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

PENNYMAC HOLDINGS, LLC,

Plaintiff,

vs.

CASE NUMBER: 17CV10353

WRIT OF EXECUTION IN FORECLOSURE

MARILYN VAN SANTEN AKA MARILYN
VANSANTEN AKA MARILYN A.
SANTEN AKA MARILYN A.
VANSANTEN AKA MARILYN ANN
VANSANTEN, an individual; RAY KLEIN,
INC. DBA PROFESSIONAL CREDIT
SERVICE, a corporation; STATE OF
OREGON, a government entity; CSO
FINANCIAL, INC., a corporation; and all
other persons, parties, or occupants unknown
claiming any legal or equitable right, title,
estate, lien, or interest in the real property
described in the complaint herein, adverse to
Plaintiff's title, or any cloud on Plaintiff's title
to the Property.

Defendants.

TO: THE SHERIFF OF POLK COUNTY, OREGON:

1.

WHEREAS, on October 18, 2017, in the above-entitled Court, a General Judgment of
Foreclosure ("Judgment") was entered and docketed in the above-entitled and numbered proceeding

2.

NOW, THEREFORE, IN THE NAME OF THE STATE OF OREGON, you are hereby

1 commanded to sell, in the manner prescribed by law for the sale of real property upon (subject to
2 redemption, if applicable), all of the interest which the Defendants MARILYN VAN SANTEN
3 AKA MARILYN VANSANTEN AKA MARILYN A. SANTEN AKA MARILYN A.
4 VANSANTEN AKA MARILYN ANN VANSANTEN, RAY KLEIN INC. DBA PROFESSIONAL
5 CREDIT SERVICE, STATE OF OREGON, and CSO FINANCIAL, INC. ("Defendants") had on
6 April 27, 2006, the date of the foreclosed Deed of Trust which was recorded on May 4, 2006, as
7 Instrument No. 2006-007385 in the official records of the Polk County Recorder's Office, and/or all
8 of the interest which Defendants had thereafter, in the real property described in the Judgment to
9 satisfy the Judgment as follows:

10 **Lender's Principal Judgment:**

11 Unpaid Principal Balance:	\$237,492.01
12 Pre-Judgment Interest from February 1, 13 2016 to August 19, 2017, the date set 14 forth in the Judgment at 2.000%, per 15 annum, (\$12.57 per diem):	\$7,108.20
16 Lender's Fees and Costs:	\$13,286.16
17 Attorney's Fees and Costs:	\$3,864.95
18	
19 <i>Total Judgment Entered:</i>	<i>\$261,751.32</i>
20	

21 **Additional Pre-Judgment Interest:**

22 Accrued Interest from August 20, 2017, 23 the day after the date set forth in the 24 Judgment through October 18, 2017, 25 the date of entry of the Judgment, at 26 2.000%, per annum (\$12.57 per diem):	\$741.63
27	
28	

1 *Total Judgment Entered Including*

2 *Additional Pre-Judgment*

3 *Interest:* *\$262,492.95*

4 3.

5 Additionally, Plaintiff is entitled to the accrual of post-judgment interest on *\$262,492.95* at
6 the legal rate of interest of 9% per annum, \$64.72 per diem, from October 19, 2017 to the date the
7 real property subject to the Judgment is sold by the County Sheriff at its foreclosure auction, plus
8 costs of this Writ, Sherriff's fees and sale costs, and all other recovered costs pursuant to law.

9 4.

10 The real property subject to this writ of execution is commonly known as 2124 NW
11 DEERWIND AVENUE, SALEM, OR 97304 ("Property") and described in Exhibit "1" attached
12 hereto.

13 5.

14 The Judgment Creditor's name and address is:

15 PennyMac Holdings, LLC
16 6101 Condor Drive
17 Moorpark, CA 93021-2602

18 The Judgment Creditor's name and address for the purpose of this Writ is:

19 PennyMac Holdings, LLC
20 c/o Malcolm & Cisneros, ALC (Attention: Nathan F. Smith)
21 2112 Business Center Drive
22 Irvine, CA 92612
23 949-252-9400

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25 ///

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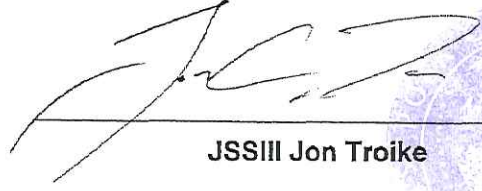
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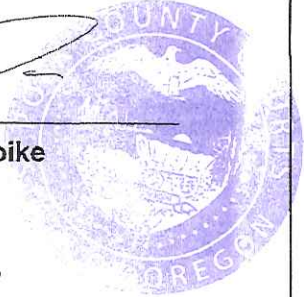
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THEREFORE, in the name of the State of Oregon, you are hereby commanded to seize and sell the Property, in the manner prescribed by law; or so much thereof as may be necessary to satisfy the Judgment, interest, fees, and costs.

