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**IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF KLAMATH**

BANK OF AMERICA, N.A.,  
Plaintiff,

v.

WHISPER D. VERELLEN; OREGON  
AFFORDABLE HOUSING ASSISTANCE  
CORPORATION; CREDIT BUREAU OF  
KLAMATH COUNTY; CARTER-JONES  
COLLECTION SERVICES INC.; CACH  
LLC; AND ALL OTHER PERSONS OR  
PARTIES UNKNOWN CLAIMING ANY  
RIGHT, TITLE, LIEN, OR INTEREST IN  
THE REAL PROPERTY COMMONLY  
KNOWN AS 808 ROSEWAY DRIVE,  
KLAMATH FALLS, OR 97601,  
Defendant.

Case No. 16CV35687

**WRIT OF EXECUTION**

TO THE KLAMATH COUNTY SHERIFF:

On July 5, 2017, a General Judgment of Foreclosure and Declaration of Amount Due by Default was entered by the KLAMATH County Circuit Court, foreclosing Plaintiff's Deed of Trust and directing that the property subject to the Deed of Trust be sold to satisfy the unpaid debt due to Plaintiff.

The mailing address for the judgment creditor by assignment of the judgment is: Carrington Mortgage Services, LLC c/o Aldridge Pite, LLP, 111 SW Columbia St., Ste. 950, Portland, OR 97201.

The real property to be sold at public auction is commonly known as 808 Roseway Drive, Klamath Falls, OR 97601-2039 ("Subject Property"), and legally described as:

THE EASTERLY 24 FEET OF LOT 36 AND THE WESTERLY 20 FEET OF LOT 35,

1 ROSELAWN, SUBDIVISION OF BLOCK 70, BUENA VISTA ADDITION TO THE CITY  
2 OF KLAMATH FALLS, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN  
3 THE OFFICE OF THE CLERK OF KLAMATH COUNTY, OREGON.

4 TOGETHER WITH THAT PORTION OF THE VACATED ALLY THAT INURED  
5 THERETO BY ORDINANCE #5038 RECORDED ON DECEMBER 10, 1958 IN VOLUME  
6 307, PAGE 405, DEED RECORDED OF KLAMATH COUNTY, OREGON.

7 The total amount due and owing on the Judgment as of November 21, 2017;

8 Judgment:	Principal	\$94,310.59
9 Pre-Judgment:	Interest(5.250%, \$12.45/day)	\$871.58 (4/27/17 through 7/5/17)
10	Attorney Fees	\$2,020.00
11	Costs	\$1,659.13
12	Prevailing Party Fee	\$300.00
13 Post-Judgment:	Interest(5.250%, \$12.45/day)	\$1,7930.70 (7/6/17 through 9/20/17)
14	Attorney Fees	\$520.00

15 **TOTAL: \$101,412.00**

16 In the name of the State of Oregon, you are hereby directed to proceed to notice for sale  
17 and sell the Subject Property.

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Page 2 – WRIT OF EXECUTION

1 After the sale, you are directed to issue a certificate of sale to the purchaser and file a  
2 return on the writ of execution, depositing the sale proceeds with the Court. Further, you are  
3 directed to execute, after the time for redemption has elapsed, a deed to the holder of the  
4 certificate of sale.

5 DATED 11/21/2017.

COURT ADMINISTRATOR FOR  
KLAMATH COUNTY CIRCUIT COURT  
By:   
Court Clerk



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8  
9 Presented by:  
ALDRIDGE PITE, LLP  
10   
11 x  
12 Katie L. Riggs, OSB # 095861  
13 (858) 750-7600  
14 (503) 222-2260 (Facsimile)  
15 kriggs@aldridgepite.com  
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**IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF KLAMATH**

BANK OF AMERICA, N.A.,  
Plaintiff,

v.

WHISPER D. VERELLEN; OREGON  
AFFORDABLE HOUSING ASSISTANCE  
CORPORATION; CREDIT BUREAU OF  
KLAMATH COUNTY; CARTER-JONES  
COLLECTION SERVICES INC.; CACH  
LLC; and ALL OTHER PERSONS OR  
PARTIES UNKNOWN CLAIMING ANY  
RIGHT, TITLE, LIEN, OR INTEREST IN  
THE REAL PROPERTY COMMONLY  
KNOWN AS 808 ROSEWAY DRIVE,  
KLAMATH FALLS, OR 97601,  
Defendants.

