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

WELLS FARGO BANK, NA, its successors in
interest and/or assigns, ,

Case No. 13P10726

Plaintiff,

WRIT OF EXECUTION

v.

JASON J. SMITH AKA JASON JAY SMITH;
BRENDA K. SMITH AKA BRENDA KAY
SMITH; GORDON L. DICK DBA LAW
OFFICE OF GORDON L. KICK; DEX
MEDIA INC., AND OCCUPANTS OF THE
PREMISES,

Defendant.

TO THE POLK COUNTY SHERIFF:

On August 15, 2014, a General Judgment of Foreclosure and Declaration of Amount Due by Default was entered by the Polk 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 by assignment of the judgment is: U.S. Bank Trust, N.A., as Trustee for LSF9 Master Participation Trust 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 3605 NW Salem Dallas Hwy, Salem, OR 97304 ("Subject Property"), and legally described as:

BEGINNING ON THE EAST LINE OF TRACT OF LAND CONVEYED TO LELAND W. SVARVERUD, JR., BY DEED RECORDED IN VOLUME 155, PAGE 26, DEED RECORDS FOR POLK COUNTY, OREGON, SAID TRACT OF LAND SITUATED IN

1 SECTION 30, TOWNSHIP 7 SOUTH, RANGE 3 WEST, OF THE WILLAMETTE
2 MERIDIAN IN SAID COUNTY, AND STATE, AT A POINT WHICH IS 541.32 FEET
3 SOUTH 20'26' EAST FROM THE NORTHEAST CORNER OF SAID TRACT OF LAND;
4 THENCE SOUTH 20'26' EAST ALONG THE EAST LINE OF SAID TRACT OF LAND
5 154.74 FEET; THENCE SOUTH 69'34' WEST 12.50 FEET; THENCE SOUTHWESTERLY
6 ALONG THE ARC OF AN 85.00 FOOT RADIUS CURVE TO THE RIGHT (THE CHORD
7 OF WHICH BEARS SOUTH 14'28' WEST 97.27 FEET) A DISTANCE OF 103.55 FEET;
8 THENCE SOUTH 49'22' WEST 135.15 FEET; THENCE NORTH 40'38' WEST 12.50 FEET;
9 THENCE SOUTH 80'47' WEST 126.32 FEET TO A POINT ON THE WEST LINE OF SAID
10 SVARVERUD TRACT; THENCE NORTH 9'13' WEST ALONG THE WEST LINE OF SAID
11 TRACT 249.65 FEET TO THE POINT OF BEGINNING; THENCE NORTH 69'34' EAST
12 274.67 FEET TO THE POINT OF BEGINNING, TOGETHER WITH A NON-EXCLUSIVE
13 ROADWAY EASEMENT AS FOLLOWS: A STRIP OF LAND 25.00 FEET IN WIDTH
14 BEGIN 12.50 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:
15 BEGINNING AT THE NORTHEAST CORNER OF A TRACT OF LAND CONVEYED TO
16 LELAND W. SVARVERUD, JR., BY A DEED RECORDED IN VOLUME 155, PAGE 26,
17 DEED RECORDS FOR POLK COUNTY, OREGON, SAID TRACT OF LAND SITUATED
18 IN SECTION 30, TOWNSHIP 7 SOUTH, RANGE 3 WEST OF THE WILLAMETTE
19 MERIDIAN IN SAID COUNTY AND STATE; THENCE SOUTH 20'26' EAST 340.74 FEET;
20 THENCE SOUTH 69'34' WEST 12.50 FEET TO THE TRUE POINT OF BEGINNING OF
21 THE HEREIN DESCRIBED TRACT OF LAND; THENCE SOUTH 20'26' EAST PARALLEL
22 WITH THE EAST LINE OF SAID TRACT OF LAND 355.32 FEET; THENCE
23 SOUTHWESTERLY ALONG THE ARC OF AN 85.00 FOOT RADIUS CURVE TO THE
24 RIGHT (THE CHORD OF WHICH BEARS SOUTH 14'28' WEST 97.27 FEET) A DISTANCE
25 OF 120.43 FEET; THENCE SOUTH 27'18' EAST 264.56 FEET TO A POINT ON THE
26 NORTHERLY LINE OF THE STATE HIGHWAY.

