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

**NATIONSTAR MORTGAGE, LLC D/B/A
CHAMPION MORTGAGE COMPANY,**

Plaintiff,

v.

**THE ESTATE OF DELORES MARIE
WOODS; THE UNKNOWN HEIRS,
ASSIGNS AND DEVISEES OF DELORES
MARIE WOODS; BELINDA D. WOODS
AKA BELINDA D. EK; RODERICK L.
WOODS; ANTHONY K. WOODS; STEVEN
D. WOODS; MARQUITA WOODS; THE
SECRETARY OF HOUSING AND URBAN
DEVELOPMENT; and ALL OTHER
PERSONS OR PARTIES UNKNOWN
CLAIMING ANY RIGHT, TITLE, LIEN, OR
INTEREST IN THE REAL PROPERTY
COMMONLY KNOWN AS 1665 TUDOR
WAY SE, ALBANY, OR 97322,**

Defendant.

Case No. 16CV32940

WRIT OF EXECUTION

RECEIVED
2018 FEB -5 AM 10:08
LINN COUNTY
SHERIFF'S OFFICE

TO THE LINN COUNTY SHERIFF:

On November 20, 2017, a General Judgment of Foreclosure and Declaration of Amount Due by Default was entered by the LINN 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: NATIONSTAR MORTGAGE, LLC D/B/A CHAMPION MORTGAGE COMPANY. 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 1665 TUDOR

1 WAY SE, ALBANY, OREGON 97322 ("Subject Property"), and legally described as:

2 LOT 7, BLOCK 4, MILLIORN MEADOWS, IN THE CITY OF ALBANY, LINN
3 COUNTY, STATE OF OREGON.

4 The total amount due and owing on the Judgment as of January 16, 2018;

5 Judgment:	Principal	\$122,288.86
6 Pre-Judgment:	Interest(2.150%, \$7.19/day)	\$891.56 (July 20, 2017 through
7		November 20, 2017)
8	Attorney Fees	\$3,510.00
9	Costs	\$4,305.70
10	Prevailing Party Fee	\$300.00
11 Post-Judgment:	Interest(2.150%, \$7.19/day)	\$409.83 (November 21, 2017 through
12		January 16, 2018)
13	Attorney Fees	\$260.00
14	Costs	\$0.00

15 **TOTAL: \$131,965.95**

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Page 2 – WRIT OF EXECUTION

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

Signed: 1/22/2018 08:21 AM

Cynthia Mitchell

Cynthia Mitchell, Administrative Authority

9 Presented by:
10 ALDRIDGE PITE, LLP

Aldridge Pite

11
12 { } Hunter Zook, OSB #095578
13 { } Katie Riggs, OSB #095861
14 { } Sarah Mathenia, OSB #120681
15 { } Shannon K. Calt, OSB #121855
16 {x} Christina Andreoni, OSB #160875

17 of Attorneys for Plaintiff
18 (858) 750-7600
19 (503) 222-2260 (facsimile)
20 orecourtnotices@aldridgepite.com



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

WELLS FARGO BANK, N.A.,

Plaintiff,

v.

THE ESTATE OF DELORES MARIE WOODS; THE UNKNOWN HEIRS, ASSIGNS AND DEVISEES OF DELORES MARIE WOODS; BELINDA D. WOODS AKA BELINDA D. EK; RODERICK L. WOODS; ANTHONY K. WOODS; STEVEN D. WOODS; MARQUITA WOODS; THE SECRETARY OF HOUSING AND URBAN DEVELOPMENT; and ALL OTHER PERSONS OR PARTIES UNKNOWN CLAIMING ANY RIGHT, TITLE, LIEN, OR INTEREST IN THE REAL PROPERTY COMMONLY KNOWN AS 1665 TUDOR WAY SE, ALBANY, OR 97322,

Defendant.

