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Craig Peterson, OSB #120365
Jaimie Fender, OSB #120832
Kimberly Hood, OSB #123008
Robinson Tait, P.S.
901 Fifth Avenue, Suite 400
Seattle, WA 98164
Phone: (206) 676-9640
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Email: jfender@robinsontait.com
Email: khood@robinsontait.com

CIRCUIT COURT OF OREGON FOR MARION COUNTY

DEUTSCHE BANK NATIONAL TRUST
COMPANY, AS TRUSTEE FOR ARGENT
SECURITIES INC., ASSET-BACKED PASS-
THROUGH CERTIFICATES, SERIES 2004-
W7,

Plaintiff,

v.

THOMAS D. PORTER AS PERSONAL
REPRESENTATIVE OF THE ESTATE OF
LOWELL J. BLACKWELL, THOMAS D.
PORTER, AND PERSONS OR PARTIES
UNKNOWN CLAIMING ANY RIGHT
TITLE, LIEN, OR INTEREST IN THE
PROPERTY DESCRIBED IN THE
COMPLAINT HEREIN,

Defendants.

NO. 15CV21868

WRIT OF EXECUTION IN FORECLOSURE

TO: MARION COUNTY SHERIFF

1
2 1. WHEREAS, on August 22, 2017, in the above-entitled court, a judgment of
3 foreclosure was enrolled and docketed in the above-entitled cause, a true copy of which is attached
4 hereto as Exhibit "A" and made a part hereof;

5 2. WHEREAS, pursuant to ORS 18.862, the Judgment Creditor's address is as follows:

6 Deutsche Bank National Trust Company, as Trustee for Argent Securities Inc., Asset-
7 Backed Pass-Through Certificates, Series 2004-W7
8 c/o Ocwen Loan Servicing
9 1661 Worthington Rd., #100
West Palm Beach, FL 33409

10
11 For the purpose of this Writ, the Judgment Creditor's address is as follows:

12 Ocwen Loan Servicing
13 c/o Robinson Tait, P.S.
14 901 Fifth Avenue, Suite 400
Seattle, Washington 98164

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

17 LOT 4, BLOCK 2, MACK-MERTZ SUBDIVISION, IN THE CITY OF STAYTON,
18 MARION COUNTY, OREGON.

19 and commonly known as 1525 W Cecilia Ct, Stayton, OR 97383.

20
21 4. NOW, THEREFORE, IN THE NAME OF THE STATE OF OREGON, you are
22 hereby commanded to sell the above referenced real property, in the manner prescribed by law for the
23 sale of real property upon execution (subject to redemption), all of the interest which the defendant(s)
24 had on April 9, 2004, the date of the Deed of Trust, and also all of the interest which the defendant(s)
25 had thereafter, in the real property described in the judgment, to satisfy the judgment, which as of
26 October 4, 2017,
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5. THEREFORE, in the name of the State of Oregon you are hereby commanded to seize and sell the above described Property, in the manner prescribed by law; or so much thereof as may be necessary to satisfy the Judgment and Money Award, interest, fees and costs.

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

DATED this _____ day of _____, 2017.

Signed: 10/11/2017 09:56 AM

Cristen Ballenger

, Court Clerk



EXHIBIT A

REEL 4003 PAGE 91
MARION COUNTY
BILL BURGESS, COUNTY CLERK
10-12-2017 01:02 pm.
Control Number 479491 \$
71.00
Instrument 2017 00053158

RECORDING COVER SHEET
(Per ORS 205.234 or ORS 205.244)

This cover sheet has been prepared by the person presenting the attached instrument for recording. Any errors in this cover sheet do not effect the transaction (s) contained in the instrument itself

This space reserved for use by the County Recording Office

After recording return to:

Robinson Tait, P.S.
901 Fifth Avenue, Suite 400
Seattle, WA 98164
(206) 676-9640
Case No. 60128-24769-JUD-OR

1. Title(s) of Transaction(s) ORS 205.234(a) WRIT OF EXECUTION IN FORECLOSURE
2. Direct Parties and addresses ORS 205.125(1)(a) and ORS 205.160

DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE
FOR ARGENT SECURITIES INC., ASSET-BACKED PASS-
THROUGH CERTIFICATES, SERIES 2004-W7,

3. Indirect party/Grantee(s) and address ORS 205.125(1)(a) and ORS 205.160 N/A

THOMAS D. PORTER AS PERSONAL REPRESENTATIVE OF
THE ESTATE OF LOWELL J. BLACKWELL;

THOMAS D. PORTER

PERSONS OR PARTIES UNKNOWN CLAIMING ANY RIGHT,
TITLE, LIEN, OR INTEREST IN THE PROPERTY DESCRIBED IN
THE COMPLAINT HEREIN

