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

WELLS FARGO BANK, N.A.,
Plaintiff,

Case No. 17CV31890

WRIT OF EXECUTION

v.
ROBERT M. RICHARDS; FORD MOTOR
CREDIT COMPANY, LLC; PORTFOLIO
RECOVERY ASSOCIATES, LLC; and ALL
OTHER PERSONS OR PARTIES
UNKNOWN CLAIMING ANY RIGHT,
TITLE, LIEN, OR INTEREST IN THE REAL
PROPERTY COMMONLY KNOWN AS 655
E. GLADYS AVE., HERMISTON, OR 97838,
Defendant.

TO THE UMATILLA COUNTY SHERIFF:

On October 26, 2017, a General Judgment of Foreclosure and Declaration of Amount Due by Default was entered by the Umatilla 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: WELLS FARGO BANK, N.A. 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 655 E. Gladys Avenue, Hermiston, OR 97838 ("Subject Property"), and legally described as:

LOTS 10, 11 AND 12, BLOCK 1 OF NEWPORT ADDITION TO THE TOWN, NOW CITY OF HERMISTON, IN THE COUNTY OF UMATILLA AND STATE OF OREGON.

MORE CORRECTLY DESCRIBED AS FOLLOWS: LOT 12, BLOCK 1 OF NEWPORT ADDITION TO THE TOWN, NOW CITY OF HERMISTON, IN THE COUNTY OF

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UMATILLA AND STATE OF OREGON.

The total amount due and owing on the Judgment as of November 10, 2017;

Judgment:	Principal	\$95,832.52
Pre-Judgment:	Interest(4.875%, \$12.39/day)	\$532.77 (September 13, 2017 through October 26, 2017)
	Attorney Fees	\$2,340.00
	Attorney Costs	\$1,506.00
	Prevailing Party Fee	\$300.00
Post-Judgment:	Interest(4.875%, \$12.39/day)	\$185.85 (October 27, 2017 through November 11, 2017)
	Attorney Fees	\$260.00
	Costs	\$0.00

TOTAL: \$100,957.14

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



dateel: nov. 14th, 2017

Johnson

court clerk

Presented by:
ALDRIDGE PITE LLP
Kate Riggs

Katie L. Riggs, 5861
(858) 750-7600
(503) 222-2260 (Facsimile)
kriggs@aldridgepite.com

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

WELLS FARGO BANK, N.A.,
Plaintiff,

v.

ROBERT M. RICHARDS; FORD MOTOR
CREDIT COMPANY, LLC; PORTFOLIO
RECOVERY ASSOCIATES, LLC; and ALL
OTHER PERSONS OR PARTIES
UNKNOWN CLAIMING ANY RIGHT,
TITLE, LIEN, OR INTEREST IN THE REAL
PROPERTY COMMONLY KNOWN AS 655
E. GLADYS AVE., HERMISTON, OR 97838,
Defendants.

Case No. 17CV31890

**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 ROBERT M. RICHARDS;
FORD MOTOR CREDIT COMPANY, LLC; PORTFOLIO RECOVERY ASSOCIATES, LLC;
and ALL OTHER PERSONS OR PARTIES UNKNOWN CLAIMING ANY RIGHT, TITLE,
LIEN, OR INTEREST IN THE REAL PROPERTY COMMONLY KNOWN AS 655 E.
GLADYS AVE., HERMISTON, OR 97838, the records on file herein, and pursuant to the
Motion for General Judgment and Declaration of Amount Due by Default by Plaintiff WELLS
FARGO BANK, N.A. ("Plaintiff"),

IT IS HEREBY ADJUDGED:

1. Plaintiff's security interest in the real property located at 655 E. Gladys Avenue,
Hermiston, OR 97838 ("Subject Property"), as evidenced by the Deed of Trust recorded August
30, 2013 in the official records of Umatilla County as instrument number 2013-6090609 ("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 LOTS 10, 11 AND 12, BLOCK 1 OF NEWPORT ADDITION TO THE TOWN, NOW
4 CITY OF HERMISTON, IN THE COUNTY OF UMATILLA AND STATE OF
5 OREGON.

6 MORE CORRECTLY DESCRIBED AS FOLLOWS:

7 LOT 12, BLOCK 1 OF NEWPORT ADDITION TO THE TOWN, NOW CITY OF
8 HERMISTON, IN THE COUNTY OF UMATILLA AND STATE OF OREGON.

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

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

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

22 5. Plaintiff is owed costs of suit pursuant to the Note and Deed of Trust, ORCP Rule
23 68(A)(2) and ORS 20.115(4), which may be added to the outstanding obligation due and owing
24 under the Note and Deed of Trust and recovered from the proceeds of the sheriff's sale. Pursuant
25 to the Deed of Trust, these costs continue to accrue to the date of the execution sale. This
26 amount to be satisfied by sale of the Subject Property as directed under this Judgment;

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

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

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

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

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DECLARATION OF AMOUNT DUE BY DEFAULT

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

1. The amount of the judgment is \$95,832.52.
2. Simple interest at the variable rate currently at 4.875% (\$12.39 *per diem*) after September 13, 2017, through the date of sale.
3. Attorney fees of \$2,340.00, plus \$260.00, through the date of sale.
4. Costs of \$1,506.00, plus costs accrued through the date of sale.
5. Prevailing party fee: \$300.00.

IT IS SO ADJUDGED



CERTIFIED TO BE A TRUE AND
CORRECT COPY OF THE ORIGINAL
Dated Nov. 14, 2017
TRIAL COURT ADMINISTRATOR
By Johnson
Court clerk

Signed 10/20/2017 06:24 PM

Christopher R. Brauer, Circuit Court Judge

CERTIFICATE OF READINESS

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. I have served a copy of this Order or Judgment on all parties entitled to service and:
 - a. No objections have been served on me within that time frame;

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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 file any remaining objection with the Court.

4. x 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



10/23/2017

Date: _____

Katie L. Riggs, OSB#075801
(858) 750-7600
(503) 222-2260 (Facsimile)
kriggs@aldridgepite.com

Of Attorneys for Plaintiff