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

FEDERAL NATIONAL MORTGAGE
ASSOCIATION (“FANNIE MAE”), A
CORPORATION ORGANIZED AND
EXISTING UNDER THE LAWS OF THE
UNITED STATES OF AMERICA,

Plaintiff,

vs.

JUAN S. RAMIREZ AKA JUAN RAMIREZ
AKA JUAN SALINAS RAMIREZ AKA
JUAN RAMIREZ SALINAS AKA JUAN
SALINAS-RAMIREZ; STATE OF OREGON;
OCCUPANTS OF THE PROPERTY,

Defendants.

Case No.: 16CV21360

WRIT OF EXECUTION IN
FORECLOSURE

TO THE UMATILLA COUNTY SHERIFF:

A Judgment of Foreclosure was entered and docketed in this case on 7/18/2017. A true copy of the Judgment is attached hereto. The Judgment was entered in favor of the Plaintiff:

FEDERAL NATIONAL MORTGAGE ASSOCIATION (“FANNIE MAE”), A
CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE
UNITED STATES OF AMERICA
c/o Michael Scott
Attorney for Plaintiff
McCarthy & Holthus, LLP
920 SW 3rd Ave, 1st Floor
Portland, OR 97204

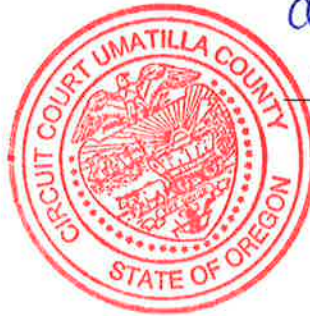
1 With the adjudicated amount due of \$93,281.11, plus post judgment interest at the statutory rate
2 of 9.0% per annum from 7/18/2017 to 8/29/2017 in the amount of \$966.03, and continuing with
3 a per diem of \$23.00, currently totaling \$94,247.14.

4 **NOW, THEREFORE, IN THE NAME OF THE STATE OF OREGON**, you are
5 hereby commanded to sell, in the manner prescribed by law for the sale of real property on
6 execution (subject to redemption of 180 days), all of the interest that the Defendant had on or
7 about 6/22/2005, the date of the Deed of Trust, and also the interest that the Defendant had
8 thereafter, in the real property described as follows:

9 *See attached Exhibit 1*

10 and commonly known as: 1015 SW 30th St, Pendleton, OR 97801.

11 Sale of the property is to satisfy the sum listed above, plus the costs incurred in
12 performing this Writ. Pursuant to ORS 18.872, you are authorized to continue execution under
13 the writ and delay making a return on the writ to no later than 150 days from receipt of the writ.
14 You are to make the return within 60 days after you receive this Writ. Should the sale be
15 continued, the writ may be automatically extended for 30 days.



dated: Sept. 1st, 2017
Johnson
Court clerk

1 Dated: August 30, 2017 and submitted by:

2 **McCarthy & Holthus, LLP**

3 s/ Michael Scott

4

Michael Scott OSB No. 973947

5 920 SW 3rd Ave, 1st Floor

6 Portland, OR 97204

7 Phone: (971) 201-3200

8 Fax: (971) 201-3202

9 mscott@mccarthyholthus.com

10 Of Attorneys for Plaintiff

EXHIBIT 1

Lot 35, Block 7, SHERWOOD HEIGHTS ADDITION in the City of Pendleton, County of Umatilla, State of Oregon.

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

FEDERAL NATIONAL MORTGAGE
ASSOCIATION (“FANNIE MAE”), A
CORPORATION ORGANIZED AND
EXISTING UNDER THE LAWS OF THE
UNITED STATES OF AMERICA,

Plaintiff,

vs.

JUAN S. RAMIREZ AKA JUAN
RAMIREZ AKA JUAN SALINAS
RAMIREZ AKA JUAN RAMIREZ
SALINAS AKA JUAN SALINAS-
RAMIREZ; STATE OF OREGON;
OCCUPANTS OF THE PROPERTY,

Defendants.

Case No.: 16CV21360

GENERAL JUDGMENT OF
FORECLOSURE

1.

THIS MATTER came before the Court on Plaintiff’s motion.

All defendants (“Defaulted Defendants”) were duly served with process and failed to appear; the default has been entered against Defaulted Defendants, and it appearing that Defaulted Defendants are not incapacitated, protected persons, respondents as defined in ORS 125.005, minors, or in the military service of the United States;

2.

IT IS HEREBY ADJUDGED that Plaintiff shall have judgment as follows:

- a. The real property to which this judgment relates is located and situated in Umatilla County, Oregon, and is commonly known as 1015 SW 30th St, Pendleton, OR 97801 (the “Subject

1 Property”), legally described as shown in the attached *Exhibit 1*, and having APN/Parcel No.
2 2N-32-16AC.

3 b. Plaintiff is entitled to enforce the note dated June 22, 2005 and made, delivered, and executed
4 by JUAN S. RAMIREZ AKA JUAN RAMIREZ AKA JUAN SALINAS RAMIREZ AKA
5 JUAN RAMIREZ SALINAS AKA JUAN SALINAS-RAMIREZ to BANK OF AMERICA,
6 N.A. in the amount of \$93,575.00 (the “Note”). The Note was transferred to Plaintiff by
7 delivery of possession and by indorsement set forth on the Note.

