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CLACKAMAS COUNTY SHERIFF

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

NATIONSTAR HECM ACQUISITION
TRUST 2015-1, WILMINGTON SAVINGS
FUND SOCIETY, FSB,

Plaintiff,
vs.

**CASE NO.: CV15010417
WRIT OF EXECUTION**

ALL UNKNOWN HEIRS AND DEVISEES of
The ESTATE OF DANIEL LEVANG, a
deceased individual; ASSOCIATION OF UNIT
OWNERS OF HIDDEN SPRINGS RANCH
CONDOMINIUM, a corporation; Shaun
Donovan, solely in his capacity as Secretary for
UNITED STATES DEPARTMENT OF
HOUSING AND URBAN DEVELOPMENT;
DOES 1 through 10, inclusive, and ROES 1
through 10, inclusive.

Defendants.

STATE OF OREGON)
) ss.
County of Clackamas)

TO THE SHERIFF OF CLACKAMAS COUNTY OREGON:

WRIT OF EXECUTION -1-

Zieve, Brodnax & Steele, LLP
Amy F. Harrington, Esq.
One World Trade Center
121 Southwest Salmon St., 11th Floor
Portland, OR 97204
714-848-7920
aharrington@zbslaw.com

1 DECLARATION AND IN ANY SUBSEQUENT AMENDMENTS THERETO
2 AS APPURTENANT TO SAID UNIT.

3 Assessor's Parcel Number 4458740480

4 The street address of the real property to be levied upon is 6277 Clubhouse Circle, West
5 Linn, OR 97068.

6 The above referenced property shall be sold to satisfy the following sums: The base
7 judgment amount of \$65,911.49, plus prejudgment interest in the amount of \$27,778.54, plus
8 reasonable attorney fees and costs in the amount of \$4,565.85, for a grand total of \$98,255.88
9 together with interest on those amount since February 8, 2016 (the date of entry of judgment) at
10 the rate of 2.994% per annum; Thus,

11 THE TOTAL AMOUNT OF EXECUTION REQUESTED HEREON, STATED AS OF
12 THE DATE OF SUBMISSION IS AS FOLLOWS:

13 Base Judgment: \$143,196.92

14 Interest and Fees to 7/31/2015: \$124,457.09

15 Attorney Fees and Costs: \$5,484.28

16 Total due as of October 16, 2017: \$273,138.29; Due to the nature of the loan,

17 Plaintiff waives any post-judgment interest.

18 The proceeds of sale shall be applied, delivered, and distributed according to ORS
19 18.950.

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1 The Sheriff is hereby authorized to continue execution under the writ and delay making a
2 return on the writ to a date not later than 150 days after the sheriff receives the writ as long as the
3 execution sale occurs no later than 150 days after the sheriff receives the writ pursuant to ORS
4 18.872.



Wendy Watson Nov 22, 2017

7 Submitted by:

9 Handwritten signature of Amy F. Harrington in black ink.

10 Amy F. Harrington, OSB No. 123363

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

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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TRUST 2015-1, WILMINGTON SAVINGS
FUND SOCIETY, FSB,

Plaintiff,

vs.

ALL UNKNOWN HEIRS AND DEVISEES of
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CONDOMINIUM, a corporation; Shaun
Donovan, solely in his capacity as Secretary for
UNITED STATES DEPARTMENT OF
HOUSING AND URBAN DEVELOPMENT;
DOES 1 through 10, inclusive, and ROES 1
through 10, inclusive.

Defendants

CASE NO. CV15010417

**GENERAL JUDGMENT OF
FORECLOSURE
(WITHOUT MONEY AWARD –
JUDGMENT DOES NOT
CREATE A LIEN)**

Based upon the Motion for Order of Default and Entry of a General Judgment of Foreclosure filed by plaintiff, Nationstar HECM Acquisition Trust 2015-1, Wilmington Savings Fund Society, FSB (“Plaintiff”) and against defendants All Unknown Heirs and Devisees of The Estate of Daniel Levang (“Heirs”), Association of Unit Owners of Hidden Springs Ranch Condominium (“HOA”), and Shaun Donovan solely in his capacity as Secretary for United States Department of Housing and Urban Development (“HUD” together with Heirs and HOA,