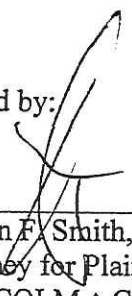
MAKE RETURN HEREOF within 60 days after you receive this Writ.

Signed: 10/31/2017 08:37 AM


JSSIII Jon Troike



Submitted by:



Dated: 10/20/17

Nathan F. Smith, OSB #120112
Attorney for Plaintiff
MALCOLM ♦ CISNEROS, A Law Corporation
2112 Business Center Drive, Second Floor
Irvine, California 92612
Phone: (949) 252-9400
Fax: (949) 252-1032
Email: nathan@mclaw.org

EXHIBIT 1

LEGAL DESCRIPTION

Lot 312, DEER RIDGE ESTATES PHASE IV, in the City of Salem, County of Polk and State of Oregon

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

PENNYMAC HOLDINGS, LLC,

Plaintiff,

vs.

MARILYN VAN SANTEN AKA MARILYN VANSANTEN AKA MARILYN A. SANTEN AKA MARILYN A. VANSANTEN AKA MARILYN ANN VANSANTEN, an individual; RAY KLEIN, INC. DBA PROFESSIONAL CREDIT SERVICE, a corporation; STATE OF OREGON, a government entity; CSO FINANCIAL, INC., a corporation; and all other persons, parties, or occupants unknown claiming any legal or equitable right, title, estate, lien, or interest in the real property described in the complaint herein, adverse to Plaintiff's title, or any cloud on Plaintiff's title to the Property.

Defendants.

CASE NUMBER: 17CV10353

GENERAL JUDGMENT OF FORECLOSURE AGAINST:

1. MARILYN VAN SANTEN AKA MARILYN VANSANTEN AKA MARILYN A. SANTEN AKA MARILYN A. VANSANTEN AKA MARILYN ANN VANSANTEN,
2. RAY KLEIN INC. DBA PROFESSIONAL CREDIT SERVICE,
3. STATE OF OREGON,
4. CSO FINANCIAL, INC.

1.

THIS MATTER, coming on regularly before the Court, and it appearing from the record herein that Plaintiff, PennyMac Holdings, LLC ("Plaintiff"), filed its Complaint for Foreclosure of Deed of Trust; that Defendants MARILYN VAN SANTEN AKA MARILYN VANSANTEN AKA MARILYN A. SANTEN AKA MARILYN A. VANSANTEN AKA MARILYN ANN

1 VANSANTEN, RAY KLEIN INC. DBA PROFESSIONAL CREDIT SERVICE, STATE OF
2 OREGON, and CSO FINANCIAL, INC. ("Defendants") were duly served with the Summons and
3 Complaint as required by law; that Defendants failed to appear, that an order of default has been
4 entered against on Plaintiff's Complaint, and that Plaintiff is entitled to entry of a General Judgment
5 foreclosing Plaintiff's deed of trust against the property commonly known as 2124 NW
6 DEERWIND AVENUE, SALEM, OR 97304 ("Property") and extinguishing any and all interest of
7 the Defendants in the Property.

8 2.

9 The Court being fully advised; it is hereby
10 ORDERED AND ADJUDGED that:

11 3.

12 Plaintiff is the holder of that certain promissory note ("Note"), dated April 27, 2006, in the
13 amount of \$213,750.00, and executed by MARILYN VAN SANTEN AKA MARILYN
14 VANSANTEN AKA MARILYN A. SANTEN AKA MARILYN A. VANSANTEN AKA
15 MARILYN ANN VANSANTEN.

16 4.

17 The Note is secured by that certain deed of trust ("Deed of Trust") dated April 27, 2006 and
18 executed by MARILYN VAN SANTEN AKA MARILYN VANSANTEN AKA MARILYN A.
19 SANTEN AKA MARILYN A. VANSANTEN AKA MARILYN ANN VANSANTEN. The Deed
20 of Trust was recorded on May 4, 2006 under the recording number 2006-007385 of the Official
21 Records of Polk County, Oregon, against the Property, which is legally described as: See Exhibit "1"
22 attached hereto. ("Property") and constitutes a valid lien against the Property.

23 5.

