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

THE BANK OF NEW YORK MELLON  
F/K/A THE BANK OF NEW YORK AS  
SUCCESSOR IN INTEREST TO JP  
MORGAN CHASE BANK, N.A. AS  
TRUSTEE FOR STRUCTURED ASSET  
SECURITIES CORPORATION MORTGAGE  
PASS-THROUGH CERTIFICATES, SERIES  
2005-16,

Plaintiff,

v.

SARAH THOMAS AKA SARAH KAY  
THOMAS; WELLS FARGO BANK, N.A.;  
ADAM THOMAS AKA ADAM MICHAEL  
THOMAS AND ALL OTHER PERSONS OR  
PARTIES UNKNOWN CLAIMING ANY  
RIGHT, TITLE, LIEN, OR INTEREST IN  
THE REAL PROPERTY COMMONLY  
KNOWN AS 2823 HOMEDALE RD,  
KLAMATH FALLS, OR 97603,

Defendant.

Case No. 17CV26626

**WRIT OF EXECUTION**

TO THE KLAMATH COUNTY SHERIFF:

On September 14, 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 is: THE BANK OF NEW YORK MELLON F/K/A THE BANK OF NEW YORK AS SUCCESSOR IN INTEREST TO JP MORGAN CHASE BANK, N.A. AS TRUSTEE FOR STRUCTURED ASSET SECURITIES CORPORATION MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2005-16 c/o

1 Aldridge Pite, LLP, 111 SW Columbia St., Ste. 950, Portland, OR 97201.

2 The real property to be sold at public auction is commonly known as 2823 Homedale Rd,  
3 Klamath Falls, OR 97603 ("Subject Property"), and legally described as:

4 LOT 10 OF CLOVERDALE, ACCORDING TO THE OFFICIAL PLAT THEREOF ON  
5 FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.

6 The total amount due and owing on the Judgment as of December 15, 2017;

7 Judgment:	Principal	\$135,588.82
8 Pre-Judgment:	Interest(5.75%, \$20.10/day)	\$964.80 (7/29/17 through 9/14/17)
9	Attorney Fees	\$3,245.00
10	Costs	\$1,833.00
11	Prevailing Party Fee	\$300.00
12 Post-Judgment:	Interest(5.75%, \$20.10/day)	\$1,849.20 (9/15/17 through 12/15/17)
13	Attorney Fees	\$305.00
14		

15 **TOTAL: \$144,085.82**

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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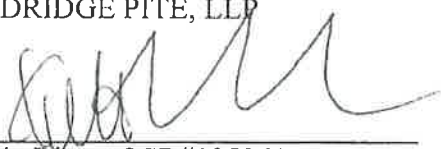
Page 2 – WRIT OF EXECUTION

Aldridge Pite, LLP  
111 SW Columbia Street, Suite 950  
Portland, OR 97201  
(858) 750-7600

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 12/18/2017

COURT ADMINISTRATOR FOR  
KLAMATH COUNTY CIRCUIT COURT  
By:   


9 Presented by:  
10 ALDRIDGE PITE, LLP  
11   
12 x \_\_\_\_\_  
13 Katie Riggs, OSB#095861  
14 Aldridge Pite, LLP  
15 111 SW Columbia Street, Suite 950  
16 Portland, OR 97201  
17 Tel: (858) 750-7600  
18 Fax: (503) 222-2260

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

THE BANK OF NEW YORK MELLON  
F/K/A THE BANK OF NEW YORK AS  
SUCCESSOR IN INTEREST TO JP  
MORGAN CHASE BANK, N.A. AS  
TRUSTEE FOR STRUCTURED ASSET  
SECURITIES CORPORATION MORTGAGE  
PASS-THROUGH CERTIFICATES, SERIES  
2005-16,

Plaintiff,

v.

SARAH THOMAS aka SARAH KAY  
THOMAS; WELLS FARGO BANK, N.A.;  
ADAM THOMAS aka ADAM MICHAEL  
THOMAS and ALL OTHER PERSONS OR  
PARTIES UNKNOWN CLAIMING ANY  
RIGHT, TITLE, LIEN, OR INTEREST IN  
THE REAL PROPERTY COMMONLY  
KNOWN AS 2823 HOMEDALE RD,  
KLAMATH FALLS, OR 97603,

Defendants.

Case No. 17CV26626

**GENERAL JUDGMENT OF  
FORECLOSURE 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 SARAH THOMAS aka SARAH KAY THOMAS; WELLS FARGO BANK, N.A.; ADAM THOMAS aka ADAM MICHAEL THOMAS and ALL OTHER PERSONS OR PARTIES UNKNOWN CLAIMING ANY RIGHT, TITLE, LIEN, OR INTEREST IN THE REAL PROPERTY COMMONLY KNOWN AS 2823 HOMEDALE RD, KLAMATH FALLS, OR 97603, the records on file herein, and pursuant to the Motion for General Judgment and Declaration of Amount Due by Default by Plaintiff THE BANK OF NEW YORK MELLON F/K/A THE BANK OF NEW

1 YORK AS SUCCESSOR IN INTEREST TO JP MORGAN CHASE BANK, N.A. AS  
2 TRUSTEE FOR STRUCTURED ASSET SECURITIES CORPORATION MORTGAGE PASS-  
3 THROUGH CERTIFICATES, SERIES 2005-16 (“Plaintiff”),

4 **IT IS HEREBY ADJUDGED:**

5 1. Plaintiff’s security interest in the real property located at 2823 Homedale Rd,  
6 Klamath Falls, OR 97603 (“Subject Property”), as evidenced by the Deed of Trust recorded June  
7 24, 2005 in the official records of Klamath County as instrument number Vol:M05 Pg:48041  
8 (“Deed of Trust”), is a viable first priority lien, superior to the interests of all the Defendants. All  
9 rights, claims, ownerships, liens, titles and demands of all Defendants are subsequent to  
10 Plaintiff’s lien as created by the Note and Deed of Trust. The Subject Property is legally  
11 described as follows:

12 LOT 10 OF CLOVERDALE, ACCORDING TO THE OFFICIAL PLAT THEREOF ON  
13 FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY,  
14 OREGON.

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

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

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

1 by sale of the Subject Property as directed under this Judgment;

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

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

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

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

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- 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: 9/7/2017

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111 SW Columbia Street, Suite 950  
Portland, OR 97201

Of Attorneys for Plaintiff