4. Trustee Address: (If required):N/A
5. True and Actual Consideration ORS 93.030 N/A
6. Send Tax Statements to: N/A
7. If this instrument is being Re-Recorded, complete the following statement, in accordance with ORS 205.244:
"RERECORDED AT THE REQUEST OF _____

_____ TO CORRECT PREVIOUSLY RECORDED IN BOOK _____ AND PAGE _____, OR AS
FEE NUMBER _____"

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CIRCUIT COURT OF OREGON FOR MARION COUNTY

DEUTSCHE BANK NATIONAL TRUST
COMPANY, AS TRUSTEE FOR ARGENT
SECURITIES INC., ASSET-BACKED PASS-
THROUGH CERTIFICATES, SERIES 2004-
W7,

Plaintiff,

v.

THOMAS D. PORTER AS PERSONAL
REPRESENTATIVE OF THE ESTATE OF
LOWELL J. BLACKWELL; THOMAS D.
PORTER; AND PERSONS OR PARTIES
UNKNOWN CLAIMING ANY RIGHT,
TITLE, LIEN, OR INTEREST IN THE
PROPERTY DESCRIBED IN THE
COMPLAINT HEREIN,

Defendants.

NO. 15CV21868

**CORRECTED GENERAL JUDGMENT
DETERMINING AMOUNT OWED AND
FORECLOSURE**

(Clerk's Action Required)

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, DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR ARGENT
SECURITIES INC., ASSET-BACKED PASS-THROUGH CERTIFICATES, SERIES 2004-W7,
appearing and being represented by CRAIG PETERSON, Attorney of Robinson Tait, and after

GENERAL JUDGMENT DETERMINING
AMOUNT OWED AND FORECLOSURE - 1
60128-24769-JUD-OR1482393

Law Office
ROBINSON TAIT, P. S.

200 Fifth Avenue, Suite 400
Seattle, WA 98104
(206) 467-6000

1
2 considering the pleadings and affidavits on file herein, findings of fact and conclusion of law being
3 unnecessary under Civil Rule 69D, the court finds that the allegations contained in the plaintiff's
4 Complaint are true, that there are no material issues of fact, that the plaintiff is entitled to judgment as
5 a matter of law, and that the judgment should be entered in favor of the plaintiff forthwith as more
6 particularly hereafter set forth. Therefore,
7

8 IT IS HEREBY ORDERED AND ADJUDGED THAT:

9 1. Plaintiff, DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR
10 ARGENT SECURITIES INC., ASSET-BACKED PASS-THROUGH CERTIFICATES, SERIES 2004-
11 W7 be awarded judgment in the sum of \$56,124.26, together with interest at a rate as provided in the
12 Note from September 1, 2014 through June 22, 2016 in the amount of \$2,029.82 with additional pre-
13 judgment interest at the per diem rate of \$3.11 as provided in the Note to the date of entry of judgment;
14 plus reasonable attorneys' fees in the amount of \$2,050.00, plus other recoverable amounts of
15 \$11,776.88 which includes the amounts itemized in the declaration of the lender in support of motion for
16 judgment plus allowable costs of \$1,632.50 as itemized in the bill of disbursements and an additional
17 amount for post-judgment sheriff's fees. Said judgment to bear interest until paid at the statutory rate or
18 at the contract rate, whichever is greater; and
19
20

21 2. Plaintiff's Deed of Trust on real property in Marion County, Oregon, legally described
22 as follows:
23

24 LOT 4, BLOCK 2, MACK-MERTZ SUBDIVISION, IN THE CITY OF STAYTON,
25 MARION COUNTY, OREGON.

26 which was recorded on April 19, 2004, under Auditor's File No. Reel: 2304, Page: 86, records of
27 Marion County, Oregon, be adjudged and decreed to be a first and paramount lien upon the above
28 described real estate and the whole thereof as security for the payment of the judgment herein set

GENERAL JUDGMENT DETERMINING
AMOUNT OWED AND FORECLOSURE - 2
60128-24769-JUD-OR1489393

Law Offices
ROBINSON TAIT, P.S.

