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2 Craig Peterson, OSB #120365
3 Jaimie Fender, OSB #120832
4 Kimberly Hood, OSB #123008
5 Robinson Tait, P.S.
6 901 Fifth Avenue, Suite 400
7 Seattle, WA 98164
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10 Email: cpeterson@robinsontait.com
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CIRCUIT COURT OF OREGON FOR MARION COUNTY

DEUTSCHE BANK NATIONAL TRUST
COMPANY, AS TRUSTEE OF THE
INDYMAC INDX MORTGAGE LOAN NO. 16CV33739
TRUST 2006-AR2, MORTGAGE PASS-
THROUGH CERTIFICATES, SERIES 2006- WRIT OF EXECUTION IN FORECLOSURE
AR2 UNDER THE POOLING AND
SERVICING AGREEMENT DATED
FEBRUARY 1, 2006,

Plaintiff,

v.

STEVEN D. ELDRIDGE, CHERI NAGER,
SUCCESSOR TRUSTEE, ON BEHALF OF
THE DIANE E. ELDRIDGE REVOCABLE
LIVING TRUST AGREEMENT, DATED
JANUARY 23, 1998, THE ESTATE OF
DIANE E. ELDRIDGE, STATE FARM BANK
F.S.B., AND PERSONS OR PARTIES
UNKNOWN CLAIMING ANY RIGHT,
TITLE, LIEN, OR INTEREST IN THE
PROPERTY DESCRIBED IN THE
COMPLAINT HEREIN,

Defendants.

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TO: MARION COUNTY SHERIFF

1. WHEREAS, on June 23, 2017, in the above-entitled court, a judgment of foreclosure was enrolled and docketed in the above-entitled cause, a true copy of which is attached hereto as Exhibit "A" and made a part hereof;

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

Deutsche Bank National Trust Company, as Trustee of the IndyMac INDX Mortgage Loan Trust 2006-AR2, Mortgage Pass-Through Certificates, Series 2006-AR2 under the Pooling and Servicing Agreement dated February 1, 2006
c/o Ocwen Loan Servicing
1661 Worthington Rd., #100
West Palm Beach, FL 33409

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

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

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

LEGAL DESCRIPTION IS ATTACHED TO JUDGMENT HERETO AS EXHIBIT A.

and commonly known as 4077 Briar Knob Loop NE, Scotts Mill, OR 97375.

4. NOW, THEREFORE, IN THE NAME OF THE STATE OF OREGON, you are hereby commanded to sell the above referenced real property, in the manner prescribed by law for the sale of real property upon execution (subject to redemption), all of the interest which the defendant(s) had on December 2, 2005, the date of the Deed of Trust, and also all of the interest which the defendant(s) had thereafter, in the real property described in the judgment, to satisfy the judgment, which as of September 29, 2017,

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Lenders Principal Judgment:

1. Unpaid Principal Balance	<u>\$349,693.44</u>
2. Pre-Judgment Interest from January 1, 2012 to June 6, 2017, the date calculated by the Declarant in the Declaration in Support of Judgment	<u>\$68,286.52</u>
3. Lenders Fees and Costs	<u>\$43,610.55</u>
4. Attorney's Fees and Costs	<u>\$4,192.30</u>
 <i>Total Judgment Award Entered</i>	 <u>\$465,782.81</u>

Additional Pre Judgment Interest

1. Accrued Interest from June 6, 2017 to June 23, 2017 the date of entry of Judgment	<u>\$713.52</u>
 <i>Total Judgment Award</i>	 <u>\$466,496.33</u>

Post Judgment Interest

1. Accrued Post Judgment Interest at a rate of 9% per annum or at \$115.03, from June 24, 2017, the day after the entry of judgment, through September 29, 2017, the date the writ is being requested	<u>\$11,272.94</u>
 <i>Current Total Amount Owing</i>	 <u>\$477,769.27</u>

In addition to the above, interest continues to accrue on the total of the amounts listed above at the rate of 9% per annum or at \$115.03 per diem, in accordance with the General Judgment of Foreclosure and continues to accrue until the date of sale.