24 The terms of the Note and Deed of Trust are in breach, therefore, Plaintiff has now declared
25 all sums due and owing under the Note and Deed of Trust as immediately due and payable.

26 6.

27 The Deed of Trust is a valid first priority lien encumbering the Property, is superior to any
28

1 interest, lien, or claim of the Defendants and any other party in the Property, which are hereby
2 foreclosed and terminated, excepting only any statutory right of redemption to which the Defendants
3 may be entitled under Oregon law.

4 7.

5 A judgment of foreclosure in the amount of \$261,751.32 shall be granted in favor of Plaintiff,
6 and its successors and/or assigns, as further described below in the Declaration of Amount Owed –
7 Not a Money Award (“Amount Owed”).

8 8.

9 The Property is hereby ordered to be sold by law and the proceeds of sale applied toward the
10 satisfaction of Plaintiff's Amount Owed herein; and the surplus, if any to the Clerk of the Court to be
11 disbursed to such party or parties as may establish their right thereto.

12 9.

13 Plaintiff is entitled to recover its reasonable attorney's fees and all reasonable and necessary
14 costs and expenses incurred to enforcing the Note and Deed of Trust.

15 10.

16 Any increased interest or any such additional amounts as Plaintiff may advance for taxes,
17 assessments, municipal charges, and such other items as may constitute liens on the Property,
18 together with insurance and repairs necessary to prevent the impairment of the Property, together
19 with interest thereon from the date of payment may also be added to the Amount Owed and paid
20 from the proceeds from the sale of the Property.

21 11.

22 Defendants and all parties claiming an interest in the Property as purchasers, encumbrancers,
23 or otherwise, are forever barred and foreclosed of all interests, liens, or claims in the Property and
24 every portion thereof, excepting only any statutory right of redemption provided by the laws of the
25 State of Oregon.

26 12.

27 Defendant MARILYN VAN SANTEN AKA MARILYN VANSANTEN AKA MARILYN
28

1 A. SANTEN AKA MARILYN A. VANSANTEN AKA MARILYN ANN VANSANTEN is not
2 entitled to a homestead exemption in the Property.

3 13.

4 Plaintiff may become purchaser at the Sheriff's Sale of the Property and may bid up to the
5 aggregate amount of its Amount Owed, plus any additional interest and reasonable costs until sale.

6 14.

7 The purchaser of the Property at the Sheriff's Sale is entitled to exclusive and immediate
8 possession of the Property from and after the date of the sale, and is entitled to such remedies as are
9 available at law to secure possession of the Property, and may apply to the Clerk of the Court for a
10 writ of assistance, if Defendants, any of them, or any other party or person shall refuse to surrender
11 possession of the Property to the purchaser immediately on the purchaser's demand for possession.

12 15.

13 This Court shall retain jurisdiction to enforce all provisions of this General Judgment and to
14 enter such additional order, judgment, or decree necessary for the purchaser at the foreclosure sale to
15 obtain possession of the Property.

16 16.

17 Under the Note, there is now due and owing to Plaintiff, the following amounts, to be
18 hereinafter described as the Amount Owed.

19 17.

20 This suit does not constitute an attempt to collect the debt against Defendants MARILYN
21 VAN SANTEN AKA MARILYN VANSANTEN AKA MARILYN A. SANTEN AKA MARILYN
22 A. VANSANTEN AKA MARILYN ANN VANSANTEN, RAY KLEIN INC. DBA
23 PROFESSIONAL CREDIT SERVICE, STATE OF OREGON, and CSO FINANCIAL, INC.
24 Rather, it is a suit to execute upon the Property as security for the Amount Owed.

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DECLARATION OF DEBT SECURED BY DEED OF TRUST

(Pursuant to Senate Bill 368)

18.

Under the terms of the Deed of Trust and the Note dated April 27, 2006, in the original principal amount of \$213,750.00, there is now due and owing the following amounts, to be hereinafter described as the Amount Due:

DECLARATION OF AMOUNT OWED – NOT A MONEY AWARD

- | | |
|--|--|
| 1. Judgment Creditor: | PennyMac Holdings, LLC |
| Address: | c/o MALCOLM ♦ CISNEROS,
A Law Corporation
2112 Business Center Drive, 2 nd Floor
Irvine, California 92612 |
| Judgment Attorney: | Nathan F. Smith |
| Address: | MALCOLM ♦ CISNEROS, A Law Corporation
2112 Business Center Drive, 2 nd Floor
Irvine, California 92612 |
| Telephone Number: | (949) 252-9400 |
| 2. Persons or Public Bodies Entitled to
a Portion the Judgment: | N/A |
| 3. Judgment Amount: | \$257,886.37 |
| 4. Pre-Judgment Interest: | Simple interest to accrue on \$237,492.01 from
August 20, 2017 to the date the Judgment is
entered into the Court's register at 2.000% per
annum, \$12.57 per diem. |

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5. Post-Judgment Interest:

Simple interest to accrue on \$261,751.32 plus Pre-Judgment Interest from the day after the General Judgment is entered to the date upon which the Writ of Execution in Foreclosure is levied at the legal rate of interest or 9% per annum, whichever is greater.

