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

JPMORGAN CHASE BANK, NATIONAL ASSOCIATION,

Plaintiff,

v.

ESTATE OF DAVID LEE HAPROFF; THE UNKNOWN HEIRS, ASSIGNS AND DEVISEES OF DAVID LEE HAPROFF; JASON LEE HAPROFF; BRAD SHANNON HAPROFF; HARBOR ISLES HOMEOWNER'S ASSOCIATION; and ALL OTHER PERSONS OR PARTIES UNKNOWN CLAIMING ANY RIGHT, TITLE, LIEN, OR INTEREST IN THE REAL PROPERTY COMMONLY KNOWN AS 1183 HARBOR ISLES BOULEVARD, KLAMATH FALLS, OR 97601,

Defendant.

Case No. 17CV08431

**WRIT OF EXECUTION**

TO THE KLAMATH COUNTY SHERIFF:

On November 22, 2017, a General Judgment of Foreclosure and Declaration of Amount Due by Default was entered by the KLAMATH 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: JPMORGAN CHASE BANK, NATIONAL ASSOCIATION c/o Aldridge Pite, LLP, 111 SW Columbia St., Ste. 950, Portland, OR 97201.

1 The real property to be sold at public auction is commonly known as 1183 HARBOR  
2 ISLES BOULEVARD, KLAMATH FALLS, OR 97601 ("Subject Property"), and legally  
3 described as:

4 LOT 126 OF TRACT 1277, BEING A RE-PLAT OF LOTS 35 THROUGH 42 OF  
5 BLOCK 1 OF "HARBOR ISLES -TRACT 1209"; LOTS 43 AND 44, 48 THROUGH 58, AND  
6 64 THROUGH 71 OF BLOCK 1 OF THE "FIRST ADDITION TO HARBOR ISLES -  
7 TRACTS 1252"; LOTS 1 THROUGH 6 AND 9 THROUGH 23 OF BLOCK 2 OF THE  
8 "SECOND ADDITION TO HARBOR ISLES - TRACT 1259"; AND A PORTION OF  
9 BLOCKS A, B, AND 4 OF THE "SHIPPINGTON ADDITION TO KLAMATH FALLS,  
10 OREGON", ALL SITUATED IN THE W 1/2 OF SECTION

11 19, TOWNSHIP 38 SOUTH, RANGE 9 EAST OF THE WILLAMETTE MERIDIAN,  
12 KLAMATH COUNTY, OREGON."

13 The total amount due and owing on the Judgment as of January 19, 2018;

14 Judgment:	Principal	\$286,625.55
15 Pre-Judgment:	Interest(3.875%, \$27.84/day)	\$584.64 (November 2, 2017 through
16		November 22, 2017)
17	Attorney Fees	\$3,040.00
18	Costs	\$4,116.97
19	Prevailing Party Fee	\$300.00
20 Post-Judgment:	Interest(3.875%, \$27.84/day)	\$1,614.72 (November 23, 2017 through
21		January 19, 2018)
22	Attorney Fees	\$260.00
23	Costs	\$0.00
24		

25 **TOTAL: \$296,541.88**

26 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

Page 2 – WRIT OF EXECUTION

1 purchaser and file a return on the writ of execution, depositing the sale proceeds with the Court.  
2 Further, you are directed to execute, after the time for redemption has elapsed, a deed to the  
3 holder of the certificate of sale.


4 By the signature of the attorney for the judgment creditor, the person that requested  
5 issuance of the Writ hereby authorizes the sheriff to continue execution under the Writ and delay  
6 making a return on the writ to a date up to 150 days after receipt.

7  
8  
9 John M. Powell, TCA  
10 Anythamman, clerk  
11 January 24 2018  
12  
13



13 Presented by:

14 ALDRIDGE PITE, LLP

15   
16 By: \_\_\_\_\_  
17 {} Hunter Zook, OSB #095578  
18 {} Katie Riggs, OSB #095861  
19 {} Sarah Mathenia, OSB #120681  
20 {} Shannon K. Calt, OSB #121855  
21 {X} Christina Andreoni, OSB #160875  
22 *of Attorneys for Judgment Creditor*  
23 (858) 750-7600  
24 (503) 222-2260 (facsimile)  
25 orecourtnotices@aldridgepite.com  
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**IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF KLAMATH**

JPMORGAN CHASE BANK, NATIONAL ASSOCIATION,

Plaintiff,

v.

ESTATE OF DAVID LEE HAPROFF; THE UNKNOWN HEIRS, ASSIGNS AND DEVISEES OF DAVID LEE HAPROFF; JASON LEE HAPROFF; BRAD SHANNON HAPROFF; HARBOR ISLES HOMEOWNER'S ASSOCIATION; and ALL OTHER PERSONS OR PARTIES UNKNOWN CLAIMING ANY RIGHT, TITLE, LIEN, OR INTEREST IN THE REAL PROPERTY COMMONLY KNOWN AS 1183 HARBOR ISLES BOULEVARD, KLAMATH FALLS, OR 97601,

Defendants.