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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: 10/5/2017 04:12 PM

Cristen Ballenger

, Court Clerk



EXHIBIT A

REEL 4002 PAGE 458
MARION COUNTY
BILL BURGESS, COUNTY CLERK
10-11-2017 03:27 pm.
Control Number 479348 \$
81.00
Instrument 2017 00053025

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. 60128-28914-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 OF THE INDYMAC INDX MORTGAGE LOAN TRUST 2006-AR2, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2006-AR2 UNDER THE POOLING AND SERVICING AGREEMENT DATED FEBRUARY 1, 2006

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

STEVEN D. ELDRIDGE

CHERI NAGER, SUCCESSOR TRUSTEE, ON BEHALF OF THE DIANE E. ELDRIDGE REVOCABLE LIVING TRUST AGREEMENT, DATED JANUARY 23, 1998

THE ESTATE OF DIANE E. ELDRIDGE

STATE FARM BANK F.S.B.

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 OF THE INDYMAC INDX MORTGAGE LOAN TRUST 2006-AR2, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2006-AR2 UNDER THE POOLING AND SERVICING AGREEMENT DATED FEBRUARY 1, 2006.

Plaintiff.

v.

STEVEN D. ELDRIDGE; CHERI NAGER, SUCCESSOR TRUSTEE, ON BEHALF OF THE DIANE E. ELDRIDGE REVOCABLE LIVING TRUST AGREEMENT, DATED JANUARY 23, 1998; THE ESTATE OF DIANE E. ELDRIDGE; STATE FARM BANK F.S.B.; AND PERSONS OR PARTIES UNKNOWN CLAIMING ANY RIGHT, TITLE, LIEN, OR INTEREST IN THE PROPERTY DESCRIBED IN THE COMPLAINT HEREIN.

Defendants.

NO. 16CV33739

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 OF THE INDYMAC INDX MORTGAGE LOAN TRUST 2006-AR2, MORTGAGE PASS-THROUGH

GENERAL JUDGMENT DETERMINING AMOUNT OWED AND FORECLOSURE - 1
60128 28911 JUD-OR177111

ROBINSON TALL, P.S.

500 Fifth Avenue, Suite 300
Seattle, WA 98101
206.461.6100

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2 CERTIFICATES. SERIES 2006-AR2 UNDER THE POOLING AND SERVICING AGREEMENT
3 DATED FEBRUARY 1, 2006, appearing and being represented by CRAIG PETERSON, Attorney of
4 Robinson Tait, and after considering the pleadings and affidavits on file herein, findings of fact and
5 conclusion of law being unnecessary under Civil Rule 69D, the court finds that the allegations
6 contained in the plaintiff's Complaint are true, that there are no material issues of fact, that the
7 plaintiff is entitled to judgment as a matter of law, and that the judgment should be entered in favor of
8 the plaintiff forthwith as more particularly hereafter set forth. Therefore,
9

10 IT IS HEREBY ORDERED AND ADJUDGED THAT:

11 1. Plaintiff, DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE OF
12 THE INDYMAC INDX MORTGAGE LOAN TRUST 2006-AR2, MORTGAGE PASS-THROUGH
13 CERTIFICATES, SERIES 2006-AR2 UNDER THE POOLING AND SERVICING AGREEMENT
14 DATED FEBRUARY 1, 2006 be awarded judgment in the sum of \$349,693.44, together with interest at
15 a rate as provided in the Note from January 1, 2012 through June 6, 2017 in the amount of \$68,286.52
16 with additional pre-judgment interest at the per diem rate of \$39.64 as provided in the Note to the date of
17 entry of judgment; plus reasonable attorneys' fees in the amount of \$2,050.00, plus other recoverable
18 amounts of \$43,610.55 which includes the amounts itemized in the declaration of the lender in support
19 of motion for judgment plus allowable costs of \$2,142.30 as itemized in the bill of disbursements and an
20 additional amount for post-judgment sheriff's fees. Said judgment to bear interest until paid at the
21 statutory rate or at the contract rate, whichever is greater; and,
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24 2. Plaintiff's Deed of Trust on real property in Marion County, Oregon, legally described
25 as follows:
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27 LEGAL DESCRIPTION IS ATTACHED HERETO AS EXHIBIT A.
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2 which was recorded on January 24, 2006, under Auditor's File No. Reel 2597, Page 357, records of
3 Marion County, Oregon, be adjudged and decreed to be a first and paramount lien upon the above
4 described real estate and the whole thereof as security for the payment of the judgment herein set
5 forth, and that said Deed of Trust be foreclosed and the property therein described is hereby ordered
6 sold by the Sheriff of Marion County in the manner provided for by law, and the proceeds therefrom
7 shall be applied to the payment of the judgment, interest, attorneys' fees and costs, and such other
8 sums as plaintiff has advanced prior to judgment, and that such sums shall constitute a first and
9 specific lien and charge upon said real estate, prior and superior to any right, title, estate, lien or
10 interest of the defendant and of any one claiming by, through or under them; and
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13 3. Any and all persons acquiring any right, title, estate, lien or interest in or to the
14 property described above or any part thereof subsequent to December 2, 2005, the date of the Deed of
15 Trust which is foreclosed herein, be forever barred and estopped from claiming or asserting any right,
16 title, lien or interest in or to said property or any part thereof, save and except for the right of
17 redemption as allowed by law; and
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19 4. Plaintiff be granted the right to become a bidder and purchaser at the sale and the
20 purchaser shall be entitled to exclusive possession of the property upon completion of sale according to
21 law, and to all right, title and interest in any rents and profits generated or arising from the property
22 during the statutory redemption period; and plaintiff is entitled to such remedies as are available at law to
23 secure possession, including writ of assistance, if defendants or any of them or any other party or person
24 shall refuse to surrender possession to the purchaser immediately upon purchaser's demand for
25 possession; and
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2 5. Pursuant to ORS 18.950, if any proceeds from the execution sale remain after the
3 payment of costs under ORS 18.950(3) and satisfaction of the judgment, the court administrator shall
4 pay the remaining proceeds as directed by the court in the order of distribution.
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7 **DECLARATION DETERMINING AMOUNT OF DEBT**
(Not a Money Award, see ORS 18.862, 86.797, and 88.010)