1 collectively “Defendants”), and that Plaintiff has filed a Statement for Attorney Fees, Costs, and
2 Disbursements,

3 **IT IS HEREBY ORDERED AND ADJUDGED:**

4 **1.**

5 Plaintiff is awarded judgment against Defendants and all persons claiming through or
6 under Defendants, as purchasers, encumbrances, or otherwise, are forever foreclosed of all
7 interest, lien or claim in the real property described above and every portion thereof excepting
8 only any satisfactory right of redemption as Defendants, or any of them, may have therein.

9 **2.**

10 Writ of execution upon this General Judgment of Foreclosure shall issue.

11 **3.**

12 The Deed of Trust executed by Daniel Levang (“Borrower”) and recorded on November
13 30, 2009, in the Clackamas County Recorder’s Office as document number 2009-082459, is a
14 valid mortgage lien for the amount of Plaintiff’s judgment set forth in paragraph 1 against all the
15 real property, located in Clackamas County, Oregon commonly referred to as 6277 Clubhouse
16 Circle, West Linn, OR 97068, with a legal description as follows:

17 Unit 3, Building A, of Hidden Springs Ranch Condominium (Phase 1 & 2), as set forth in
18 Condominium Declaration recorded October 2, 1979 as 79 43601, in the City of West Linn,
19 Clackamas County, Oregon, together with those limited common elements appurtenant to said
20 Unit as set forth in said declaration, and together with an undivided fractional ownership of the
21 general common elements of said Condominium as set forth in the said Declaration and in any
22 subsequent amendments thereto as appurtenant to said Unit.

23 **4.**

24 Said mortgage lien is superior to any interest, lien or claim of the Defendants in the real
25 property, and all other interest in the property gained by him thereafter, or so much interest as
26 may be necessary to satisfy the judgment of the Plaintiff shall be sold by the Sheriff of

1 Clackamas County, Oregon in the manner provided by law and in accordance with the practice
2 of this Court.

3 **5.**

4 The proceeds of sale shall first be applied to the costs of sale; then toward the satisfaction
5 of Plaintiff's judgment awarded herein, calculated as of the date of sale; and any resulting surplus
6 shall then be tendered to the Clerk of the Court to be distributed to such other party or parties as
7 may establish their right thereto.

8 **6.**

9 Defendants and all persons claiming through or under Defendants, as purchasers,
10 encumbrances, or otherwise, are forever foreclosed of all interest, lien or claim in the real
11 property described above and every portion thereof excepting only any satisfactory right of
12 redemption as Defendants may have.

13 **7.**

14 Plaintiff or any other party to this suit or third party purchase may become the purchaser
15 at the sale of the real property. The purchaser is entitled to exclusive possession of the real
16 property from and after the date of sale and is entitled to such remedies as are available at law to
17 secure possession, including writ of assistance, if the Defendants and any other party or person
18 shall refuse to surrender possession to the purchaser immediately on the purchaser's demand for
19 possession.

20 **AMOUNTS DUE**

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- | | | |
|----|----------------------------------|--|
| 22 | 1. Judgment Creditor: | Nationstar HECM Acquisition Trust 2015-1,
Wilmington Savings Fund Society, FSB
c/o Zieve, Brodnax, & Steele, LLP
One World Trade Center
121 Southwest Salmon St., 11 th Floor
Portland, OR 97204
503-946-6558 |
| 26 | 2. Judgment Creditor's Attorney: | Benjamin D. Petiprin |
- 27

Zieve, Brodnax, & Steele, LLP
One World Trade Center
121 Southwest Salmon St., 11th Floor
Portland, OR 97204
503-946-6558

