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

LEONARD C. LUDIKER, as Trustee of the
LUDIKER FAMILY TRUST,

Case No. 17CV43560

Plaintiff,

**WRIT OF EXECUTION OF REAL
PROPERTY
(Foreclosure)**

vs.

CLANTON JARED SELF and ALL
OCCUPANTS OF THE PREMISES,

Defendants.

TO: THE SHERIFF OF LANE COUNTY, GREETINGS

FORECLOSURE:

WHEREAS, on February 2, 2018, in the above-entitled court, a judgment of foreclosure was enrolled and entered in the above-entitled cause;

NOW THEREFORE, IN THE NAME OF THE STATE OF OREGON, YOU ARE HEREBY COMMANDED to sell, in the manner prescribed by law for the sale of real property on execution (subject to redemption), all of the interest that defendants Clanton Jared Self and All Occupants of the Premises had on January 19, 2017, the date of the promissory note, and also all of the interest that defendants had thereafter in the real property located at 25457 Lawrence Road, Junction City, Oregon 97448, and described in the Judgment and particularly as;

Real property in the County of Lane, State of Oregon, described as follows:

Beginning at the Southeast corner of the Southwest quarter of the Northwest quarter of Section 6, Township 17 South, Range 5 West of the Willamette Meridian; thence North 2 degrees, 58 minutes West along the East line of the Southwest quarter of the Northwest quarter of said Section 6, 330.0 feet; thence North 88 degrees, 49 minutes West along the said South line 700.0 feet, more or less, to a point in the centerline of County Road No. 1024 (Lawrence Road); thence Southeasterly along the centerline of said County Road to a

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point on the South line of the Southwest quarter of the Northwest quarter of said Section 6; thence East along said South line, 580.39 feet, to the point of beginning, in Lane County, Oregon.

NOTE: This legal description was created prior to January 1, 2008.

to satisfy the principal sum of \$153,280.62, together with prejudgment interest from January 19, 2017 to February 1, 2018 at 6% per annum, together with late fees of \$233.55, together with costs, expenses, and disbursements in the sum of \$4,789.40, plus interest that accrues on the total of the above at 9% per annum from February 2, 2018 to the date of sale and the costs of this writ, making due return within 60 days after you receive this writ.

JUDGMENT CREDITOR INFORMATION:

Name: Leonard C. Ludiker, Trustee of the Ludiker Family Trust
Mailing Address: c/o Karen E. Anderson
LUVAAAS COBB
P.O. Box 10747
City/State/Zip Code: Eugene, OR 97440-2747
Phone Number: 541-484-9292

WITNESS my hand and seal of the said court on this 8th day of February, 2018.

TRIAL COURT ADMINISTRATOR

By: *Angie Jones*
Court Administrator/Court Clerk



Submitted by:
Karen E. Anderson
LUVAAAS COBB
Attorneys for Plaintiff
777 High Street, Suite 300
Eugene, OR 97401
541-484-9292
kanderson@luvaascobb.com

CERTIFICATE OF SERVICE

I certify that I served the foregoing **WRIT OF EXECUTION OF REAL PROPERTY (FORECLOSURE)** on February 2nd, 2018, by the following indicated method or methods:

PARTIES SERVED ELECTRONICALLY BY OREGON JUDICIAL DEPARTMENT FILE & SERVE:

*

_____ By **electronically filing** full, true and correct copies thereof with the Oregon Judicial Department File & Serve and identifying the above attorney(s) to be electronically served at the party's email address as recorded on the date of service in the eFiling system on the date set forth above.

PARTIES SERVED CONVENTIONALLY BY:

Clanton Jared Self
25457 Lawrence Road
Junction City, OR 97448

All Occupants of the Premises
25457 Lawrence Road
Junction City, OR 97448

√ By **mailing** full, true and correct copies thereof in sealed, first-class postage prepaid envelopes, addressed to the attorney(s) as shown above, at the last known office address of the attorney(s), and deposited with the United States Postal Service at Eugene, Oregon, on the date set forth above.

_____ By **emailing** a full, true and correct copy thereof, addressed to the attorney(s) as shown above, at the email address of the attorney(s) on the date set forth above.