Case No. 16CV35687

**GENERAL JUDGMENT OF  
FORECLOSURE, DECLARATORY  
RELIEF, AND DECLARATION OF  
AMOUNT DUE BY DEFAULT**  
ORCP Rule 69

PURSUANT TO SB368, THIS IS A  
JUDGMENT OF FORECLOSURE AND DOES  
NOT CONSTITUTE A MONEY AWARD  
AGAINST ANY DEFENDANT

Based upon the Court’s Order of Default against defendants WHISPER D. VERELLEN;  
OREGON AFFORDABLE HOUSING ASSISTANCE CORPORATION; CREDIT BUREAU  
OF KLAMATH COUNTY; CARTER-JONES COLLECTION SERVICES INC.; CACH LLC;  
and ALL OTHER PERSONS OR PARTIES UNKNOWN CLAIMING ANY RIGHT, TITLE,  
LIEN, OR INTEREST IN THE REAL PROPERTY COMMONLY KNOWN AS 808  
ROSEWAY DRIVE, KLAMATH FALLS, OR 97601, the records on file herein, and pursuant to  
the Motion for General Judgment and Declaration of Amount Due by Default by Plaintiff BANK  
OF AMERICA, N.A. (“Plaintiff”),

**IT IS HEREBY ADJUDGED:**

1. Plaintiff’s security interest in the real property located at 808 ROSEWAY

1 DRIVE, KLAMATH FALLS, OR 97601-2039 (“Subject Property”), as evidenced by the Deed  
2 of Trust recorded April 8, 2010 in the official records of KLAMATH County as instrument  
3 number 2010-004297 (“Deed of Trust”), is a viable first priority lien, superior to the interests of  
4 all the Defendants. All rights, claims, ownerships, liens, titles and demands of all Defendants are  
5 subsequent to Plaintiff’s lien as created by the Note and Deed of Trust.

6 2. The Deed of Trust is reformed to accurately describe the security interest intended  
7 by both parties. The Subject Property is legally described as follows:

8 THE EASTERLY 24 FEET OF LOT 36 AND THE WESTERLY 20 FEET OF LOT 35,  
9 ROSELAWN, SUBDIVISION OF BLOCK 70, BUENA VISTA ADDITION TO THE  
10 CITY OF KLAMATH FALLS, ACCORDING TO THE OFFICIAL PLAT THEREOF  
11 ON FILE IN THE OFFICE OF THE CLERK OF KLAMATH COUNTY, OREGON.

12  
13 TOGETHER WITH THAT PORTION OF THE VACATED ALLEY THAT INURED  
14 THERETO BY ORDINANCE #5038 RECORDED ON DECEMBER 10, 1958 IN  
15 VOLUME 307, PAGE 405, DEED RECORDED OF KLAMATH COUNTY, OREGON.

16 3. The Deed of Trust is foreclosed and upon entry of this Judgment the court  
17 administrator shall upon request of Plaintiff issue a writ of execution for the sale, by the Sheriff,  
18 in the manner provided by law;

19 4. Plaintiff has submitted a Declaration of Amount Due and is owed the total amount  
20 due under the Note and Deed of Trust and any future advances and/or fees that may be made or  
21 incurred pursuant to the terms of the Note and Deed of Trust up to the date of the execution sale.  
22 This amount is to be satisfied by sale of the Subject Property as directed under this Judgment;

23 5. Plaintiff is owed reasonable attorney fees plus the remaining flat rate fees for an  
24 uncontested execution on the Judgment, pursuant to the Note and Deed of Trust and ORCP Rule  
25 68(C), which amount may be added to the outstanding obligation due and owing under the Note  
26 and Deed of Trust and recovered from the proceeds of the sheriff’s sale. Pursuant to the Deed of

Page 2 – GENERAL JUDGMENT AND DECLARATION OF AMOUNT DUE BY DEFAULT

1 Trust, these fees continue to accrue to the date of the execution sale. This amount to be satisfied  
2 by sale of the Subject Property as directed under this Judgment;