1 The total amount due and owing on the Judgment as of December 15, 2017;

2 **Judgment**

3	Principal	\$369,638.13
4	Interest (5/1/10-4/25/14)	\$86,483.35
5	Attorney Fees and Cost	\$3,511.00
6	Lenders' Fee and Cost	\$28,047.25
7	Additional interest thru judgment	\$1,84028
8	<i>(4/26/14-8/5/14, \$18.042/day for 102 days)</i>	
9		<i>SUB TOTAL: \$489,519.91</i>

10 **Post-Judgment**

11	Interest	\$148,223.95
12	<i>(8/6/14-12/15/17, 9% on sub-total above, \$120.70/day for</i>	
13	<i>1228 days)</i>	

14 **TOTAL DUE** **\$637,743.86**

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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.

Signed: 12/18/2017 03:52 PM



JSSIII Dorianne N. Houser

JSSIII Dorianne N. Houser

Presented by:
ALDRIDGE

Katie Riggs

Katie Riggs, OSB #075061
of Attorneys for Plaintiff
(858) 750-7600
(503) 222-2260 (facsimile)
orecourtnotices@aldridgepite.com

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IN THE CIRCUIT COURT FOR THE STATE OF OREGON
IN AND FOR THE COUNTY OF POLK

WELLS FARGO BANK, NA, its successors in
interest and/or assigns,

Plaintiff,

v.

JASON J. SMITH AKA JASON JAY SMITH;
BRENDA K. SMITH AKA BRENDA KAY
SMITH; GORDON L. DICK DBA LAW
OFFICE OF GORDON L. DICK; DEX MEDIA
INC.; AND OCCUPANTS OF THE PREMISES,

Defendants.

Case No. 13P10726

GENERAL JUDGMENT OF
FORECLOSURE AGAINST:

- (1) JASON J. SMITH AKA JASON
JAY SMITH
- (2) BRENDA K. SMITH AKA
BRENDA KAY SMITH
- (3) GORDON L. DICK DBA LAW
OFFICE OF GORDON L. DICK
- (4) DEX MEDIA INC.

AND MONEY AWARD AGAINST
JASON J. SMITH AKA JASON JAY
SMITH AND BRENDA K. SMITH
AKA BRENDA KAY SMITH

1.

THIS MATTER coming regularly before the Court on this day and it appearing from the record herein that plaintiff Wells Fargo Bank, NA, its successors in interest and/or assigns ("Plaintiff"), filed its First Amended Complaint for deed of trust foreclosure; that the defendants Jason J. Smith aka Jason Jay Smith; Brenda K. Smith aka Brenda Kay Smith; Gordon L. Dick dba Law Office of Gordon L. Dick; and Dex Media Inc. were duly served with the Summons and Complaint as required by law; that defendants Jason J. Smith aka Jason Jay Smith; Brenda K. Smith aka Brenda Kay Smith; Gordon L. Dick dba Law Office of Gordon L. Dick; and Dex Media Inc. failed to appear, and an Order of Default has been entered against them on Plaintiff's Complaint.

GENERAL JUDGMENT OF FORECLOSURE -I

7023.56472

RCO
LEGAL, P.C.

511 SW 10th Ave., Ste. 400
Portland, OR 97205
Phone: 503.977.7840
Fax: 503.977.7963

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2.

Plaintiff hereby requests this General Judgment be entered into the Court's register to accomplish the following: to foreclose any and all interest of defendants Jason J. Smith aka Jason Jay Smith; Brenda K. Smith aka Brenda Kay Smith; Gordon L. Dick dba Law Office of Gordon L. Dick; and Dex Media Inc. in the real property subject to this foreclosure action, located at 3605 Salem Dallas Highway Northwest, Salem, Oregon 97304 (the "Property").

