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IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF LANE

WILMINGTON SAVINGS FUND SOCIETY,
FSB, doing business as CHRISTIANA
TRUST, not in its individual capacity but
solely as Trustee for BCAT 2014-9TT ,

Case No. 17CV11458

WRIT OF EXECUTION

Plaintiff,

v.

MATT E. BEATTIE; JOAN BEATTIE;
GREAT AMERICAN INSURANCE
AGENCY, INC.; BONNIE RILEY; AND
ALL OTHER PERSONS OR PARTIES
UNKNOWN CLAIMING ANY RIGHT,
TITLE, LIEN, OR INTEREST IN THE REAL
PROPERTY COMMONLY KNOWN AS
82039 CHICKAREE RD., LOWELL, OR
97452,

Defendant.

TO THE LANE COUNTY SHERIFF:

On December 19, 2017, a General Judgment of Foreclosure and Declaration of Amount Due by Default was entered by the LANE 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: WILMINGTON SAVINGS FUND SOCIETY, FSB, doing business as CHRISTIANA TRUST, not in its individual capacity but solely as Trustee for BCAT 2014-9TT 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 82039
2 CHICKAREE RD., LOWELL, OR 97452 ("Subject Property"), and legally described as:

3 BEGINNING AT A POINT ON THE NORTH LINE OF SECTION 30, TOWNSHIP 19
4 SOUTH, RANGE 1 EAST OF THE WILLAMETTE MERIDIAN, 196.68 FEET WEST OF
5 THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY
6 58, CALLED THE WILLAMETTE HIGHWAY AND SAID SECTION LINE; AND RUN
7 THENCE WEST ALONG SAID SECTION LINE 294.32 FEET TO A POINT; THENCE
8 SOUTH 370.00 FEET TO A POINT; THENCE EAST PARALLEL WITH SAID SECTION
9 LINE 294.32 FEET TO A POINT; THENCE NORTH 370.00 FEET TO A POINT OF
10 BEGINNING, BEING ALL IN SAID SECTION 30, LANE COUNTY, OREGON.

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

12	Judgment:	Principal	\$299,381.01
13	Pre-Judgment:	Interest(2.000%, \$23.81/day)	\$2,428.62 (September 9, 201 ⁷ through
14			December 19, 201 ⁷ 8)
15		Attorney Fees	\$7,882.50
16		Costs	\$3,860.00
17		Prevailing Party Fee	\$300.00
18	Post-Judgment:	Interest(2.000%, \$23.81/day)	\$738.11 (December 20, 201 ⁷ 8 through
19			January 19, 2018
20		Attorney Fees	\$305.00
21		Costs	\$0.00

22 **TOTAL: \$314,895.24**

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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.

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

JAN 23 2018

By: Angie Jones
Court Clerk



15 Presented by:

16 ALDRIDGE PITE, LLP

17 By: Chidi An...

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

21 of Attorneys for Judgment Creditor
22 (858) 750-7600
23 (503) 222-2260 (facsimile)
24 orecourtnotices@aldridgepite.com

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IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF LANE

WILMINGTON SAVINGS FUND SOCIETY,
FSB, doing business as CHRISTIANA
TRUST, not in its individual capacity but
solely as Trustee for BCAT 2014-9TT,

Plaintiff,

v.

MATT E. BEATTIE; JOAN BEATTIE;
GREAT AMERICAN INSURANCE
AGENCY, INC.; BONNIE RILEY; AND
ALL OTHER PERSONS OR PARTIES
UNKNOWN CLAIMING ANY RIGHT,
TITLE, LIEN, OR INTEREST IN THE REAL
PROPERTY COMMONLY KNOWN AS
82039 CHICKAREE RD., LOWELL, OR
97452,

Defendants.

Case No. 17CV11458

GENERAL JUDGMENT OF
FORECLOSURE AND DECLARATION OF
AMOUNT DUE BY STIPULATION AND
DEFAULT

PURSUANT TO SB368, THIS IS A
JUDGMENT OF FORECLOSURE AND DOES
NOT CONSTITUTE A MONEY AWARD
AGAINST ANY DEFENDANT

Based upon the stipulation of Defendants MATT E. BEATTIE and JOAN BEATTIE
("Stipulating Borrower Defendants"), the Court's Order of Default against Defendants GREAT
AMERICAN INSURANCE AGENCY, INC.; BONNIE RILEY; and ALL OTHER PERSONS
OR PARTIES UNKNOWN CLAIMING ANY RIGHT, TITLE, LIEN, OR INTEREST IN THE
REAL PROPERTY COMMONLY KNOWN AS 82039 CHICKAREE RD., LOWELL, OR
97452, entered September 28, 2017, the records on file herein, and pursuant to WILMINGTON
SAVINGS FUND SOCIETY, FSB, doing business as CHRISTIANA TRUST, not in its
individual capacity but solely as Trustee for BCAT 2014-9TT ("Plaintiff's") Motion for General
Judgment of Foreclosure and Declaration of Amount Due by Stipulation and Default,

