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IN THE CIRCUIT COURT OF THE STATE OF OREGON  
IN AND FOR THE COUNTY OF JOSEPHINE

JPMORGAN CHASE BANK, N.A.

Plaintiff,

vs.

DARCIE E. WORTHINGTON; WILLIAM  
HILJUS, SR.; WILLIAM HILJUS II;  
ROBERT B. CARLSON; LORI J.  
CARLSON; GENE WARNER; STEVEN  
WORTHINGTON; UNITED STATES OF  
AMERICA; STATE OF OREGON;  
SOUTHERN OREGON CREDIT  
SERVICE, INC.; PRECISION CREDIT  
LLC; GENERAL CREDIT SERVICE,  
INC.; GLENN CUNNINGHAM;  
SHARRON CUNNINGHAM; CREDIT  
SERVICES OF OREGON, INC.;  
UNKNOWN HEIRS OF DAVID OLSON;  
JEFFERY OLSON; PARTIES IN  
POSSESSION

Defendants.

Case No. 16CV36054

WRIT OF EXECUTION

TO: JOSEPHINE COUNTY SHERIFF

WHEREAS, on November 1, 2017, in the above-entitled court, a General Judgment of Foreclosure and Sale, with said Judgment containing therein a Declaration of Amount Due and was duly entered and docketed in the above-entitled cause

1- WRIT OF EXECUTION  
S&S No. 15-117517

*SHAPIRO & SUTHERLAND, LLC*  
1499 SE Tech Center Place, Suite 255, Vancouver, WA 98683  
Telephone (360)260-2253 (800)970-5647  
Fax (360)260-2285  
ksutherland@logs.com

1 NOW, THEREFORE, IN THE NAME OF THE STATE OF OREGON, you are hereby  
2 commanded to sell, in the manner prescribed by law for the sale of real property upon execution  
3 (subject to redemption) all of the interest which the defendants had on November 16, 2005, the  
4 date of the deed of trust, and also all of the interest which the defendants acquired thereafter, in  
5 the real property described in the judgment:

6  
7 THE WEST 20 FEET OF THE NORTH 93.63 FEET OF LOT 11 AND THE SOUTH 92.62  
8 FEET OF LOTS 11 AND 12, BLOCK 2, BRONSON ADDITION TO THE CITY OF GRANTS  
9 PASS, JOSEPHINE COUNTY, OREGON, ACCORDING TO THE OFFICIAL PLAT  
10 THEREOF, RECORDED IN VOLUME 2, PAGE 24, PLAT RECORDS; EXCEPTING  
11 THEREFROM THAT PORTION CONVEYED TO THE STATE OF OREGON IN VOLUME  
12 199, PAGE 174, JOSEPHINE COUNTY DEED RECORDS.

13 and commonly known as 1085 NE Hefley Street, Grants Pass, OR 97526 to satisfy the sum of  
14 \$567,561.40, as of November 17, 2017, together with additional post judgment interest of 9.00%  
15 from that date (\$139.40 per day), and costs of this execution, making due return within 60 days  
16 after you receive this writ.

17 //

18 //

19 //

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21 //

22 //

23 //

24 //

25 2- WRIT OF EXECUTION  
26 S&S No. 15-117517

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1 JPMorgan Chase Bank, N.A. is the Judgment Creditor, and its address for purpose of this  
2 writ only is: C/O Shapiro & Sutherland, LLC, 1499 SE Tech Center Place, Suite 255,  
3 Vancouver, WA 98683 (360)260-2253. Shapiro & Sutherland, LLC is the attorney for the  
4 Judgment Creditor.  
5  
6  
7  
8  
9

10 B. Gaspari

11 Court Clerk



12 Submitted by:  
13 Attorneys for Plaintiff,  
14 SHAPIRO & SUTHERLAND, LLC

15 By: \_\_\_\_\_

16  James A. Craft #090146 [jcraft@logs.com]  
17  Kelly D. Sutherland #87357 [ksutherland@logs.com]  
18  Cara J. Richter #094855 [crichter@logs.com]  
19  Holger Uhl #950143 [huhl@logs.com]\*  
20  Joshua R. Orem # 116872 [jorem@logs.com]\*  
21 1499 SE Tech Center Place, Suite 255, Vancouver, WA 98683  
22 7632 SW Durham Road, Suite 350, Tigard, OR 97224\*  
23 (360)260-2253; Fax (360)260-2285

24  
25  
26 3- WRIT OF EXECUTION  
S&S No. 15-117517

27  
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IN THE CIRCUIT COURT OF THE STATE OF OREGON  
IN AND FOR THE COUNTY OF JOSEPHINE

JPMORGAN CHASE BANK, N.A.,

Case No. 16CV36054

Plaintiff,

GENERAL JUDGMENT OF  
FORECLOSURE AND SALE

vs.