8 Judgment Creditor: DEUTSCHE BANK NATIONAL TRUST
9 COMPANY, AS TRUSTEE OF THE
10 INDYMAC INDX MORTGAGE LOAN
11 TRUST 2006-AR2, MORTGAGE PASS-
12 THROUGH CERTIFICATES, SERIES 2006-
13 AR2 UNDER THE POOLING AND
14 SERVICING AGREEMENT DATED
15 FEBRUARY 1, 2006
c/o Robinson Tait, P.S.
901 Fifth Avenue, Suite 400
Seattle, WA 98164
(206) 676-9640

16 Attorney for Judgment Creditor: Craig Peterson
17 Robinson Tait, P.S.
18 901 Fifth Avenue, Suite 400
19 Seattle, WA 98164
(206) 676-9640

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

23 Principal Balance: \$349,693.44

24 Simple Interest on the Principal Balance
25 from January 1, 2012 to June 6, 2017: \$68,286.52

26 Other Amounts Due Under Terms of Loan: \$43,610.55

27 Attorneys' Fees and Costs:
28 Attorneys' Fee: \$2,050.00

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Total Costs: \$2,142.30

Total Attorney Fees and Costs: \$4,192.30

TOTAL DEBT OWED \$465,782.81

Pre-Judgment: Additional pre-judgment interest accrues from June 7, 2017, to the date of entry of judgment at the per diem rate of \$39.64, 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: 6/23/2017 02:37 PM


Clerk Court Judge Christy M. Burke

Submitted by:



Craig Peterson, OSB #120365
Email: cpeterson@robinsontait.com
 Jaimie Fender, OSB #120832
Email: jfender@robinsontait.com
 Kimberly Hood, OSB #123008
Email: KHood@robinsontait.com
Robinson Tait, P.S.
Attorneys for Plaintiff
Tel: (206) 676-9640
Fax: (206) 676-9659

Exhibit A



Order No. 471816047627-TT MIDWIL 18

LEGAL DESCRIPTION

Beginning at a point which is 707.92 feet North 89°39' East and 515.17 feet North of the Southwest corner of Section 1, in Township 7 South, Range 1 East of the Willamette Meridian in Marion County, Oregon; thence North 340.00 feet; thence South 65°56' East 678.88 feet to a point on the East line of the Southwest quarter of the Southwest quarter of said Section; thence South 2°42' West 364.50 feet to a point which is 210.80 feet North 2°42' East from a point on the South line of said Section; thence North 63°28' West 673.66 feet to the place of beginning.

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: 6-7-17

Craig L
Attorney, OSB

120365

REEL: 4002

PAGE: 458

October 11, 2017, 03:27 pm.

CONTROL #: 479348

**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: \$ 81.00

**BILL BURGESS
COUNTY CLERK**

THIS IS NOT AN INVOICE.