3. Person or public body entitled to any portion of money award herein: None

4. Total Amount of secured debt:

a. Lenders' Principal and Interest

Principal Balance \$ 143,196.92

Accrued interest and fees on \$ 124,457.09
the principal balance through
7/31/15

**Total Principal and Interest
Through 7/31/15 at the rate of
5.56% \$267,654.01**

Due to the nature of the loan, Plaintiff waives any post-judgment interest

b. Attorneys' Fees and Costs

Attorney Fees Judicial Flat Rate \$ 2,050.00

Lit Guarantee	\$765.00
S&C Filing Provest# 4208737	\$531.00
Recorded AOM	\$53.00
FedEx invoice 08/25/2015	\$12.73
Provest invoice # 4334814; 8/19/15; service of HOA	\$150.00
Publication of Summons	\$480.20
provest invoice 4205650 - serve hud	\$350.00
Provest Invoice 4359911 - Filing cost	\$100.00
Provest Invoice 4341759 - Filing cost	\$45.00
Provest Invoice 4352485	\$45.00
Provest Invoice 4368553	\$80.00
Provest Invoice 4375535	\$45.00
Provest Invoice 4392268	\$90.00
provest invoice 4209325	\$58.00
provest invoice 4433358	\$45.00
provest invoice 4439234	\$45.00
Provest Invoice 4458521; 12/8/2015; file NEOs	\$45.00

1	Provest Invoice 4474888; 01/06/2016; pull docs DON'T PAY - WRONG DOCS	\$79.75
2	Provest Invoice 4479668; 1/8/2016; file mtn ctn	\$45.00
3	Provest Invoice 4483086; 1/18/2016; file dec of cert mail	\$45.00
4	Provest Invoice 4540114; 3/15/2016; S&C cert mail - Castro	\$45.00
5	Provest Invoice 4499333 3/23/2016; file default	\$10.00
6	provest invoice 4556244; 04/11/2016; service HUD	\$134.80

7 **Total Attorney Fees and Costs \$ 5,484.28**

8 **Total Secured Debt (Judgment) \$ 273,138.29**

9 Said Judgment is meant to be for the purposes of foreclosure *only* and from which a Writ
10 of Execution will issue. This judgment is not and is not intended to be a monetary judgment
11 against the Borrowers.

12 Signed: 8/29/2016 04:58 PM

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17 **Circuit Court Judge Michael C. Wetzel**

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22 Submitted By:

23 /s/Benjamin D. Petiprin

24 Benjamin D. Petiprin, OSB No.136031
25 Attorney for Plaintiff
26 Nationstar HECM Acquisition Trust
27 2015-1, Wilmington Savings Fund
28 Society, FSB

CERTIFICATE

I HEREBY CERTIFY that 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. [X] I have served a copy of this order or judgment on all parties entitled to service and:

a. [X] No objection has been served on me.

b. [] I received objections that I could not resolve with the opposing party despite reasonable efforts to do so. I have filed a copy of the objections I received and indicated which objections remain unresolved.

c. [] After conferring about objections, [role and name of opposing party] agreed to independently file any remaining objection.

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.

/s/Benjamin D. Petiprin
Benjamin D. Petiprin, OSB No.136031
Attorney for Plaintiff
Nationstar HECM Acquisition Trust
2015-1, Wilmington Savings Fund
Society, FSB

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18 Donovan, solely in his capacity as Secretary for
19 UNITED STATES DEPARTMENT OF
20 HOUSING AND URBAN DEVELOPMENT;
21 DOES 1 through 10, inclusive, and ROES 1
22 through 10, inclusive.

23 Defendants.

CASE NO.: CV15010417

**PRAECIPE FOR WRIT OF
EXECUTION**

24
25 **TO THE TRIAL COURT CLERK OF THE ABOVE-ENTITLED COURT:**

26 You are hereby requested and instructed to issue an execution to the Sheriff of Clackamas
27 County for execution of the General Judgment of Foreclosure entered August 29, 2016 in the
28 above-entitled cause.

1 It is hereby certified that the provisions of the Writ of Execution tendered herewith
2 conform to the judgment of record in this cause.

3
4 DATED this 16th day of October, 2017

5
6 Zieve, Brodnax & Steele, LLP

7
8 By: 
9 Amy F. Harrington, OSB No. 123363
10 Attorneys for Plaintiff
11 One World Trade Center
12 121 Southwest Salmon St, 11th Floor
13 Portland, OR 97204
14 (714) 848-7920
15 aharrington@zbslaw.com