Case No. 17CV08431

**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

18 Based upon the Court's Order of Default against defendants Estate of David Lee Haproff;  
19 The Unknown Heirs, Assigns And Devisees of David Lee Haproff; Jason Lee Haproff; Brad  
20 Shannon Haproff; Harbor Isles Homeowner's Association; And All Other Persons or Parties  
21 Unknown Claiming Any Right, Title, Lien, or Interest in The Real Property Commonly Known  
22 as 1183 Harbor Isles Boulevard, Klamath Falls, OR 97601, the records on file herein, and  
23 pursuant to the Motion for General Judgment and Declaration of Amount Due by Default by  
24 Plaintiff JPMorgan Chase Bank, National Association ("Plaintiff"),

**IT IS HEREBY ADJUDGED:**

1. Plaintiff's security interest in the real property located at 1183 Harbor Isles

1 Boulevard, Klamath Falls, OR 97601 ("Subject Property"), as evidenced by the Deed of Trust  
2 recorded August 25, 2015 in the official records of Klamath County as instrument number 2015-  
3 009413 ("Deed of Trust"), is a viable first priority lien, superior to the interests of all the  
4 Defendants. All rights, claims, ownerships, liens, titles and demands of all Defendants are  
5 subsequent to Plaintiff's lien as created by the Note and Deed of Trust. The Subject Property is  
6 legally described as follows:

7 LOT 126 OF TRACT 1277, BEING A RE-PLAT OF LOTS 35 THROUGH 42 OF  
8 BLOCK 1 OF "HARBOR ISLES -TRACT 1209"; LOTS 43 AND 44, 48 THROUGH  
9 58, AND 64 THROUGH 71 OF BLOCK 1 OF THE "FIRST ADDITION TO HARBOR  
10 ISLES - TRACTS 1252"; LOTS 1 THROUGH 6 AND 9 THROUGH 23 OF BLOCK 2  
11 OF THE "SECOND ADDITION TO HARBOR ISLES - TRACT 1259"; AND A  
12 PORTION OF BLOCKS A, B, AND 4 OF THE "SHIPPINGTON ADDITION TO  
13 KLAMATH FALLS, OREGON", ALL SITUATED IN THE W 1/2 OF SECTION  
14 19, TOWNSHIP 38 SOUTH, RANGE 9 EAST OF THE WILLAMETTE MERIDIAN,  
15 KLAMATH COUNTY, OREGON."

16  
17 2. The Deed of Trust is foreclosed and upon entry of this Judgment the court  
18 administrator shall upon request of Plaintiff issue a writ of execution for the sale, by the Sheriff,  
19 in the manner provided by law;

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

24 4. Plaintiff is owed reasonable attorney fees plus the remaining flat rate fees for an  
25 uncontested execution on the Judgment, pursuant to the Note and Deed of Trust and ORCP Rule  
26 68(C), which amount may be added to the outstanding obligation due and owing under the Note

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

1 and Deed of Trust and recovered from the proceeds of the sheriff's sale. Pursuant to the Deed of  
2 Trust, these fees continue to accrue to the date of the execution sale. This amount to be satisfied  
3 by sale of the Subject Property as directed under this Judgment;

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

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

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

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

25 ///

26 ///

Page 3 – GENERAL JUDGMENT AND DECLARATION OF AMOUNT DUE BY DEFAULT

Aldridge Pite, LLP  
111 SW Columbia Street, Suite 950  
Portland, OR 97201  
(858) 750-7600

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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 \$286,625.55
2. Simple interest at the variable rate currently at 3.875% (\$27.84*per diem*) from November 1, 2017, through the date of sale.
3. Attorney fees of \$3,040.00, plus \$260.00 through the date of sale.
4. Costs of \$4,116.97 plus costs accrued through the date of sale.
5. Prevailing party fee: \$300.00.

**IT IS SO ADJUDGED**

Signed: 11/21/2017 04:42 PM



Circuit Court Judge Cameron F. Wogan

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.

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- 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;
  - 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.  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



Date: 11/21/17

- { } Hunter Zook, OSB #095578
- { } Katie Riggs, OSB #095861
- { } Sarah Mathenia, OSB #120681
- { } Shannon K. Calt, OSB #121855
- {} Christina Andreoni, OSB #160875

*of Attorneys for Plaintiff*  
(858) 750-7600  
(503) 222-2260 (facsimile)  
orecourtnotices@aldridgepite.com