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CLACKAMAS CNTY SHERIFF

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1 Craig Peterson, OSB #120365  
2 Jaimie Fender, OSB #120832  
3 Kimberly Hood, OSB #123008  
4 Robinson Tait, P.S.  
5 901 Fifth Avenue, Suite 400  
6 Seattle, WA 98164  
7 Phone: (206) 676-9640  
8 Fax: (206) 676-9659  
9 Email: cpeterson@robinsontait.com  
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CIRCUIT COURT OF OREGON FOR CLACKAMAS COUNTY

BANK OF AMERICA, N.A.,	
Plaintiff,	NO. CV14080232
v.	WRIT OF EXECUTION IN FORECLOSURE
ANDREW BAKER, NATASHA L. BAKER, AND PERSONS OR PARTIES UNKNOWN CLAIMING ANY RIGHT, TITLE, LIEN, OR INTEREST IN THE PROPERTY DESCRIBED IN THE COMPLAINT HEREIN,	
Defendants.	

TO: CLACKAMAS COUNTY SHERIFF

1. WHEREAS, on May 27, 2015, 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:

BANK OF AMERICA, N.A.  
c/o Carrington Mortgage Services, LLC

1  
2 1600 South Douglas Road, Suite 200-A  
3 Anaheim, CA 92806

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

5 Carrington Mortgage Services, LLC  
6 c/o Robinson Tait, P.S.  
7 901 Fifth Avenue, Suite 400  
8 Seattle, Washington 98164

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

11 SEE LEGAL DESCRIPTION ATTACHED TO JUDGMENT HERETO AS EXHIBIT A  
12 and commonly known as 10484 SE 55th Avenue, Milwaukie, OR 97222.

13 4. NOW, THEREFORE, IN THE NAME OF THE STATE OF OREGON, you are  
14 hereby commanded to sell the above referenced real property, in the manner prescribed by law for the  
15 sale of real property upon execution (subject to redemption), all of the interest which the defendant(s)  
16 had on December 22, 2009, the date of the Deed of Trust, and also all of the interest which the  
17 defendant(s) had thereafter, in the real property described in the judgment, to satisfy the judgment,  
18 which as of September 27, 2017,

19  
20 **Lenders Principal Judgment:**

21		
22	1. Unpaid Principal Balance	<u>\$232,677.45</u>
23	2. Pre-Judgment Interest from July 1, 2010	
24	to January 1, 2015, the date calculated by the Declarant	
25	in the Declaration in Support of Judgment	<u>\$49,734.54</u>
26	3. Lenders Fees and Costs	<u>\$31,682.39</u>
27	4. Attorney's Fees and Costs	<u>\$4,175.13</u>
28		
	<b><i>Total Judgment Award Entered</i></b>	<b><u>\$318,269.51</u></b>

1 **Additional Pre Judgment Interest**

2

3

4 1. Accrued Interest from January 2, 2015

5 to May 27, 2015 the date of entry

6 of Judgment \$4,482.20

7

8 ***Total Judgment Award*** \$322,751.71

9 **Post Judgment Interest**

10 1. Accrued Post Judgment Interest at a rate of 9% per annum or at \$30.70, from May 28,

11 2015, the day after the entry of judgment, through September 27, 2017,

12 the date the writ is being requested \$27,108.10

13

14 ***Current Total Amount Owing*** \$349,859.81

15 In addition to the above, interest continues to accrue on the total of the amounts listed above

16 at the rate of 9% per annum or at \$30.70 per diem, in accordance with the General Judgment of

17 Foreclosure and continues to accrue until the date of sale.

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2 5. THEREFORE, in the name of the State of Oregon you are hereby commanded to seize  
3 and sell the above described Property, in the manner prescribed by law; or so much thereof as may be  
4 necessary to satisfy the Judgment and Money Award, interest, fees and costs.

5 MAKE RETURN HEREOF within 60 days after you receive this writ.

6  
7 DATED this 17 day of November, 2017.



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Wendy Watson

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COURT CLERK HAS NOT VERIFIED FIGURES IN THIS WRIT. IF YOU HAVE ANY QUESTIONS REGARDING THIS WRIT, PLEASE CONTACT YOUR LEGAL COUNSEL, THE ISSUING ATTORNEY OR THE ISSUING COMPANY. DEBTOR MAY CONTEST THIS WRIT BY FILING A CLAIM OF EXEMPTION.

