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

BANK OF AMERICA, N.A., a national
association,

Plaintiff,

vs.

LAWRIE LINDQUIST, solely in her capacity
as Personal Representative of the THE
ESTATE OF LAWRENCE A. JOHNSON, a
deceased individual; Julián Castro, solely in his
capacity as Secretary for UNITED STATES
DEPARTMENT OF HOUSING AND
URBAN DEVELOPMENT.

Defendants.

CASE NO.: 15CV31076

WRIT OF EXECUTION

STATE OF OREGON)
) ss.
County of Marion)

TO THE SHERIFF OF MARION COUNTY OREGON:

WHEREAS, on October 11, 2016 by consideration of the Marion County Circuit Court,
there was entered a General Judgment of Foreclosure as to Defendants. Said General Judgment
of Foreclosure was duly enrolled and docketed in the Trial Court Administrator's Office in said
County on October 11, 2016; a true copy of the General Judgment of Foreclosure is attached
hereto and made a part hereof.

WRIT OF EXECUTION -1-

ZIEVE, BRODNAX & STEELE, LLP
Amy F. Harrington, Esq.
One World Trade Center
121 Southwest Salmon St., 11th Floor
Portland, OR 97204
714-848-7920
aharrington@zievelaw.com

1 Judgment Creditor: Bank of America, N.A
2 Judgment Creditor Address: 2727 Spring Creek Drive
3 Spring, TX 77373

4 NOW THEREFORE IN THE NAME OF THE STATE OF OREGON, you are
5 commanded to sell the real property as by said General Judgment of Foreclosure according to
6 law (subject to redemption) all of the interest that the Defendant Lawrence A. Johnson had on
7 the 29th day of March 2010, the date of the Mortgage, and also all of the interest that Defendants
8 had thereafter, in the real property described in the Judgment as:

9 Lot 12, Block 3, PATTON ADDITION TO DETROIT, Marion County, Oregon.

10 The street address of the real property to be levied upon is 120 2nd St. W., Detroit, OR
11 97342.

12 The above referenced property shall be sold to satisfy the following sums: The principal
13 balance amount of \$189,930.05; plus prejudgment interest in the amount of \$8,117.72; plus
14 Plaintiff's costs and reasonable attorney fees in the amount of \$4,806.00; plus post-judgment
15 interest accruing of \$10,208.00; for a grand total of \$213,061.77, with interest to continue to
16 accrue until the date of sale; Thus,

17 THE TOTAL AMOUNT OF EXECUTION REQUESTED HEREON, STATED AS OF
18 THE DATE OF SUBMISSION (August 16, 2017) IS AS FOLLOWS:

19	Principal Balance:	\$189,930.05
20	Prejudgment Interest through	
21	9/29/16:	\$8,117.72
22	Plaintiff's Costs and Attorney Fees	\$4,806.00
23	Post-judgment Interest 9/30/16 –	
24	8/16/17 at 5.56% (\$31.90 per diem)	\$10,208.00

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Total due as of August 16, 2017 \$213,061.77 plus \$31.90 per diem thereafter until paid.

The proceeds of sale shall be applied, delivered, and distributed according to ORS 18.950.

The Sheriff is hereby authorized to continue execution under the writ and delay making a return on the writ to a date not later than 150 days after the sheriff receives the writ as long as the execution sale occurs no later than 150 days after the sheriff receives the writ pursuant to ORS 18.872.

Signed: 9/27/2017 09:25 AM



Court Clerk



Submitted by:



Amy F. Harrington, OSB No. 123363

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Plaintiff,

vs.

LAWRIE LINDQUIST, solely in her capacity
as Personal Representative of the THE
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deceased individual; Julián Castro, solely in his
capacity as Secretary for UNITED STATES
DEPARTMENT OF HOUSING AND
URBAN DEVELOPMENT.

Defendants.

CASE NO. 15CV31076

**GENERAL JUDGMENT OF
FORECLOSURE
(WITHOUT MONEY AWARD -
JUDGMENT DOES NOT
CREATE A LIEN)**

///
///
///

1 Based upon the Motion for Order of Default and Entry of a General Judgment of
2 Foreclosure filed by plaintiff, Bank of America, N.A. ("Plaintiff") and against defendants Lawrie
3 Lindquist, solely in her capacity as Personal Representative of The Estate of Lawrence A.
4 Johnson ("Personal Representative"), and Julián Castro, solely in his capacity as Secretary for
5 United States Department of Housing and Urban Development ("HUD" together with Personal
6 Representative, collectively "Defendants"), and that Plaintiff has filed a Statement for Attorney
7 Fees, Costs, and Disbursements,

8 **IT IS HEREBY ORDERED AND ADJUDGED:**

9 **1.**

10 Plaintiff is awarded judgment against Defendants and all persons claiming through or
11 under Defendants, as purchasers, encumbrances, or otherwise, are forever foreclosed of all
12 interest, lien or claim in the real property described above and every portion thereof excepting
13 only any satisfactory right of redemption as Defendants, or any of them, may have therein.