3 6. Plaintiff is owed costs of suit pursuant to the Note and Deed of Trust, ORCP Rule  
4 68(A)(2) and ORS 20.115(4), which may be added to the outstanding obligation due and owing  
5 under the Note and Deed of Trust and recovered from the proceeds of the sheriff's sale. Pursuant  
6 to the Deed of Trust, these costs continue to accrue to the date of the execution sale. This  
7 amount to be satisfied by sale of the Subject Property as directed under this Judgment;

8 7. Plaintiff is owed the prevailing party fee of \$300.00, this amount to be satisfied by  
9 sale of the Subject Property as directed under this Judgment.

10 8. The Sheriff shall make a return on the writ of execution to the court administrator  
11 along with the proceeds of the sale, if any. The proceeds of the sale, if any, shall be applied first  
12 toward the costs of the sale; then toward the satisfaction of Plaintiff's Judgment of Foreclosure  
13 awarded herein; and the surplus, if any, to the clerk of the court to be distributed to such party or  
14 parties as may establish their right thereto. The Defendants and all persons claiming through or  
15 under Defendants, whether lien claimants, judgment creditors, claimants arising under junior  
16 mortgages or deeds of trust, purchasers, encumbrances or otherwise, shall be barred and  
17 foreclosed from all rights, claims, interest or equity of redemption in the Subject Property and  
18 every part of the Subject Property when the time for redemption has elapsed;

19 9. Plaintiff or any other party to this action may become a purchaser at the  
20 foreclosure sale, and such purchaser shall be immediately let into possession of the subject  
21 property, until redemption of the property, if any. The purchaser at the foreclosure sale or any  
22 successor in interest may apply to this Court for a writ of assistance to gain possession of the  
23 subject property if Defendants or any other party or person refuses to surrender possession;

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DECLARATION OF AMOUNT DUE BY DEFAULT

(PURSUANT TO SB 368, THIS IS A JUDGMENT OF FORECLOSURE AND DOES NOT CONSTITUTE A MONEY AWARD AGAINST ANY DEFENDANT)

1. The amount of the judgment is \$94,310.59.
2. Simple interest at the variable rate currently at 5.250% (\$12.4511 *per diem*) after 4/26/2017, through the date of sale.
3. Attorney fees of \$2,020.00, plus \$520.00, through the date of sale.
4. Costs of \$1,659.13, plus costs accrued through the date of sale.
5. Prevailing party fee: \$300.00.

**IT IS SO ADJUDGED**

Signed: 6/29/2017 04:16 PM

  
**Circuit Court Judge Roxanne Osborne**

CERTIFICATE OF READINESS

This proposed Order or Judgment is ready for judicial signature because:

1.  Each opposing party affected by this Order or Judgment has stipulated to the Order or Judgment, as shown by each opposing party's signature on the document being submitted.
2.  Each opposing party affected by this Order or Judgment has approved the Order or Judgment, as shown by signature on the document being submitted or by written confirmation of approval sent to me.
3.  I have served a copy of this Order or Judgment on all parties entitled to service and:
  - a.  No objections have been served on me within that time frame;
  - b.  I received objections that I could not resolve with the opposing party despite reasonable efforts to do so. I have filed with the Court a copy of the objections I received and indicated which objections remain unresolved;

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c.  After conferring about objections, [Opposing Party] agreed to independently file any remaining objection with the Court.

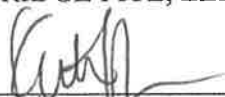
4.  The relief sought is against an opposing party who has been found in default.

5.  An order of default is being requested with this proposed judgment.

6.  Service is not required pursuant to subsection (3) of this rule, or by statute, rule, or otherwise.

7.  This is a proposed judgment that includes an award of punitive damages and notice has been served on the Director of the Crime Victims' Assistance Section as required by subsection (4) of this rule.

Presented By:  
ALDRIDGE PITE, LLP



Date: 6/27/17

Katie Riggs (OSB # 095861)  
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kriggs@aldridgepite.com

111 SW Columbia Street, Suite 950  
Portland, OR 97201

Of Attorneys for Plaintiff