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DATED this 17 day of September, 2017

23  
24

Craig Peterson, OSB #120365  
Email: cpeterson@robinsontait.com

25  
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Kimberly Hood, OSB #123008  
Email: KHood@robinsontait.com

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Robinson Tait, P.S.  
Attorneys for Plaintiff  
Tel: (206) 676-9640  
Fax: (206) 676-9659

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Court Administrator relies on the information provided by the person seeking issuance of this writ of execution and is not liable for any errors or omissions in the information

# EXHIBIT A

STATE OF OREGON  
CLACKAMAS COUNTY COURTS  
FILED

2015 MAY 26 AM 9:16

ENTERED BY  
DOCK **ENTERED**

MAY 27 2015

By: KLC

CIRCUIT COURT OF OREGON FOR CLACKAMAS COUNTY

BANK OF AMERICA, N.A.,

Plaintiff,

v.

ANDREW BAKER; NATASHA L. BAKER;  
AND PERSONS OR PARTIES UNKNOWN  
CLAIMING ANY RIGHT, TITLE, LIEN, OR  
INTEREST IN THE PROPERTY DESCRIBED  
IN THE COMPLAINT HEREIN,

Defendants.

NO. CV14080232

GENERAL JUDGMENT DETERMINING  
AMOUNT OWED AND FORECLOSURE

(Clerk's Action Required)

MONETARY JUDGMENT AGAINST:  
DEFENDANT #1: ANDREW BAKER  
DEFENDANT #2: NATASHA L. BAKER

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, BANK OF AMERICA, N.A., SUCCESSOR BY MERGER TO COUNTRYWIDE BANK, appearing and being represented by ZACHARY BRYANT, 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, that the plaintiff is entitled to judgment as a matter of law, and that the judgment should be entered in favor of the plaintiff forthwith as more particularly hereafter set forth. Therefore,

IT IS HEREBY ORDERED AND ADJUDGED THAT:

GENERAL JUDGMENT DETERMINING  
AMOUNT OWED AND FORECLOSURE - 1

60267-01352-JUD-OR740434

Law Offices  
ROBINSON TAIT, P.S.

710 Second Avenue, Suite 710  
Seattle WA 98104  
(206) 676-9640

1  
2 1. Plaintiff, BANK OF AMERICA, N.A. be awarded judgment against defendants,  
3 ANDREW BAKER and NATASHA L. BAKER in the sum of \$232,677.45, together with interest at the  
4 rate of 4.750% as provided in the Note from July 1, 2010 through January 1, 2015 in the amount of  
5 \$49,734.54 with additional interest at the rate of \$30.70 as provided in the Note to the date of sale; plus  
6 reasonable attorneys' fees in the amount of \$2,050.00, plus other recoverable amounts of \$31,682.39  
7 which includes the amounts itemized in the declaration of the lender in support of motion for judgment  
8 plus allowable costs of \$2,125.13 as itemized in the bill of disbursements and an additional amount for  
9 post-judgment sheriff's fees. Said judgment to bear interest until paid at the statutory rate; and.  
10

11 2. Plaintiff's Deed of Trust on real property in Clackamas County, Oregon, legally  
12 described as follows:  
13

14 **SEE LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT A**

15 which was recorded on December 29, 2009, under Auditor's File No. 2009-089409, records of  
16 Clackamas County, Oregon, be adjudged and decreed to be a first and paramount lien upon the above  
17 described real estate and the whole thereof as security for the payment of the judgment herein set  
18 forth, and that said Deed of Trust be foreclosed and the property therein described is hereby ordered  
19 sold by the Sheriff of Clackamas County in the manner provided for by law, and the proceeds  
20 therefrom shall be applied to the payment of the judgment, interest, attorneys' fees and costs, and  
21 such other sums as plaintiff has advanced prior to judgment, and that such sums shall constitute a first  
22 and specific lien and charge upon said real estate, prior and superior to any right, title, estate, lien or  
23 interest of ANDREW BAKER and NATASHA L. BAKER and of any one claiming by, through or  
24 under them; and  
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1  
2 3. ANDREW BAKER and NATASHA L. BAKER subsequent to December 22, 2009,  
3 the date of the Deed of Trust which is foreclosed herein, be forever barred and estopped from  
4 claiming or asserting any right, title, lien or interest in or to said property or any part thereof, save  
5 and except for the right of redemption as allowed by law; and

6  
7 4. Plaintiff be granted the right to become a bidder and purchaser at the sale and the  
8 purchaser shall be entitled to exclusive possession of the property upon completion of sale according to  
9 law, and to all right, title and interest in any rents and profits generated or arising from the property  
10 during the statutory redemption period; and plaintiff is entitled to such remedies as are available at law to  
11 secure possession, including writ of assistance, if defendants or any of them or any other party or person  
12 shall refuse to surrender possession to the purchaser immediately upon purchaser's demand for  
13 possession; and