14 **2.**

15 Writ of execution upon this General Judgment of Foreclosure shall issue.

16 **3.**

17 The Deed of Trust executed by Borrower and recorded on April 2, 2010, in the Marion
18 County Recorder's Office as Reel 3164 Page 40, is a valid mortgage lien for the amount of
19 Plaintiff's judgment set forth in paragraph 1 against all the real property, located in Marion
20 County, Oregon commonly referred to as 120 2nd St. W., Detroit, OR 97342, with a legal
21 description as follows:

22 Lot 12, Block 3, PATTON ADDITION TO DETROIT, Marion County, Oregon.

23 **4.**

24 Said mortgage lien is superior to any interest, lien or claim of the Defendants in the real
25 property, and all other interest in the property gained by him thereafter, or so much interest as
26 may be necessary to satisfy the judgment of the Plaintiff shall be sold by the Sheriff of Marion

1 County, Oregon in the manner provided by law and in accordance with the practice of this Court.

2 **5.**

3 The proceeds of sale shall first be applied to the costs of sale; then toward the satisfaction
4 of Plaintiff's judgment awarded herein, calculated as of the date of sale; and any resulting surplus
5 shall then be tendered to the Clerk of the Court to be distributed to such other party or parties as
6 may establish their right thereto.

7 **6.**

8 Defendants and all persons claiming through or under Defendants, as purchasers,
9 encumbrances, or otherwise, are forever foreclosed of all interest, lien or claim in the real
10 property described above and every portion thereof excepting only any satisfactory right of
11 redemption as Defendants may have.

12 **7.**

13 Plaintiff or any other party to this suit or third party purchase may become the purchaser
14 at the sale of the real property. The purchaser is entitled to exclusive possession of the real
15 property from and after the date of sale and is entitled to such remedies as are available at law to
16 secure possession, including writ of assistance, if the Defendants and any other party or person
17 shall refuse to surrender possession to the purchaser immediately on the purchaser's demand for
18 possession.

19 **SECURED DEBT**

- | | | | | | | | | |
|----|----------------------------------|----|--|----|----|----|----|----|
| 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 |
| | 1. Judgment Creditor: | | Bank of America, N.A., a national association
c/o Zieve, Brodnax, & Steele, LLP
One World Trade Center
121 Southwest Salmon St., 11 th Floor
Portland, OR 97204
503-946-6558 | | | | | |
| | 2. Judgment Creditor's Attorney: | | Benjamin D. Petiprin
Zieve, Brodnax, & Steele, LLP | | | | | |

1 One World Trade Center
2 121 Southwest Salmon St., 11th Floor
3 Portland, OR 97204
4 503-946-6558

3 3. Borrower: Lawrence A. Johnson
4 120 2nd St. W.
5 Detroit, Oregon 97342
6 **Year of Birth:** Unknown
7 **Social Security No.:** XXX-XX-8108
8 **Drivers' License No:** Unknown
9 **Attorney of Record:** None

8 4. Person or public body entitled to any portion of money award herein: None

9 **5. Total Amount of Secured Debt:**

10 **a. Lenders' Principal and Interest**

11 Principal Balance \$189,930.05

12 Accrued interest and fees on \$ 8,117.72
13 the principal balance through
14 9/29/16

15 **Total Principal and Interest**
16 **Through 9/29/16 at the rate of**
17 **5.56% per annum plus \$31.90**
18 **per diem thereafter. \$198,047.77**

18 **b. Attorneys' Fees and Costs**

19 Attorney Fees Judicial Flat Rate \$2,406.00

20 Litigation Guarantee \$ 668.00

21 Mediation Program Cost \$200.00

22 Skip Trace \$ 50.00

23 Record Assignment \$ 46.00

24 Record Lis Pendens \$ 56.00

25 Attorney Service Fees \$ 90.00

26 Publication \$ 475.00

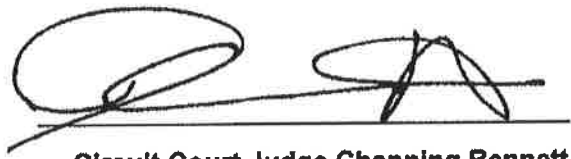
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Service to Personal Representative \$290.00
Complaint Filing Fee \$531.00
Total Attorney Fees and Costs \$4,806.00

Total Secured Debt (Judgment) \$ 202,853.77

Said Judgment is meant to be for the purposes of foreclosure *only* and from which a Writ of Execution will issue. This judgment is not and is not intended to be a monetary judgment against the Borrowers.

Signed: 10/11/2016 11:27 AM



Circuit Court Judge Channing Bennett

Submitted By:

/s/Benjamin D. Petiprin
Benjamin D. Petiprin, OSB No.136031
Attorney for Plaintiff
Bank of America, N.A.

CERTIFICATE

I HEREBY CERTIFY that 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 objection has been served on me.

b. 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.

c. After conferring about objections, [role and name of opposing party] agreed to independently file any remaining objection.

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.

/s/ Benjamin D. Petiprin

Benjamin D. Petiprin, OSB No.136031
Attorneys for Plaintiff
Bank of America, N.A.