3.

The Court being fully advised; it is hereby

ORDERED AND ADJUDGED:

4.

That the Deed of Trust executed and delivered by Jason J Smith and Brenda K Smith to Mortgage Electronic Registration Systems, Inc. solely as nominee for M&T Bank, its successors and assigns on May 22, 2008, and recorded on May 29, 2008 under recording number 2008-006922 of the official records of Polk County, Oregon, and assigned to Plaintiff by way of an Assignment of Deed of Trust recorded on October 6, 2010 as Instrument No. 2010-009776, is a valid lien for the amount of Plaintiff's Money Award set forth herein against the Property situated in Polk County, Oregon, described as follows:

BEGINNING ON THE EAST LINE OF TRACT OF LAND CONVEYED TO LELAND W. SVARVERUD, JR., BY DEED RECORDED IN VOLUME 155, PAGE 26, DEED RECORDS FOR POLK COUNTY, OREGON, SAID TRACT OF LAND SITUATED IN SECTION 30, TOWNSHIP 7 SOUTH, RANGE 3 WEST, OF THE WILLAMETTE MERIDIAN IN SAID COUNTY, AND STATE, AT A POINT WHICH IS 541.32 FEET SOUTH 20'26' EAST FROM THE NORTHEAST CORNER OF SAID TRACT OF LAND; THENCE SOUTH 20'26' EAST ALONG THE EAST LINE OF SAID TRACT OF LAND 154.74 FEET; THENCE SOUTH 69'34' WEST 12.50 FEET; THENCE SOUTHWESTERLY ALONG THE

Verified Correct Copy of Original 7/25/2014.

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ARC OF AN 85.00 FOOT RADIUS CURVE TO THE RIGHT (THE CHORD OF WHICH BEARS SOUTH 14'28' WEST 97.27 FEET) A DISTANCE OF 103.55 FEET; THENCE SOUTH 49'22' WEST 135.15 FEET; THENCE NORTH 40'38' WEST 12.50 FEET; THENCE SOUTH 80'47' WEST 126.32 FEET TO A POINT ON THE WEST LINE OF SAID SVARVERUD TRACT; THENCE NORTH 9'13' WEST ALONG THE WEST LINE OF SAID TRACT 249.65 FEET TO A POINT WHICH BEARS SOUTH 69'34' WEST FROM THE POINT OF BEGINNING; THENCE NORTH 69'34' EAST 274.67 FEET TO THE POINT OF BEGINNING. TOGETHER WITH A NON-EXCLUSIVE ROADWAY EASEMENT AS FOLLOWS: A STRIP OF LAND 25.00 FEET IN WIDTH BEING 12.50 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE: BEGINNING AT THE NORTHEAST CORNER OF A TRACT OF LAND CONVEYED TO LELAND W. SVARVERUD, JR., BY A DEED RECORDED IN VOLUME 155, PAGE 26, DEED RECORDS FOR POLK COUNTY, OREGON, SAID TRACT OF LAND SITUATED IN SECTION 30, TOWNSHIP 7 SOUTH, RANGE 3 WEST OF THE WILLAMETTE MERIDIAN IN SAID COUNTY AND STATE; THENCE SOUTH 20'26' EAST 340.74 FEET; THENCE SOUTH 69'34' WEST 12.50 FEET TO THE TRUE POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT OF LAND; THENCE SOUTH 20'26' EAST PARALLEL WITH THE EAST LINE OF SAID TRACT OF LAND 355.32 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF AN 85.00 FOOT RADIUS CURVE TO THE RIGHT (THE CHORD OF WHICH BEARS SOUTH 14'28' WEST 97.27 FEET) A DISTANCE OF 103.55 FEET; THENCE SOUTH 49'22 WEST 135.15 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF A 90.00 FOOT RADIUS CURVE TO THE LEFT (THE CHORD OF WHICH BEARS SOUTH 11'02' WEST 116.64 FEET) A DISTANCE OF 120.43 FEET; THENCE SOUTH 27'18' EAST 264.56 FEET TO A POINT ON THE NORTHERLY LINE OF THE STATE HIGHWAY.