14  
15 5. Pursuant to ORS 18.950, if any proceeds from the execution sale remain after the  
16 payment of costs under ORS 18.950(3) and satisfaction of the judgment, the court administrator shall  
17 pay the remaining proceeds as directed by the court in the order of distribution.  
18

19  
20 **MONEY AWARD**

21 Judgment Creditor: BANK OF AMERICA, N.A.  
22 c/o Robinson Tait, P.S.  
23 710 Second Ave., Suite 710  
24 Seattle, WA 98104  
206-676-9640

25 Attorney for Judgment Creditor: ZACHARY BRYANT  
26 Robinson Tait, P.S.  
27 710 Second Ave., Suite 710  
28 Seattle, WA 98104  
(206) 676-9640

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Judgment Debtors:

1 ANDREW BAKER  
12614 NE 31<sup>st</sup> Street  
Vancouver, WA 98682  
DOB: Unknown  
Social Security No.: \*\*\*-\*\*-5251  
Driver's License Number: Unknown

2 NATASHA L. BAKER  
3407 SE 53<sup>rd</sup> Avenue  
Portland, OR 97206  
DOB: Unknown  
Social Security No.: \*\*\*-\*\*-0834  
Driver's License Number: Unknown

Attorney for Judgment Debtor: N/A

Other Entities entitle to Portion of  
Judgment, Other than Creditor's Attorney: N/A

Principal Amount: \$232,677.45

Simple Interest on the Principal Amount  
from July 1, 2010 to January 1, 2015  
with a per diem of \$30.70 thereafter: \$49,734.54

Other Recovery Amounts \$31,682.39

Post-Judgment: Simple Interest Accrues on the total of the amounts listed above at the rate of  
\$30.70 in accordance with the Note from the date of entry of this Judgment.

Total Costs: \$2,125.13

Attorneys' Fee (for determination of  
Amount owed, establishment of priority,  
and foreclosure) : \$2,050.00

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1  
2 Post-Judgment: Simple Interest Accrues on the total of the amounts listed above at the rate of  
3 \$30.70 in accordance with the Note from the date of entry of this Judgment.

4 DONE IN COURT this 22 day of May, 2015.

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8   
9 JUDGE

10 Submitted by:

11  
12 

13  Matt Booth, OSB #082663

14 Email: mbooth@robinsontait.com

15  Zachary Bryant, OSB #113409

16 Email: zbryant@robinsontait.com

17  Craig Peterson, OSB #120365

18 Email: cpeterson@robinsontait.com

19  Brandon Smith, OSB #124584

20 Email: bsmith@robinsontait.com

21 Robinson Tait, P.S.

22 Attorneys for Plaintiff

23 Tel: (206) 676-9640

24 Fax: (206) 676-9659

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GENERAL JUDGMENT DETERMINING  
AMOUNT OWED AND FORECLOSURE - 5

60267-01352-JUD-OR740434

Law Offices  
ROBINSON TAIT, P.S.

710 Second Avenue, Suite 110  
Seattle WA 98104  
(206) 676-9640

# EXHIBIT A

Exhibit "C"

Real property in the County of Clackamas, State of Oregon, described as follows:

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A TRACT OF LAND IN SECTION 30, TOWNSHIP 1 SOUTH, RANGE 2 EAST, OF THE WILLAMETTE MERIDIAN, IN THE CITY OF MILWAUKIE, COUNTY OF CLACKAMAS, AND STATE OF OREGON, BEING THE SOUTH 20.00 FEET OF LOTS 25 TO 28, BLOCK 7 AND THE NORTH 40 FEET OF VACATED MAGNOLIA AVENUE LYING SOUTH OF SAID LOTS IN VACATED MINTHORN ADDITION TO THE CITY OF PORTLAND, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 180.00 FEET SOUTH OF THE NORTHEAST CORNER OF LOT 21, BLOCK 7, IN SAID MINTHORN ADDITION TO THE CITY OF PORTLAND; SAID POINT BEING THE SOUTHEAST CORNER OF THAT TRACT CONVEYED TO WALTER H. WHITE, ET UX, BY DEED RECORDED JULY 8, 1934, IN BOOK 223, PAGE 508, CLACKAMAS COUNTY DEED RECORDS; THENCE WEST ALONG THE SOUTH LINE OF SAID WHITE TRACT, 110.00 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE SOUTH 60.00 FEET; THENCE EAST 110.00 FEET; THENCE NORTH 60.00 FEET TO THE POINT OF BEGINNING.