Case No. 16CV32940

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 THE ESTATE OF DELORES MARIE WOODS; THE UNKNOWN HEIRS, ASSIGNS AND DEVISEES OF DELORES MARIE WOODS; BELINDA D. WOODS AKA BELINDA D. EK; RODERICK L. WOODS; ANTHONY K. WOODS; STEVEN D. WOODS; MARQUITA WOODS; THE SECRETARY OF HOUSING AND URBAN DEVELOPMENT; and ALL OTHER PERSONS OR PARTIES UNKNOWN CLAIMING ANY RIGHT, TITLE, LIEN, OR INTEREST IN THE REAL PROPERTY COMMONLY KNOWN AS 1665 TUDOR WAY SE, ALBANY, OR 97322, 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"),

1 **IT IS HEREBY ADJUDGED:**

2 1. Plaintiff's security interest in the real property located at 1665 TUDOR WAY SE,
3 ALBANY, OREGON 97322 ("Subject Property"), as evidenced by the Deed of Trust recorded
4 February 26, 2008 in the official records of LINN County as instrument number 2008-03779
5 ("Deed of Trust"), is a viable first priority lien, superior to the interests of all the Defendants. All
6 rights, claims, ownerships, liens, titles and demands of all Defendants are subsequent to
7 Plaintiff's lien as created by the Note and Deed of Trust. The Subject Property is legally
8 described as follows:

9 LOT 7, BLOCK 4, MILLIORN MEADOWS, IN THE CITY OF ALBANY, LINN
10 COUNTY, STATE OF OREGON.

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

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

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

24 5. Plaintiff is owed costs of suit pursuant to the Note and Deed of Trust, ORCP Rule
25 68(A)(2) and ORS 20.115(4), which may be added to the outstanding obligation due and owing
26 under the Note and Deed of Trust and recovered from the proceeds of the sheriff's sale. Pursuant

1 to the Deed of Trust, these costs continue to accrue to the date of the execution sale. This
2 amount to be satisfied by sale of the Subject Property as directed under this Judgment;

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

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

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

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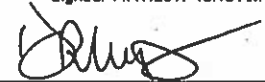
1 DECLARATION OF AMOUNT DUE BY DEFAULT

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

- 4 1. The amount of the judgment is \$122,288.86.
- 5 2. Simple interest at the variable rate currently at 2.15% (\$7.19 *per diem*) from July
- 6 19th, 2017, through the date of sale.
- 7 3. Attorney fees of \$3,510.00, plus \$260.00, through the date of sale.
- 8 4. Costs of \$4,305.70, plus costs accrued through the date of sale.
- 9 5. Prevailing party fee: \$300.00.

10 **IT IS SO ADJUDGED**

Signed: 11/17/2017 10:16 AM



Circuit Court Judge, Daniel R. Murphy

11 CERTIFICATE OF READINESS

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

- 13 1. Each opposing party affected by this Order or Judgment has stipulated to the Order
- 14 or Judgment, as shown by each opposing party's signature on the document being
- 15 submitted.
- 16 2. Each opposing party affected by this Order or Judgment has approved the Order or
- 17 Judgment, as shown by signature on the document being submitted or by written
- 18 confirmation of approval sent to me.
- 19 3. I have served a copy of this Order or Judgment on all parties entitled to service and:
- 20 a. No objections have been served on me within that time frame;
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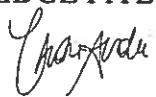
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b. I received objections that I could not resolve with the opposing party despite reasonable efforts to do so. I have filed with the Court a copy of the objections I received and indicated which objections remain unresolved;

c. After conferring about objections, **[Opposing Party]** agreed to independently file any remaining objection with the Court.

- 4. 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: 11/10/2017

Christina Andreoni, OSB #160875
(858) 750-7600
(503) 222-2260 (Facsimile)
candreoni@aldridgepite.com

111 SW Columbia Street, Suite 950
Portland, OR 97201

Of Attorneys for Plaintiff