Page 1 -- GENERAL JUDGMENT OF FORECLOSURE AND DECLARATION OF AMOUNT DUE BY
STIPULATION AND DEFAULT

Aldridge Pte, LLP
111 SW Columbia Street, Suite 950
Portland, OR 97201
(503) 750-7600

1 IT IS HEREBY ADJUDGED:

2 1. Plaintiff's security interest in the real property located at 82039 Chokaree Rd.,
3 Lowell, OR 97452 ("Subject Property"), as evidenced by the Deed of Trust recorded in the
4 official records of County as Instrument Number 2007-058048 ("Deed of Trust"), is a viable first
5 priority lien, superior to the interests of all the Defendants. All rights, claims, ownerships, liens,
6 titles and demands of all defendants are subsequent to Plaintiff's lien as created by the Note and
7 Deed of Trust. The Subject Property is legally described as follows:

8 BEGINNING AT A POINT ON THE NORTH LINE OF SECTION 30, TOWNSHIP 19
9 SOUTH, RANGE 1 EAST OF THE WILLAMETTE MERIDIAN, 196.68 FEET WEST
10 OF THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF STATE
11 HIGHWAY 58, CALLED THE WILLAMETTE HIGHWAY AND SAID SECTION
12 LINE; AND RUN THENCE WEST ALONG SAID SECTION LINE 294.32 FEET TO
13 A POINT; THENCE SOUTH 370.00 FEET TO A POINT; THENCE EAST PARALLEL
14 WITH SAID SECTION LINE 294.32 FEET TO A POINT; THENCE NORTH 370.00
15 FEET TO A POINT OF BEGINNING, BEING ALL IN SAID SECTION 30, LANE
16 COUNTY, OREGON.

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

20 3. Stipulating Borrower Defendants are in default and Plaintiff is owed the agreed
21 upon total amount due under the Note and Deed of Trust listed below as well as any future
22 advances and/or fees that may be made or incurred pursuant to the terms of the Note and Deed of
23 Trust up to the date of the execution sale. This amount is to be satisfied by sale of the Subject
24 Property as directed under this Judgment;

25 4. Plaintiff is owed the agreed reasonable attorney fees listed below plus the
26 remaining flat rate fees for an uncontested execution on the Judgment, pursuant to the Note and

Page 2 - GENERAL JUDGMENT OF FORECLOSURE AND DECLARATION OF AMOUNT DUE BY
STIPULATION AND DEFAULT

Aldridge Pitt, LLP
111 SW Columbia Street, Suite 950
Portland, OR 97201
(503) 750-7600

1 Deed of Trust and ORCP Rule 68(C), which amount may be added to the outstanding obligation
2 due and owing under the Note and Deed of Trust and recovered from the proceeds of the sheriff's
3 sale. Pursuant to the Deed of Trust, these fees continue to accrue to the date of the execution
4 sale. This amount to be satisfied by sale of the Subject Property as directed under this Judgment;

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

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

13 7. Stipulating Borrower Defendants agree to vacate the property on or before
14 January 15, 2018, leaving the property in "broom-swept" condition.

15 8. Plaintiff agrees to pay Stipulating Borrower Defendants the sum of \$4,000.00,
16 once this stipulation is signed, and the sum of \$3,500.00, once Stipulating Borrower Defendants
17 vacate the property and the property condition is verified by Plaintiff to be in "broom-swept"
18 condition.

19 9. Stipulating Borrower Defendants agree to transfer all redemption rights available
20 under ORS 18.985, to Plaintiff, following the foreclosure sale.

21 10. The Sheriff shall make a return on the writ of execution to the court administrator
22 along with the proceeds of the sale, if any. The proceeds of the sale, if any, shall be applied first
23 toward the costs of the sale; then toward the satisfaction of Plaintiff's Judgment of Foreclosure
24 awarded herein; and the surplus, if any, to the clerk of the court to be distributed to such party or
25 parties as may establish their right thereto. The Defendants and all persons claiming through or
26 under Defendants, whether lien claimants, judgment creditors, claimants arising under junior

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

Ahrldge Pite, LLP
111 SW Columbia Street, Suite 950
Portland, OR 97201
(858) 730-7600

1 mortgages or deeds of trust, purchasers, encumbrances or otherwise, shall be barred and
2 foreclosed from all rights, claims, interest or equity of redemption in the Subject Property and
3 every part of the Subject Property when the time for redemption has elapsed;

4 11. Stipulating Borrower Defendants waive, release, and transfer any redemptive
5 rights or future interests in redemptive rights to the Subject Property to Plaintiff. Stipulating
6 Borrower Defendants may not otherwise sell or transfer his and/or her redemptive rights.