201 Fifth Avenue, Suite 100
Seattle WA 98101
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2 forth, and that said Deed of Trust be foreclosed and the property therein described is hereby ordered
3 sold by the Sheriff of Marion County in the manner provided for by law, and the proceeds therefrom
4 shall be applied to the payment of the judgment, interest, attorneys' fees and costs, and such other
5 sums as plaintiff has advanced prior to judgment, and that such sums shall constitute a first and
6 specific lien and charge upon said real estate, prior and superior to any right, title, estate, lien or
7 interest of the defendants THOMAS D. PORTER AS PERSONAL REPRESENTATIVE OF THE
8 ESTATE OF LOWELL J. BLACKWELL and THOMAS D. PORTER and of any one claiming by,
9 through or under them; and
10

11 3. THOMAS D. PORTER AS PERSONAL REPRESENTATIVE OF THE ESTATE OF
12 LOWELL J. BLACKWELL and THOMAS D. PORTER subsequent to April 9, 2004, the date of the
13 Deed of Trust which is foreclosed herein, be forever barred and estopped from claiming or asserting
14 any right, title, lien or interest in or to said property or any part thereof, save and except for the right
15 of redemption as allowed by law; and
16

17 4. Plaintiff be granted the right to become a bidder and purchaser at the sale and the
18 purchaser shall be entitled to exclusive possession of the property upon completion of sale according to
19 law, and to all right, title and interest in any rents and profits generated or arising from the property
20 during the statutory redemption period; and plaintiff is entitled to such remedies as are available at law to
21 secure possession, including writ of assistance, if defendants or any of them or any other party or person
22 shall refuse to surrender possession to the purchaser immediately upon purchaser's demand for
23 possession; and
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5. Pursuant to ORS 18.950, if any proceeds from the execution sale remain after the payment of costs under ORS 18.950(3) and satisfaction of the judgment, the court administrator shall pay the remaining proceeds as directed by the court in the order of distribution.

DECLARATION DETERMINING AMOUNT OF DEBT
(Not a Money Award, see ORS 18.862, 86.797, and 88.010)

Judgment Creditor: DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR ARGENT SECURITIES INC., ASSET-BACKED PASS-THROUGH CERTIFICATES, SERIES 2004-W7
c/o Robinson Tait, P.S.
901 Fifth Avenue, Suite 400
Seattle, WA 98164
(206) 676-9640

Attorney for Judgment Creditor: Craig Peterson
Robinson Tait, P.S.
901 Fifth Avenue, Suite 400
Seattle, WA 98164
(206) 676-9640

The name of any person or public body, other than the Judgment Creditor's Attorney, who is entitled to any portion of the judgment: None

Principal Balance: \$56,124.26

Simple Interest on the Principal Balance from September 1, 2014 to June 22, 2016: \$2,029.82

Other Amounts Due Under Terms of Loan: \$11,776.88

Attorneys' Fees and Costs:
Attorneys' Fee: \$2,050.00
Total Costs: \$1,632.50

Total Attorney Fees and Costs: \$3,682.50

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TOTAL DEBT OWED

\$73,613.46

Pre-Judgment: Additional pre-judgment interest accrues from June 23, 2016, to the date of entry of judgment at the per diem rate of \$3.11, in accordance with the Note

Post-Judgment: Interest Accrues on the total of the amounts listed above in accordance with the contract rate in the Note, or at the statutory rate of 9% per annum, whichever is greater.

Signed: 10/5/2016 11:25 AM


Circuit Court Judge Sean E. Armstrong

Submitted by:



Craig Peterson, OSB #120365
Email: cpeterson@robinsontait.com
 Brandon Smith, OSB #124584
Email: bsmith@robinsontait.com
 Jaimie Fender, OSB #120832
Email: jfender@robinsontait.com
 Kimberly Hood, OSB #123008
Email: K1hood@robinsontait.com
 Michael Althouse, OSB #150793
Email: malthouse@robinsontait.com
Robinson Tait, P.S.
Attorneys for Plaintiff
Tel: (206) 676-9640
Fax: (206) 676-9659


CERTIFICATE OF READINESS- UTCR 5.100

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

1. Each opposing party affected by this order or judgment has stipulated to or approved its terms, as shown by each party's signature on the proposed order or judgment being submitted.
2. Each opposing party affected by this order has approved the form of the document, as shown by written communication to me.
3. I have served a copy on all parties entitled to service and:
 - No objection has been served on me within that time frame.
 - I received objections that I could not resolve with the objecting 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.
 - After conferring about objections [role and name of opposing party] agreed to independently file any remaining objection.
4. The relief sought is against a 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 (1)(c) of UTCR 5.100, 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 (1)(d) of UTCR 5.100.

Date:

9-23-16



Attorney, OSB

120365

REEL: 4003

PAGE: 91

October 12, 2017, 01:02 pm.

CONTROL #: 479491

**State of Oregon
County of Marion**

I hereby certify that the attached instrument was received and duly recorded by me in Marion County records:

FEE: \$ 71.00

**BILL BURGESS
COUNTY CLERK**

THIS IS NOT AN INVOICE.