DATED this 2nd day of February, 2018.

LUVAAS COBB

Karen E. Anderson
Karen E. Anderson, OSB No. 162296
kanderson@luvaascobb.com
Of Attorneys for Plaintiff

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

LEONARD C. LUDIKER, as Trustee of the
LUDIKER FAMILY TRUST,

Plaintiff,

vs.

CLANTON JARED SELF and ALL
OCCUPANTS OF THE PREMISES,

Defendants.

Case No. 17CV43560

**GENERAL JUDGMENT OF
FORECLOSURE AND SALE BY
DEFAULT**

(Ex Parte)

THIS MATTER came before the court on motion from Plaintiff Leonard C. Ludiker, acting in his capacity as Trustee of the Ludiker Family Trust, for entry of general judgment by default against Defendants Clanton Jared Self and All Occupants of the Premises. The plaintiff is represented by Karen E. Anderson of Luvaas Cobb and defendants are not represented by counsel. An order of default was filed concurrently with this judgment. The court, having previously reviewed the documents and records on file herein, and being otherwise fully advised;

HEREBY ORDERS AND ADJUDGES as follows:

1. Plaintiff Leonard C. Ludiker in his capacity as Trustee of the Ludiker Family Trust, is awarded judgment against Defendants Clanton Jared Self and All Occupants of the Premises as follows:

(A) As detailed in the Declaration of Debt, Defendant Clanton Jared Self is indebted to the plaintiff in the amount of \$144,540.99 together with prejudgment interest accruing at a rate of six percent (6%) per annum from January 19, 2017, at a daily rate of \$23.76, and late fees at the rate of five percent (5%) of each overdue monthly payment of \$934.24 not received within fifteen (15) days of the due date of that payment (or \$46.71), plus all other sums paid by the plaintiff necessary to protect the Property, and

1 for the plaintiff's reasonable attorney fees and costs incurred, plus post-judgment interest
2 on the entire amount at the rate of nine percent (9%) per annum from the date of entry
3 of the judgment until paid in full.

4 (B) The Promissory Note of the Trust Deed executed on by Defendant
5 Clanton Jared Self on January 19, 2017, and now being foreclosed upon, is a valid lien
6 for the amount of the plaintiff's judgment set forth in sub-paragraph A, above, against
7 the real property located at 25457 Lawrence Road, Junction City, Oregon 97448, situated
8 in Lane County, Oregon, and described in Exhibit 1 attached hereto, (the "Property"), and
9 this lien is senior to any interest of the defendants, or any of them, in the Property; and

10 (C) Defendants Clanton Jared Self and All Occupants of the Premises, and
11 each of them, and all persons claiming through those defendants, are forever foreclosed
12 of all interest in the Property except for any right of redemption that those defendants
13 may have.

14 2. The plaintiff's trust deed lien is foreclosed and the sheriff of Lane County is
15 hereby ordered to sell the Property in the manner prescribed by law.

16 3. The plaintiff, or any other party to this action, may become the purchaser at the
17 sale of the Property.

18 4. The purchaser of the Property is entitled to exclusive possession following the
19 sale, and the purchaser shall be entitled to such remedies as are available at law to secure
20 possession. These remedies shall include, but shall not be limited to, a writ of assistance if any
21 party should refuse to surrender possession of the Property to the purchaser.

22 5. For the purposes of ORS 88.050, the proceeds received from the sale shall be
23 applied in the following order:

24 (A) First, toward the costs of sale;

25 (B) Second, toward satisfaction of the debt secured by the plaintiff's deed of
26 trust and this Judgment; and

1 (C) Third, any surplus to the party or parties who may establish their right
2 thereto.

3 6. If the proceeds of sale are not sufficient to satisfy the plaintiff's judgment awarded
4 herein against the defendants, then any such deficiency may be enforced by execution as
5 provided by law.