DARCIE E. WORTHINGTON; WILLIAM  
HILJUS, SR.; WILLIAM HILJUS II; ROBERT B.  
CARLSON; LORI J. CARLSON; GENE  
WARNER; STEVEN WORTHINGTON; UNITED  
STATES OF AMERICA; STATE OF OREGON;  
SOUTHERN OREGON CREDIT SERVICE, INC.;  
PRECISION CREDIT LLC; GENERAL CREDIT  
SERVICE, INC.; GLENN CUNNINGHAM;  
SHARRON CUNNINGHAM; CREDIT  
SERVICES OF OREGON, INC.; UNKNOWN  
HEIRS OF DAVID OLSON; JEFFERY OLSON;  
PARTIES IN POSSESSION,

Defendants.

Default having been entered against Defendant(s), Darcie E. Worthington, William Hiljus, Sr. a/k/a Bill Andrew Hiljus, William Hiljus, II, Robert B. Carlson, Lori J. Carlson, Gene Warner a/k/a Elmer Gene Warner, Steve Worthington, Glenn Cunningham, Sharron Cunningham, United States of America, State of Oregon, Southern Oregon Credit Service, Inc., Precision Credit LLC, General Credit Service, Inc., Credit Services of Oregon, Inc. and Jeffery Olson and Defendant(s), Parties in Pssession, having been dismissed:

//

1 - GENERAL JUDGMENT OF FORECLOSURE AND  
SALE  
S&S No. 15-117517

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1 It is hereby

2 ORDERED AND ADJUDGED:

- 3 1. The real property to which this judgment relates (hereafter the "Property") is situated in  
4 Josephine County, Oregon is commonly known as 1085 NE Hefley Street, Grants Pass, OR  
5 97526 and is legally described as follows:  
6

7 The West 20 feet of the North 93.63 feet of Lot 11 and the South 92.62 feet of Lots 11  
8 and 12, Block 2, BRONSON ADDITION to the City of Grants Pass, Josephine  
9 County, Oregon, according to the Official Plat thereof, recorded in Volume 2, Page 24,  
Plat Records; Excepting therefrom that portion conveyed to the State of Oregon in  
Volume 199, Page 174, Josephine County Deed Records.

- 10 2. The Deed of Trust executed and delivered by Defendant, Darcie E. Worthington  
11 ("Borrower") on or about November 16, 2005 and recorded on November 23, 2005 as  
12 Instrument No. 2005-027615 in the official records of Josephine County, Oregon, is a valid  
13 and perfected lien against all of the Property for the amount of Plaintiff's judgment as  
14 provided herein.  
15

- 16 3. The Plaintiff is the holder of the original note dated November 16, 2005 and made by Darcie  
17 E. Worthington in the amount of \$342,000.00. A copy of the Note was attached to the  
18 complaint as Exhibit "2". Plaintiff is the holder of the Note and the beneficial interest in the  
19 Deed of Trust (together the "Loan").  
20

- 21 4. The interest of each of the Defendant(s) subject to this Judgment and any successor in  
22 interest in the Property is foreclosed and terminated excepting only any statutory right of  
23 redemption as provided by Oregon law.

24 //

25 2 - GENERAL JUDGMENT OF FORECLOSURE AND  
26 SALE  
S&S No. 15-117517

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- 1 5. The lien of the Plaintiff is superior to any interest, lien, or claim of the remaining  
2 Defendants and shall remain in effect until issuance of a Sheriff's Deed. Upon Motion to  
3 the Court and good cause shown, Plaintiff may move to rescind the foreclosure judgment  
4 and to reinstate the Loan prior to the Sheriff's sale, returning the parties to their prejudgment  
5 interests and priorities.  
6  
7 6. The Defendant(s) are not entitled to a homestead exception as against Plaintiff's judgment.  
8  
9 7. All of the rights, title and interest that Borrower(s) had as of the date of the Deed of Trust or  
10 thereafter acquired in the subject Property, is hereby ordered to be sold by the Josephine  
11 County Sheriff's Office in accordance with the process for sale upon execution, and the  
12 proceeds of sale shall be applied; first to the costs of sale; second to satisfaction of the  
13 amounts awarded Plaintiff herein; with the surplus, if any, to the Defendants in the priority  
14 as their interest may appear or to the clerk of the court to be distributed to such party of  
15 parties as may establish their right thereto.  
16  
17 8. Plaintiff or any junior lienholders may become purchaser at the sale of the Property.  
18  
19 9. The purchaser at the sale is entitled to exclusive and immediate possession of the Property  
20 from and after the date of the sale and is entitled to such remedies as are available at law or  
21 in equity to secure possession.  
22  
23 10. The purchaser at the sale may apply to the Court for a writ of assistance if any Defendant or  
any person holding possession under or through such Defendant(s) shall refuse to surrender  
possession to the purchaser immediately on the purchaser's demand for possession.

