3 from December 19, 2017. As of December 22, 2017, the total amount owing is
4 \$101,804.35. Interest continues to accrue at the rate of \$18.87 per day.

5 Now, therefore, in the name of the State of Oregon, you are hereby commanded to
6 sell, pursuant to the General Judgment of Foreclosure, in the manner prescribed by law
7 for the sale of real property upon execution (subject to redemption), all of the interest
8 defendant Edgar A. Cox had on August 26, 2004, the date of the trust deed, and also all
9 of the interest defendant Edgar A. Cox had thereafter in the real property described in the
10 attached Exhibit 1, in the City of Portland, Multnomah County, Oregon ("Real Property"
11) to satisfy the sum due described above and also the costs of and upon this writ as
12 allowed by ORS 18.950(2).

13 You are further commanded to make due return hereon within 60 days after you
14 have received this writ. The time for the return of this writ may be extended as allowed
15 by statute.

16 The Real Property's physical address is (no address number) NW Luray Terrace,
17 Portland, Oregon. The Real Property is not a residence or the homestead. No order is
18 required for the sale of the property since this execution arises from a judgment of
19 foreclosure of validly executed trust deed on that property and the property is vacant
20 land.

21 WITNESS my hand and seal of the said court on 12/27/17.



22
23
24
25
26

A handwritten signature in black ink is written over a horizontal line.

Exhibit 1

Beginning at the Northwesterly corner of Lot No. 1, MCLEAN TERRACE UNIT 1, City of Portland, County of Multnomah and State of Oregon; since East along the Northerly line of Lot No. 1, a distance of 90.7 feet to the Westerly right-of-way line of the N.W. Luray Terrace; thence South $30^{\circ} 33'$ East along said Westerly right-of-way line at distance of 85 feet; thence South $59^{\circ} 27'$ West a distance of 126.78 feet to the West line of said Lot No. 1; thence Northwesterly along the West line of said Lot No. 1 to the point of beginning

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

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF MULTNOMAH

LEANN M. HERGERT, individually and as
personal representative of the estate of Ronald
E. Hergert,

Plaintiff,

v.

ALL UNKNOWN HEIRS AND DEVISEES
OF THE ESTATE OF EDGAR A. COX,
DECEASED; ALLEN B. COX, known heir of
the Estate of Edgar A. Cox, deceased; DKC
INVESTMENTS LLC on behalf of Chase
Manhattan Bank USA, NA; AND ALSO ALL
OTHER PERSONS OR PARTIES UNKNOWN
CLAIMING ANY RIGHT, TITLE, LIEN, OR
INTEREST IN THE REAL PROPERTY
DESCRIBED IN THE COMPLAINT HEREIN,

Defendants.

Case No. 16CV40964

**GENERAL JUDGMENT OF
FORECLOSURE**

SPECIALLY ASSIGNED TO JUDGE
LITZENBERGER

Based on the Order of Default as to defendants all unknown heirs and devisees of
the Estate of Edgar A. Cox, deceased; DKC Investments LLC; and all other persons or
parties unknown claiming any right, title, lien or interest in the real property described in
the complaint, entered on May 25, 2017, and the Order Granting Plaintiff's Motion for
Summary Judgment against defendant Allen B. Cox filed herewith, it is

ADJUDGED as follows:

1. The amount due and owing pursuant to the Promissory Note at issue in this

1 case (the "Note"), and secured by the Trust Deed defined in paragraph 2 below, is the
2 principal amount of \$50,000.00, together with pre-judgment interest of \$22,759.08, as of
3 September 30, 2017, for a total amount of \$72,759.08, together with post-judgment
4 interest on that total amount at the rate of 6.00 percent per annum from the date of entry
5 of judgment until paid.
6

7 2. By virtue of the Deed of Trust recorded September 7, 2004, as No.
8 2004-163538, Official Records, Multnomah County, Oregon, (the "Trust Deed")
9 plaintiff holds a valid lien securing the Note against the real property described as
10 follows:
11

12 Beginning at the Northwesterly corner of Lot No. 1, MCLEAN
13 TERRACE UNIT 1, City of Portland, County of Multnomah and
14 State of Oregon; since East along the Northerly line of Lot No. 1, a
15 distance of 90.7 feet to the Westerly right-of-way line of the N.W.
16 Luray Terrace; thence South 30° 33' East along said Westerly
right-of-way line at distance of 85 feet; thence South 59° 27' West a
distance of 126.78 feet to the West line of said Lot No. 1; thence
Northwesterly along the West line of said Lot No. 1 to the point of
beginning (the "Property"),