8 c. A deed of trust was made, executed, and delivered by Defendant JUAN S. RAMIREZ AKA
9 JUAN RAMIREZ AKA JUAN SALINAS RAMIREZ AKA JUAN RAMIREZ SALINAS
10 AKA JUAN SALINAS-RAMIREZ on or about June 22, 2005 (the “Deed of Trust”). The
11 Deed of Trust was recorded on June 23, 2005 as Instrument No. 2005-4840100 in the official
12 records of Umatilla County, Oregon. The Deed of Trust is a valid and perfected lien against
13 all of the Property for and securing the Amount Due. The lien of the Plaintiff is superior to
14 any interest, lien, or claim of the Defendants and shall remain in effect until issuance of a
15 Sheriff’s Deed.

16 d. The Borrower failed to make the payment that was due for September 1, 2015 and has not
17 cured the default. The amount of debt secured by the Deed of Trust that is now due and
18 owing is comprised of the following amounts (the “Amount Due”):

19	a) Unpaid principal balance:	\$78,110.18
20	b) Prejudgment interest accruing from	
21	8/1/2015 through 7/7/2017 and	
22	continuing until the entry of	
	judgment at the current Note rate of	
	6.0%:	\$9,054.34
23	c) Additional amounts due under the	\$2,035.73
24	terms of the loan:	
25	d) Attorney fees and costs:	\$3,995.86
26	e) Prevailing party fee (ORS 20.190	\$85.00
	(1)(a)):	
27	Total:	\$93,281.11

1 Pursuant to ORS 82.010 (2), post-judgment interest shall accrue on the Amount Due from the
2 date of entry of this judgment through the sale of the Subject Property at the rate of 9.00%
3 per annum.

4 e. The interest of the Defendants and any successor in interest in the Subject Property is
5 foreclosed and terminated excepting only any statutory right of redemption as provided by
6 Oregon law.

7 f. The Defendants are not entitled to a homestead exception as against Plaintiff's judgment.

8 g. All right, title and interest in the Subject Property that Defendant JUAN S. RAMIREZ AKA
9 JUAN RAMIREZ AKA JUAN SALINAS RAMIREZ AKA JUAN RAMIREZ SALINAS
10 AKA JUAN SALINAS-RAMIREZ had as of the date of the Deed of Trust or thereafter
11 acquired is hereby ordered to be sold by the Umatilla County Sheriff's Office in accordance
12 with the process for sale upon execution, and the proceeds of sale shall be applied:

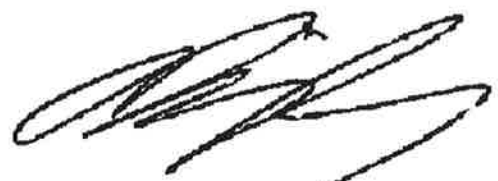
- 13 1) First, to the costs of sale not incurred by Plaintiff;
- 14 2) Second, to the Amount Due, plus post-judgment interest accruing from the date of
15 entry of judgment through the date of the sale and any incurred costs of sale;
- 16 3) Third, the surplus, if any, to the Defendants in the priority as their interest may
17 appear, described *infra*, or to the clerk of the court to be distributed by the Court to
18 such party or parties as they may establish their right thereto.

19 h. Plaintiff may become purchaser at the sale of the Subject Property and, pursuant to ORS
20 18.936 (2), may credit bid up to the Amount Due, plus post-judgment interest accruing from
21 the date of entry of judgment through the date of the sale and any incurred costs of sale.

22 i. The purchaser at the sale is entitled to exclusive and immediate possession of the Subject
23 Property from and after the date of the sale and is entitled to such remedies as are available at
24 law or in equity to secure possession. The purchaser at the sale may apply to the Court for a
25 writ of assistance if any Defendant, other party, or other person shall refuse to surrender
26 possession to the purchaser immediately upon the purchaser's demand for possession.

- 1 j. In the event the proceeds of sale are insufficient to pay the Amount Due, Plaintiff shall not be
- 2 entitled to any further or other judgment, including a judgment for the deficiency.
- 3 k. If, before the sale, the Amount Due is brought into court and paid to the clerk, the execution,
- 4 if issued, shall be recalled and the effect of the judgment as to the Amount Due shall be
- 5 terminated.
- 6 l. Pursuant to ORS 18.950 (4), the apparent priority of liens subsequent and inferior to the
- 7 Deed of Trust are as follows:
 - 8 1) Defendant STATE OF OREGON may claim a junior interest in Subject Property by
 - 9 virtue of a Judgment entered on June 13, 2016, as Case No. CR160184 in the Circuit
 - 10 Court of Umatilla County, Oregon.

Signed: 7/18/2017 11:42 AM



Christopher R. Brauer, Circuit Court Judge



CERTIFIED TO BE A TRUE AND
CORRECT COPY OF THE ORIGINAL
Dated: Sept. 1st, 2017
TRIAL COURT ADMINISTRATOR
By: Johnson
Court clerk

18 I hereby certify that the requirements of UTCR 5.100 have been satisfied.
19 This proposed General Judgment of Foreclosure is ready for judicial signature because:
20 The relief sought is against an opposing party who has been found in default.

21 Dated: July 13, 2017 and submitted by:

22 **McCarthy & Holthus, LLP**
23 s/ Michael S. Scott
24 Michael S. Scott OSB No. 973947
25 920 SW 3rd Ave, 1st Floor
26 Portland, OR 97204
27 Phone: (971) 201-3200
28 Fax: (971) 201-3202
msscott@mccarthyholthus.com
Of Attorneys for Plaintiff

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Lot 35, Block 7, SHERWOOD HEIGHTS ADDITION in the City of Pendleton, County of Umatilla, State of Oregon.