7 12. No action for a deficiency shall be brought or a judgment entered against
8 Stipulating Borrower Defendants on the Note or Deed of Trust.

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

14 DECLARATION OF AMOUNT DUE BY DEFAULT
15 (PURSUANT TO SB 368. THIS IS A JUDGMENT OF FORECLOSURE AND DOES NOT
CONSTITUTE A MONEY AWARD AGAINST ANY DEFENDANT)

- 16 1. The amount of the judgment is \$299,381.01.
- 17 2. Simple interest at the variable rate currently at 2% (\$23.81 *per diem*) after
18 September 8, 2017, through the date of sale.
- 19 3. Attorney fees of \$7,882.50, plus \$305.00, through the date of sale.
- 20 4. Costs of \$3,860.00, plus costs accrued through the date of sale.
- 21 5. Prevailing party fee: \$300.00.

22 IT IS SO ADJUDGED

Signed: 12/15/2017 02:39 PM



Charles D. Carlson, Circuit Court Judge

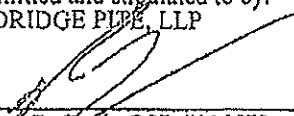
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26 <Stipulation on next page>

Page 4 - GENERAL JUDGMENT OF FORECLOSURE AND DECLARATION OF AMOUNT DUE BY
STIPULATION AND DEFAULT

Aidridge Pte, L.L.P
111 SW Columbia Street, Suite 950
Portland, OR 97201
(858) 750-7600

1 IT IS SO STIPULATED:

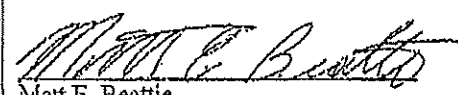
2 Submitted and stipulated to by:
3 ALDRIDGE PIPE, LLP

4 

Date: 11/13/17

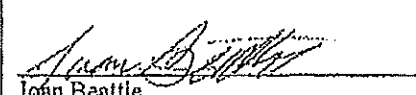
5 Hunter B. Zook, OSB #095578
6 (858) 750-7600
7 (503) 222-2260 (Facsimile)
8 hzook@aldridgepipe.com

9 *Of Attorneys for Plaintiff WILMINGTON SAVINGS FUND SOCIETY, FSB, doing business as*
10 *CHRISTIANA TRUST, not in its individual capacity but solely as Trustee for BCAT 2014-9TT*

11 

Date: 11/17/17

12 Matt E. Beattie
13 82039 Chickaree Rd
14 Lowell, OR 97452
15 *Pro Se Defendant*

16 

Date: 11/17/17

17 John Beattie
18 82039 Chickaree Rd
19 Lowell, OR 97452
20 *Pro Se Defendant*

21 By signing above the Parties hereby acknowledge the following: (1) that they were provided a
22 reasonable period of time to review and consider this Stipulated Judgment; (2) that they were
23 advised to and have sought and received the advice of their attorney prior to signing this
24 Stipulated Judgment, or had the opportunity to consult with an attorney and chose not to do so;
25 (3) that they understand that they are waiving legal rights by signing this Stipulated Judgment;
26 (4) that they have reviewed this Stipulated Judgment, that this Stipulated Judgment is written in a
manner that is understandable to them, and that they indeed understand the entirety of this
Stipulated Judgment and the effect(s) of signing this Stipulated Judgment; and (5) that they sign
this Stipulated Judgment of their own free act and deed, without any coercion or duress, and that
they hereby release the rights and claims set forth above in exchange for the consideration set
forth in this Stipulated Judgment

27 ///

Page 5 - GENERAL JUDGMENT OF FORECLOSURE AND DECLARATION OF AMOUNT DUE BY
STIPULATION AND DEFAULT

Aldridge Pipe, LLP
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Portland, OR 97201
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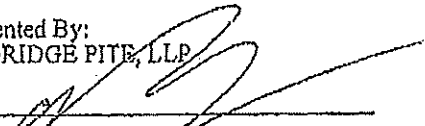
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CERTIFICATE OF READINESS

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.
- 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 11/13/17

Hunter B. Zook, OSB #095578
(858) 750-7600
(503) 222-2260 (Facsimile)
hzook@aldridgepte.com
Of Attorneys for Plaintiff