6. Periodic accrual:

N/A

7. Attorney's Fees and Costs:

An award of \$3,864.95 in attorney's fees and costs is made.

Signed: 10/16/2017 01:53 PM

Circuit Court Judge Norm R. Hill

Certified to be a true and correct copy of the original on file.
Dated 11-2-17
Trial Court Administrator

By [Signature]



Dated: 10/10/17

Submitted by:

Nathan F. Smith, OSB #120112
Attorney for Plaintiff
MALCOLM ♦ CISNEROS, A Law Corporation
2112 Business Center Drive, Second Floor
Irvine, California 92612
Phone: (949) 252-9400
Fax: (949) 252-1032
Email: nathan@mclaw.org

EXHIBIT 1

LEGAL DESCRIPTION

Lot 312, DEER RIDGE ESTATES PHASE IV, in the City of Salem, County of Polk and State of Oregon

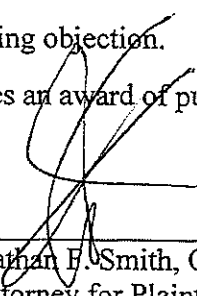
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CERTIFICATE OF READINESS

This proposed Order or Judgment is ready for judicial signature because:

- Service is not required pursuant to subsection (3) of UTCR 5.100, or by statute, rule or otherwise.
- The relief sought is against an opposing party who has been found in default.
- An order of default is being requested with this proposed judgment.
- 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.
- 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.
- I have served a copy of this order or judgment on all parties entitled to service and:
 - No objection has been served on me.
 - 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.
 - After conferring about objections, [role and name of opposing party] agreed to independently file any remaining objection.
- This is a proposed judgment that includes an award of punitive damages.

DATED: 10/10, 2017

By: 
 Nathan F. Smith, OSB #120112
 Attorney for Plaintiff
 MALCOLM ♦ CISNEROS, A Law Corporation
 2112 Business Center Drive, Second Floor
 Irvine, California 92612
 (949) 252-9400 (TELEPHONE)
 (949) 252-1032 (FAX)



Polk County Sheriff's Office
Attn: Civil Division
850 Main Street
Dallas, OR 97338

Re: PennyMac vs. Santen
Case Number: 17CV10353
Our File Number: B46720
Property to be Sold: 2124 NW DEERWIND AVENUE, SALEM, OR 97304

To the Sheriff of Polk County:

Enclosed, please find the original Writ of Execution in Foreclosure and a copy of the General Judgment of Foreclosure ("Judgment").

The Writ of Execution was issued pursuant to the Judgment foreclosing and directing the sale of the real property located at 2124 NW DEERWIND AVENUE, SALEM, OR 97304 ("Property"). Please levy and sell, according to the manner prescribed by Oregon Revised Statutes ("ORS") Chapter 18 for the sale of property upon execution, all of the interest that the Defendants STATE OF OREGON, CSO Financial, Inc., MARILYN VAN SANTEN AKA MARILYN VANSANTEN AKA MARILYN A. SANTEN AKA MARILYN A. VANSANTEN AKA MARILYN ANN VANSANTEN and Ray Klein, Inc. DBA Professional Credit Service ("Defendants") had on April 27, 2006, and/or all of the interest which the Defendants had thereafter, in the Property described below.

The names and addresses of the judgment creditor and all debtors to whom notice must be given under ORS 18.888:

PennyMac Holdings, LLC
6101 Condor Drive
Moorpark, CA 93021-2602

Malcolm & Cisneros, ALC
Attention Nathan F. Smith
2112 Business Center Drive Second Floor
Irvine, CA 92612
(949) 252-9400

CORPORATE OFFICE: 2112 Business Center Drive, Irvine, CA 92612 ♦ PH: 949-252-9400 ♦ FAX: 949-252-1032

With Offices in:

Phoenix, AZ ♦ Riverside & San Jose, CA ♦ Las Vegas, NV ♦ Lake Oswego, OR ♦ Katy, TX ♦ Seattle, WA

www.malcolmcisneros.com



MARILYN VAN SANTEN AKA MARILYN VANSANTEN AKA MARILYN A. SANTEN
AKA MARILYN A. VANSANTEN AKA MARILYN ANN VANSANTEN
545 TAYBIN TER
SALEM, OR 97304

OCCUPANTS
2124 NW DEERWIND AVENUE
SALEM, OR 97304

The name and addresses of any other persons to whom notice must be given under ORS 18.918:

RAY KLEIN, INC. DBA PROFESSIONAL CREDIT SERVICE
400 INTERNATIONAL WAY STE 250
SPRINGFIELD, OR 97477

STATE OF OREGON
1162 COURT STREET NE
SALEM, OR 97301

CSO FINANCIAL, INC.
1229 SE STEPHENS ST
ROSEBURG, OR 97470

A description of any personal property to be levied upon:

Not applicable.

The street address of the Property is:

2124 NW DEERWIND AVENUE, SALEM, OR 97304

The Property is residential property as defined by ORS 18.901. No condominium unit, manufactured dwelling, or floating home to be levied on is inventory held for sale or lease in the regular course of business. No portion of the Property to be levied on is intangible personal property, and there are no special instructions required to implement an order entered pursuant to ORS 18.884.

CORPORATE OFFICE: 2112 Business Center Drive, Irvine, CA 92612 ♦ PH: 949-252-9400 ♦ FAX: 949-252-1032

With Offices in:

Phoenix, AZ ♦ Riverside & San Jose, CA ♦ Las Vegas, NV ♦ Lake Oswego, OR ♦ Katy, TX ♦ Seattle, WA

www.malcolmcisneros.com



Legal Description for the Property or interest in the Property to be levied on:

See Exhibit "1" attached hereto.

Judgment creditor seeks sale of the Property under a writ of execution, these instructions to the Sheriff direct the Sheriff to include following notice in conspicuous language in the Notice of Sheriff's Sale required by ORS 18.924:

Before bidding at the sale, a prospective bidder should independently investigate:

- (a) The priority of the lien or interest of the judgment creditor;
- (b) Land use laws and regulations applicable to the property;
- (c) Approved uses for the property;
- (d) Limits on farming or forest practices on the property;
- (e) Rights of neighboring property owners;
- (f) Environmental laws and regulations that affect the property.

Other information:

Homestead Exemption: None

Property: Improved

Redemption Period: 6 months

1. Judgment Amount: \$257,886.37
2. Attorney's Fees and Costs: \$3,864.95
3. Additional Pre-Judgment Interest: \$741.63
4. Post-Judgment Interest accrues on \$262,492.95 at the rate of \$64.72 per diem from October 19, 2017 until sale.

CORPORATE OFFICE: 2112 Business Center Drive, Irvine, CA 92612 ♦ PH: 949-252-9400 ♦ FAX: 949-252-1032

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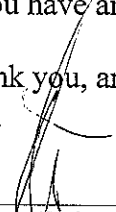


Sheriff's fees and publication costs: Additionally, enclosed is a check in the amount of \$956.00 for initial Sheriff's fees. The balance shall be billed to our office at the address below at the end of sale. Please utilize the Oregon State Sheriff's Association for publishing. Once a sale date has been set please forward the Notice of Sheriff's Sale to our office.

"You are hereby requested to extend the Writ of Execution for 150 days."

If you have any questions and/or concerns regarding the foregoing, please contact me forthwith.

Thank you, and I greatly appreciate your assistance,



Nathan F. Smith, OSB #120112

Dated: 11/2/17

Attorney for Plaintiff

MALCOLM ♦ CISNEROS, A Law Corporation

2112 Business Center Drive, Second Floor

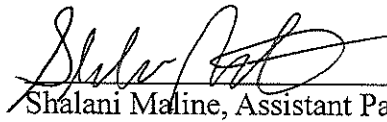
Irvine, California 92612

Phone: (949) 252-9400

Fax: (949) 252-1032

Email: nathan@mclaw.org

Contact:



Shalani Maline, Assistant Paralegal

Email: smaline@mclaw.org

[Enclosures]

CORPORATE OFFICE: 2112 Business Center Drive, Irvine, CA 92612 ♦ PH: 949-252-9400 ♦ FAX: 949-252-1032

With Offices in:

Phoenix, AZ ♦ Riverside & San Jose, CA ♦ Las Vegas, NV ♦ Lake Oswego, OR ♦ Katy, TX ♦ Seattle, WA

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Lot 312, DEER RIDGE ESTATES PHASE IV, in the City of Salem, County of Polk and State of Oregon