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

OCWEN LOAN SERVICING, LLC,  
Plaintiff,  
v.  
MARIA LUISA DE ANDA; AND ALL  
OTHER PERSONS OR PARTIES  
UNKNOWN CLAIMING ANY RIGHT,  
TITLE, LIEN, OR INTEREST IN THE REAL  
PROPERTY COMMONLY KNOWN AS 108  
EHRGOOD AVENUE, NYSSA, OR 97913,  
Defendant.

Case No. 17CV26857  
**WRIT OF EXECUTION**

TO THE MALHEUR COUNTY SHERIFF:

On December 21, 2017, a General Judgment of Foreclosure and Declaration of Amount Due by Default was entered by the MALHEUR 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: OCWEN LOAN SERVICING, 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 108 EHRGOOD AVENUE, NYSSA, OR 97913 ("Subject Property"), and legally described as:

LAND IN THE ORIGINAL TOWNSITE, CITY OF NYSSA, MALHEUR COUNTY, OREGON, ACCORDING TO THE REVISED GENERAL MAP THEREOF, AS FOLLOWS:

IN BLOCK 2: LOT(S) 18, 19 AND 20.

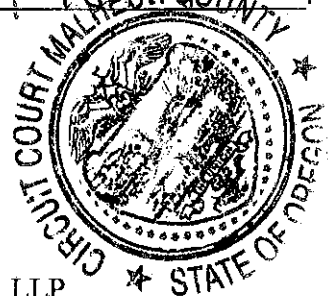
1 The total amount due and owing on the Judgment as of January 5, 2017;

2 Judgment:	Principal	\$44,875.27
3 Pre-Judgment:	Interest(6.375%, \$7.05/day)	\$121.13 (12/2/17 through 12/21/17)
4	Attorney Fees	\$3,210.00
5	Costs	\$1,001.00
6	Prevailing Party Fee	\$300.00
7 Post-Judgment:	Interest(6.375%, \$7.05/day)	\$220.89 (12/22/17 through 1/8/18)
8	Attorney Fees	\$260.00

9 **TOTAL: \$49,988.29**

10 In the name of the State of Oregon, you are hereby directed to proceed to notice for sale  
11 and sell the Subject Property. After the sale, you are directed to issue a certificate of sale to the  
12 purchaser and file a return on the writ of execution, depositing the sale proceeds with the Court.  
13 Further, you are directed to execute, after the time for redemption has elapsed, a deed to the  
14 holder of the certificate of sale.

15 DATED 1-10-18 MALHEUR COUNTY



COURT ADMINISTRATOR FOR  
MALHEUR COUNTY CIRCUIT COURT

18 By: [Signature]

19 Presented by:  
20 ALDRIDGE PITE, LLP

21 [Signature]  
22 SARAH M. MATHENIA, OSB #120681

23 Tel: (858) 750-7600  
24 Fax: (503) 222-2260  
SMATHENIA@ALDRIDGEPITE.COM

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

OCWEN LOAN SERVICING, LLC,

Plaintiff,

v.

MARIA LUISA DE ANDA; and ALL  
OTHER PERSONS OR PARTIES  
UNKNOWN CLAIMING ANY RIGHT,  
TITLE, LIEN, OR INTEREST IN THE REAL  
PROPERTY COMMONLY KNOWN AS 108  
EHRGOOD AVENUE, NYSSA, OR 97913,

Defendants.

Case No. 17CV26857

**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 Maria Luisa De Anda; and All Other Persons or Parties Unknown Claiming Any Right, Title, Lien, or Interest in The Real Property Commonly Known as 108 Ehrgood Avenue, Nyssa, OR 97913, the records on file herein, and pursuant to the Motion for General Judgment and Declaration of Amount Due by Default by Plaintiff Ocwen Loan Servicing, LLC ("Plaintiff"),

**IT IS HEREBY ADJUDGED:**

1. Plaintiff's security interest in the real property located at 108 Ehrgood Avenue, Nyssa, OR 97913 ("Subject Property"), as evidenced by the Deed of Trust recorded January 31, 2008 in the official records of Malheur County as instrument number 2008-648 ("Deed of Trust"), is a viable first priority lien, superior to the interests of all the Defendants. All rights,

1 claims, ownerships, liens, titles and demands of all Defendants are subsequent to Plaintiff's lien  
2 as created by the Note and Deed of Trust. The Subject Property is legally described as follows:

3 LAND IN THE ORIGINAL TOWNSITE, CITY OF NYSSA, MALHEUR COUNTY,  
4 OREGON, ACCORDING TO THE REVISED GENERAL MAP THEREOF, AS  
5 FOLLOWS:

6  
7 IN BLOCK 2: LOT(S) 18, 19 AND 20.

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

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

15 4. Plaintiff is owed reasonable attorney fees plus the remaining flat rate fees for an  
16 uncontested execution on the Judgment, pursuant to the Note and Deed of Trust and ORCP Rule  
17 68(C), which amount may be added to the outstanding obligation due and owing under the Note  
18 and Deed of Trust and recovered from the proceeds of the sheriff's sale. Pursuant to the Deed of  
19 Trust, these fees continue to accrue to the date of the execution sale. This amount to be satisfied  
20 by sale of the Subject Property as directed under this Judgment;

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

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

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

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

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

22                                   DECLARATION OF AMOUNT DUE BY DEFAULT

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

25           1.       The total amount of the unpaid principal balance, interest, and other amounts  
26 owed is \$44,875.27.

Page 3 – GENERAL JUDGMENT AND DECLARATION OF AMOUNT DUE BY DEFAULT

1           2.       Simple interest at the variable rate currently at 6.375% (\$7.05 *per diem*) from  
2 December 2, 2017, through the date of sale.

3           3.       Attorney fees of \$3,210.00, plus \$260.00, through the date of sale.

4           4.       Costs of \$1,001.00, plus costs accrued through the date of sale.

5           5.       Prevailing party fee: \$300.00.

6           6.       Post-judgment interest thereafter on the total judgment amount at the contract rate  
7 of interest or 9.000% per annum, whichever is greater, through the date of sale.

8           **IT IS SO ADJUDGED**

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15           **Erin K. Landis, Circuit Court Judge**

16           CERTIFICATE OF READINESS Signed: 12/15/2017 04:40 PM

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

- 18           1.  Each opposing party affected by this Order or Judgment has stipulated to the Order  
19           or Judgment, as shown by each opposing party's signature on the document being  
20           submitted.
- 21           2.  Each opposing party affected by this Order or Judgment has approved the Order or  
22           Judgment, as shown by signature on the document being submitted or by written  
23           confirmation of approval sent to me.
- 24           3.  I have served a copy of this Order or Judgment on all parties entitled to service and:  
25           a.  No objections have been served on me within that time frame;  
26           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;
- c.  After conferring about objections, [**Opposing Party**] agreed to independently

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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

*S. Mathenia*

Date: 12/8/17

- { } Hunter Zook, OSB #095578
- { } Katie Riggs, OSB #095861
- { } Sarah Mathenia, OSB #120681
- { } Shannon K. Calt, OSB #121855
- { } Christina Andreoni, OSB #160875

*of Attorneys for Plaintiff*  
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(503) 222-2260 (facsimile)  
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