5.

That the lien is superior to any interest, lien, or claim of defendants Jason J. Smith aka Jason Jay Smith; Brenda K. Smith aka Brenda Kay Smith; Gordon L. Dick dba Law Office of Gordon L. Dick; and Dex Media Inc. in that Property and that said Deed of Trust is hereby foreclosed by this Court on the Property.

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6.

That defendants Jason J. Smith aka Jason Jay Smith; Brenda K. Smith aka Brenda Kay Smith; Gordon L. Dick dba Law Office of Gordon L. Dick; and Dex Media Inc., and each of them, and all parties claiming through or under them as purchasers, encumbrances, or otherwise, are forever barred and foreclosed of all interest, lien, or claim in the Property and every portion thereof excepting only any statutory right of redemption provided by the laws of the State of Oregon.

7.

That defendants Jason J. Smith aka Jason Jay Smith; Brenda K. Smith aka Brenda Kay Smith; Gordon L. Dick dba Law Office of Gordon L. Dick; and Dex Media Inc. are not entitled to a homestead exemption as against Plaintiff's Deed of Trust.

8.

That all of the right, title and interest which Jason J Smith and Brenda K Smith had on May 22, 2008, the date of the Deed of Trust, and all of the right, title and interest defendants Jason J. Smith aka Jason Jay Smith; Brenda K. Smith aka Brenda Kay Smith; Gordon L. Dick dba Law Office of Gordon L. Dick; and Dex Media Inc. and any successor thereafter had in and to the real Property is hereby ordered to be sold by law and the proceeds of sale shall be applied first toward the sheriff's fees and costs of sale, then toward the satisfaction of Plaintiff's Money Award herein; and the surplus, if any, to the Clerk of the Court to be disbursed to such party or parties as may establish their right thereto.

9.

That Plaintiff may become purchaser at the sheriff's sale of the Property and may bid up to the aggregate amount of its Money Award plus interest from the date of this Judgment until sale without advancing any cash except money required for the sheriff's sale.

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10.

That the Plaintiff, if the successful purchaser of the Property at the sheriff's sale, reserves the right to motion the court after sale for exclusive and immediate possession of the Property through the issuance and enforcement of a writ of assistance, if defendants Jason J. Smith aka Jason Jay Smith; Brenda K. Smith aka Brenda Kay Smith; Gordon L. Dick dba Law Office of Gordon L. Dick; and Dex Media Inc. shall refuse to surrender possession of the Property to the purchaser immediately on the purchaser's demand for possession.

11.

IT IS FURTHER ORDERED That Plaintiff shall have judgment and money award against defendants Jason J. Smith aka Jason Jay Smith and Brenda K. Smith aka Brenda Kay Smith for the amounts due and owing under the terms of the Note and secured with the Property by the Deed of Trust, and for its attorney fees and costs herein and consisting of: \$369,638.13, the unpaid principal balance; \$86,483.35, the accrued interest under the terms of the Note from May 1, 2010 to April 25, 2014, and to continue to accrue from that date, at 5.875% per annum (\$59.50 per diem) until the date this judgment and money award is entered by the court; plus \$28,047.25, the amounts advanced under the terms of the Note and Deed of Trust for escrow and corporate advances; \$2,350.00, for attorney fees and \$1,161.00, for litigation costs; for total money award in the amount of \$487,679.73 to accrue interest post-judgment at the contract rate of 5.875% or the legal rate of 9.00% per annum from the date the Judge signs this Judgment until satisfied. Said amounts are set out in detail under the Money Award section below.