24 //

1 11. Under the terms of the Loan there is now due and owing to Plaintiff the following amounts:

2	Principal	\$345,243.19	
3	Prejudgment interest at variable rates through September 30, 2017 (accruing thereafter until entry of judgment at \$43.98 per diem)		\$176,549.67
4	Late Charges	\$0.00	
5	Other Costs and fees (recoverable)	34,688.48	
6	Property Tax	\$34,688.48	
7	Subtotal		\$379,931.67
8	Total plus Prejudgment Interest		\$556,481.34

9 12. Attorney Fees and Costs are awarded to Plaintiff as follows:

10	Costs		\$4,392.30
11	Title Search Cost	\$1,034.00	
12	Filing Fee	\$531.00	
13	Lis Pendens Recording Fee	\$56.00	
14	Service by Publication	\$668.80	
15	Service Costs	\$1,777.50	
16	Death Certificate Fee	\$50.00	
17	Prevailing Party Fee	\$275.00	
18	Attorney fees		\$3,050.00
19	Total		\$7,442.30

20 13. Post judgment interest on the aggregate of all amounts declared due above shall accrue from  
21 the date of judgment at the legal rate of 9% per annum pursuant to ORS 82.010.  
22  
23  
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26 4 - GENERAL JUDGMENT OF FORECLOSURE AND  
SALE  
S&S No. 15-117517

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1 14. This Judgment shall not create a personal lien or liability against Borrower except as is  
2 customary or necessary to execute on such Judgment and for purposes of redemption. In no  
3 event should it be construed as establishing personal liability for any persons whose debt has  
4 been extinguished in bankruptcy or by an In Rem order granting relief from stay, but only to  
5 foreclose the deed of trust mortgage. In the event the proceeds of sale are insufficient to pay  
6 the amounts due to Plaintiff, no general execution shall be issued and Plaintiff shall not be  
7 entitled to any further judgment, including a judgment for deficiency.  
8

9 15. Execution may issue against the subject property for the aggregate amount found due  
10 Plaintiff herein as detailed in Paragraphs 11 through 13 together (together "Amounts Due").  
11 Plaintiff may credit bid up to the Amounts Due plus such additional amounts as provided by  
12 ORS 18.936 or other applicable law.  
13

14 16. If before sale such amount, including sheriff's fees for the execution, is tendered to the  
15 Court and paid to the clerk, the execution, if issued, shall be recalled and the effect of the  
16 judgment as to the amounts due shall be terminated.

17 17. The Clerk of the Court is hereby ordered to issue a Writ of Execution in Foreclosure for the  
18 sale of the Property. Plaintiff may credit bid the amounts determined in Paragraphs 11  
19 through 13 plus such additional amounts as provided in Paragraph 16 for purposes of ORS  
20 18.936.  
21

22 //

23 //

24 //

25 5 - GENERAL JUDGMENT OF FORECLOSURE AND  
26 SALE  
S&S No. 15-117517

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1 18. This Court shall retain jurisdiction to enter such additional order, judgment or decree  
2 necessary to enforce this judgment, the writ of execution or for the purchaser at the  
3 foreclosure sale to obtain possession.  
4

5  
6  
7 Signed: 10/31/2017 07:47 AM

8  
9  
10   
11 Circuit Court Judge Pat Wolke  
12

13  
14 **Certificate of Readiness under UTCR 5 100**

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

- 16 1.  Each party affected by this order or judgment has stipulated to the order or judgment, as shown  
17 by each party's signature on the document being submitted.  
18 2.  Each party affected by this order or judgment has approved the order or judgment, as shown  
19 by each party's signature on the document being submitted or by written confirmation of approval  
20 sent to me.  
21 3.  I have served a copy of this order or judgment on each party entitled to service and:  
22 a.  No objection has been served on me.  
23 b.  I received objections that I could not resolve with a party despite reasonable efforts to do so. I  
24 have filed a copy of the objections I received and indicated which objections remain unresolved.  
25 c.  After conferring about objections, [role and name of objecting party] agreed to independently  
26 file any remaining objection.

27 //

28 //

6 - GENERAL JUDGMENT OF FORECLOSURE AND  
SALE  
S&S No. 15-117517

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1 4.  Service is not required pursuant to subsection (3) of this rule, or by statute, rule, or otherwise.  
UTCR 8/1/16 5.5 (including out-of-cycle amendment of 5.100)

2 5.  This is a proposed judgment that includes an award of punitive damages and notice has been  
3 served on the Director of the Crime Victims' Assistance Section as required by subsection (5) of  
4 this rule.

5 6.  Other: \_\_\_\_\_

6 Submitted by:  
7 Attorneys for Plaintiff,  
8 SHAPIRO & SUTHERLAND, LLC

9 By: \_\_\_\_\_

- 10  James A. Craft #090146 [jcraft@logs.com]
  - 11  Kelly D. Sutherland #87357 [ksutherland@logs.com]
  - 12  Cara J. Richter #094855 [crichter@logs.com]
  - 13  Holger Uhl #950143 [huhl@logs.com]\*
  - 14  Joshua R. Orem # 116872 [jorem@logs.com]\*
- 15 1499 SE Tech Center Place, Suite 255, Vancouver, WA 98683  
16 7632 SW Durham Road, Suite 350, Tigard, OR 97224\*  
17 (360)260-2253; Fax (360)260-2285