17 in the total amount specified in paragraph 1 of this judgment. Plaintiff is the
18 owner of the beneficial interest in the Trust Deed. Plaintiff's lien is superior to
19 any claim, right, lien or interest of defendants.
20

21 3. The claims, rights, liens and interests, if any, of defendants in the Property
22 are foreclosed and plaintiff may cause execution to issue for sale of the Property in the
23 manner prescribed by law to satisfy the total amount specified in paragraph 1 of this
24 judgment.
25

26 4. Upon the sale of the Property, the liens, claims, rights or other interests of

1 defendants, and all persons claiming by, through or under defendants as purchasers,
2 encumbrancers or otherwise shall be void and foreclosed, except for any statutory right of
3 redemption not exceeding 180 days. Any party to this action may become a purchaser at
4 the sale of the Property and the purchaser shall be entitled to exclusive possession of the
5 Property from the date of the sale, and shall be entitled to such remedies as are available
6 to secure such possession, including a writ of assistance.
7

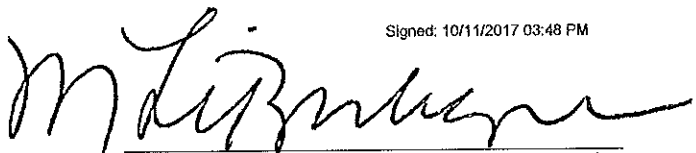
8 5. The proceeds of the sale shall be applied first toward the cost of sale, then
9 toward satisfaction of the indebtedness specified in paragraph 1 herein, with any
10 remainder paid into court pending further order.
11

12 6. Plaintiff as prevailing party is entitled to its attorney fees and costs to be
13 determined pursuant to ORCP 68.
14

15 ///

16 ///

17 ///

Signed: 10/11/2017 03:48 PM

Circuit Court Judge Marilyn E. Litzenberger

18
19
20
21
22 **CERTIFICATE OF READINESS**

23 This proposed order or judgment is ready for judicial signature because:

- 24 1. Each party affected by this order or judgment has stipulated to the order or
25 judgment, as shown by each party's signature on the document being submitted.
26 2. Each party affected by this order or judgment has approved the order or
 judgment, as shown by each party's signature on the document being submitted
 or by written confirmation of approval sent to me.

- 1
2 3. ■ I have served a copy of this order or judgment on each party entitled to
3 service, and
4 a. ■ No objection has been served on me.
5 b. □ I received objections that I could not resolve with a party despite reasonable
6 efforts to do so. I have filed a copy of the objections I received and indicated
7 which objections remain unresolved.
8 c. □ After conferring about objections, [role and name of objecting party] agreed
9 to independently file any remaining objection.
10 4. □ Service is not required pursuant to subsection (3) of this rule, or by statute, rule,
11 or otherwise.
12 5. □ This is a proposed judgment that includes an award of punitive damages and
13 notice has been served on the Director of the Crime Victims' Assistance Section
14 as required by subsection (5) of this rule.
15 6.
16 □ Other:

17 DATED this 9th day of October, 2017.

18 WILLIAMS KASTNER GREENE &
19 MARKLEY

20 By s/Gary L. Blacklidge

21 S. Ward Greene, OSB #774131

22 Email: Wgreene@williamskastner.com

23 Gary L. Blacklidge, OSB #902089

24 Email: Gblacklidge@williamskastner.com

25 *Attorneys for Plaintiff*

26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100
101
102
103
104
105
106
107
108
109
110
111
112
113
114
115
116
117
118
119
120
121
122
123
124
125
126
127
128
129
130
131
132
133
134
135
136
137
138
139
140
141
142
143
144
145
146
147
148
149
150
151
152
153
154
155
156
157
158
159
160
161
162
163
164
165
166
167
168
169
170
171
172
173
174
175
176
177
178
179
180
181
182
183
184
185
186
187
188
189
190
191
192
193
194
195
196
197
198
199
200
201
202
203
204
205
206
207
208
209
210
211
212
213
214
215
216
217
218
219
220
221
222
223
224
225
226
227
228
229
230
231
232
233
234
235
236
237
238
239
240
241
242
243
244
245
246
247
248
249
250
251
252
253
254
255
256
257
258
259
260
261
262
263
264
265
266
267
268
269
270
271
272
273
274
275
276
277
278
279
280
281
282
283
284
285
286
287
288
289
290
291
292
293
294
295
296
297
298
299
300
301
302
303
304
305
306
307
308
309
310
311
312
313
314
315
316
317
318
319
320
321
322
323
324
325
326
327
328
329
330
331
332
333
334
335
336
337
338
339
340
341
342
343
344
345
346
347
348
349
350
351
352
353
354
355
356
357
358
359
360
361
362
363
364
365
366
367
368
369
370
371
372
373
374
375
376
377
378
379
380
381
382
383
384
385
386
387
388
389
390
391
392
393
394
395
396
397
398
399
400
401
402
403
404
405
406
407
408
409
410
411
412
413
414
415
416
417
418
419
420
421
422
423
424
425
426
427
428
429
430
431
432
433
434
435
436
437
438
439
440
441
442
443
444
445
446
447
448
449
450
451
452
453
454
455
456
457
458
459
460
461
462
463
464
465
466
467
468
469
470
471
472
473
474
475
476
477
478
479
480
481
482
483
484
485
486
487
488
489
490
491
492
493
494
495
496
497
498
499
500
501
502
503
504
505
506
507
508
509
510
511
512
513
514
515
516
517
518
519
520
521
522
523
524
525
526
527
528
529
530
531
532
533
534
535
536
537
538
539
540
541
542
543
544
545
546
547
548
549
550
551
552
553
554
555
556
557
558
559
560
561
562
563
564
565
566
567
568
569
570
571
572
573
574
575
576
577
578
579
580
581
582
583
584
585
586
587
588
589
590
591
592
593
594
595
596
597
598
599
600
601
602
603
604
605
606
607
608
609
610
611
612
613
614
615
616
617
618
619
620
621
622
623
624
625
626
627
628
629
630
631
632
633
634
635
636
637
638
639
640
641
642
643
644
645
646
647
648
649
650
651
652
653
654
655
656
657
658
659
660
661
662
663
664
665
666
667
668
669
670
671
672
673
674
675
676
677
678
679
680
681
682
683
684
685
686
687
688
689
690
691
692
693
694
695
696
697
698
699
700
701
702
703
704
705
706
707
708
709
710
711
712
713
714
715
716
717
718
719
720
721
722
723
724
725
726
727
728
729
730
731
732
733
734
735
736
737
738
739
740
741
742
743
744
745
746
747
748
749
750
751
752
753
754
755
756
757
758
759
760
761
762
763
764
765
766
767
768
769
770
771
772
773
774
775
776
777
778
779
780
781
782
783
784
785
786
787
788
789
790
791
792
793
794
795
796
797
798
799
800
801
802
803
804
805
806
807
808
809
810
811
812
813
814
815
816
817
818
819
820
821
822
823
824
825
826
827
828
829
830
831
832
833
834
835
836
837
838
839
840
841
842
843
844
845
846
847
848
849
850
851
852
853
854
855
856
857
858
859
860
861
862
863
864
865
866
867
868
869
870
871
872
873
874
875
876
877
878
879
880
881
882
883
884
885
886
887
888
889
890
891
892
893
894
895
896
897
898
899
900
901
902
903
904
905
906
907
908
909
910
911
912
913
914
915
916
917
918
919
920
921
922
923
924
925
926
927
928
929
930
931
932
933
934
935
936
937
938
939
940
941
942
943
944
945
946
947
948
949
950
951
952
953
954
955
956
957
958
959
960
961
962
963
964
965
966
967
968
969
970
971
972
973
974
975
976
977
978
979
980
981
982
983
984
985
986
987
988
989
990
991
992
993
994
995
996
997
998
999
1000

CERTIFICATE OF SERVICE

I certify that I served the foregoing General Judgment of Foreclosure on the following parties by the method indicated below on September 26, 2017:

Pro Se Defendant

Allen B. Cox
2086 SW Wonderview Court
Gresham, OR 97080

Via First Class Mail
 Via Federal Express
 Via Facsimile
 Via Hand-Delivery
 Via E-Mail

WILLIAMS KASTNER GREENE & MARKLEY

By s/Gary L. Blacklidge
S. Ward Greene, OSB #774131
Gary L. Blacklidge, OSB #902089
Email: wgreene@williamskastner.com
gblacklidge@williamskastner.com

Attorneys for Plaintiff