6 **DECLARATION OF DEBT SECURED BY THE TRUST DEED**

7 **Lender's Principal and Interests:**

8	Principal Balance	\$144,540.99
9	Prejudgment Interest from January	
10	19, 2017 to present, at 6% per	\$8,506.08
	annum (\$23.76/day)	
11	Late Fees at 5% of each monthly	
12	payment due and not paid within 15	\$233.55
	days of due date (\$46.71/month):	
13	<i>Total Principal and Interest:</i>	\$153,280.62

14 **Attorney Fees, Costs, Expenses, and Disbursements**

15	Attorney Fees	\$3,575.50
16	Filing Fee	\$560.00
17	Process Service Fees	\$93.90
18	Other Costs	260.00
19	Prevailing Party Fee	\$300.00
	(ORS 20.190(2)(a)(A))	
20	<i>Total Costs:</i>	\$1,213.90
21	Total Fees and Costs:	\$4,789.40

22 **Total Amount Due:** **\$158,070.02**

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MONEY AWARD

Judgement Creditor Name and Address: Leonard C. Ludiker,
Trustee of the Ludiker Family Trust
c/o Terri Baker
38647 Hwy 58
Dexter, OR 97431

Judgment Creditor's Attorney's Name,
Address and Telephone Number: Karen E. Anderson
Luvaas Cobb
777 High Street, Suite 300
Eugene, OR 97401
541-484-9292

Judgment Debtor Name, Address, Date
of Birth: Clanton Jared Self
25457 Lawrence Road
Junction City, OR 97488
DOB: 8/16/1995
DL: 3167137
SSN: unknown

Judgment Debtors' Attorney Name,
Address, and Telephone Number: None

Judgment Amount: \$153,280.62

Prejudgment Interest: 6% interest per annum accruing from
January 19, 2017 until judgment is entered

Post-Judgment Interest: 9% simple interest per annum

Attorney Fees and Costs: \$4,789.40

TOTAL AMOUNT DUE: \$158,070.02

Signed: 2/2/2018 08:16 AM



Suzanne B. Chaffin, Circuit Court Judge

Submitted by:
Karen E. Anderson, OSB No. 162296
kanderson@luvaascobb.com
Of Attorneys for Plaintiff

PROPERTY DESCRIPTION

Beginning at the Southeast corner of the Southwest quarter of the Northwest quarter of Section 6, Township 17 South, Range 5 West of the Willamette Meridian; thence North 2° 58' West along the East line of the Southwest quarter of the Northwest quarter of said Section 6, 330.0 feet; thence North 88° 49' West, 700.00 feet, more or less, to a point in the centerline of County Road No. 1024 (Lawrence Road); thence Southeasterly along the centerline of said County Road to a point on the South line of the Southwest quarter of the Northwest quarter of said Section 6; thence East along said South line, 580.39 feet, to the point of beginning, in Lane County, Oregon.

CERTIFICATE OF SERVICE/READINESS

In accordance with UTCR 5.100, I hereby certify, that the proposed Judgment to which this certificate is attached is ready for judicial signature because:

- Service is not required under UTCR 5.100 because:
 - The other party has been found in default or an order of default is being requested with this Order.
 - This Judgment is submitted ex parte as allowed by statute or rule.
 - This Order is being submitted in open court with all parties present.

Opposing counsel has indicated to me that no objection exists as to the form of this Judgment.

- On _____, 201__, I served opposing counsel by email with a true and complete copy of this proposed Order at morgan@dwlawoffice.com. This date is not less than 3 days prior to submission to the court and:
 - No objection has been served on me.
 - I received objections that I could not resolve with opposing counsel 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, opposing counsel agreed to independently file any remaining objection.

- On _____, 201__, I served Respondent, at his last known address with a true and complete copy of this proposed Order and a notice of the time period to object. This date is not less than 7 days prior to submission to the court 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, the opposing party agreed to independently file any remaining objection.

Each opposing party affected by this Judgment has: ___ stipulated to or approved the Judgment as shown by each opposing party's signature on the Judgment; or ___ approved the Judgment by written confirmation of approval sent to me.

DATED this 24th day of January, 2018.

LUVAAS COBB
Of Attorneys for Plaintiff

By: Karen E. Anderson
Karen E. Anderson, OSB No. 162296
E-mail: kanderson@luvaascobb.com
Trial Attorney