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MONEY AWARD

1. Judgment Creditor:

Wells Fargo Bank, NA
c/o RCO Legal, P.S.
511 SW 10th Ave., Ste. 400
Portland, OR 97205
503.977.7840

2. Judgment Creditor's Attorney:

Randall Szabo
RCO Legal, P.S.
511 SW 10th Ave., Ste. 400
Portland, OR 97205
503.977.7840

3. Judgment Debtor:

Jason J Smith
4305 Salem Dallas Highway Northwest
Salem, OR 97304

Year of Birth: Unknown
Social Security No.: XXX-XX-1846
Drivers' License No.: Unknown
Name of Attorney: Terrence Kay
3155 River Road S, Suite 150
Salem, OR 97302

Brenda K Smith
3605 Salem Dallas Highway Northwest
Salem, Oregon 97304

Year of Birth: Unknown
Social Security No.: XXX-XX-6111
Drivers' License No.: Unknown
Name of Attorney: Unknown

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

4. Total Amount of Money Award: \$487,679.73

Attorneys' Fees and Costs

Attorneys' Fees		\$2,350.00
Filing Fee	\$505.00	
Recording Fee -- Lis Pendens	\$66.00	

1	Process Service Fees	\$590.00	
2		Total Costs	\$1,161.00
3	Total Attorneys' Fees and Costs		\$3,511.00

4 **Lenders' Principal and Interest**

5	Principal Balance	\$369,638.13	
6	Accrued Interest from May 1, 2010, to April 25, 2014,	\$86,483.35	
7	the date calculated by the declarant in the declaration		
	of indebtedness @ 5.875% per annum (\$59.50 per		
	diem)		
8		Total Principal & Interest	\$456,121.48

9 **Lenders' Fees and Costs**

10	Accumulated Late Charges	\$112.39	
11	Hazard Insurance	\$8,345.68	
12	Property Preservation	\$6,953.04	
	Tax Disbursements	\$12,636.14	
		Total Lender's Fees and Costs:	\$28,047.25
13	Total Lenders' Principal, Interest, Fees, and Costs:		\$484,168.73

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Additional pre-judgment interest pursuant to ORS 18.042 from April 25, 2014 to the date entry of judgment at the contract rate of interest

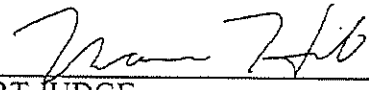
Post-Judgment interest thereafter on the total judgment amount at the contract rate of interest, or 9.000% per annum, whichever is greater.

Total Money Award (Judgment)

\$487,679.73

DATED this _____ day of _____, 2014.

Signed: 8/5/2014 10:00:47 AM



CIRCUIT COURT JUDGE

Presented by:

RCO LEGAL, P.S.

By



Dated:

7/24/14

Randall Szabo, OSB # 115304
Attorneys for Plaintiff
511 SW 10th Ave., Ste. 400
Portland, OR 97205
Telephone (503) 977-7840; Facsimile (503) 977-7963
rszabo@rcolegal.com

LSI TITLE COMPANY OF OREGON, LLC.
3220 EL CAMINO REAL, IRVINE, CALIFORNIA 92602
(714) 247-7000 • (800) 323-0165

JUDICIAL FORECLOSURE GUARANTEE

SCHEDULE A

FILE NO.: **100577208**

PREMIUM: **\$1,090.00**

LIABILITY: **\$369,638.13**

EFFECTIVE DATE: **DECEMBER 22, 2011 @ 8:00 A.M.**

A. ASSURED:

 WELLS FARGO BANK, NA

EXHIBIT 1

B. THE ENCUMBRANCE TO BE FORECLOSED IS:

A DEED OF TRUST TO SECURE AN INDEBTEDNESS IN THE AMOUNT SHOWN BELOW, AND ANY OTHER OBLIGATIONS SECURED THEREBY

AMOUNT	:	\$380,000.00
DATED	:	MAY 22, 2008
TRUSTOR	:	JASON J SMITH AND BRENDA K SMITH
TRUSTEE	:	FIDELITY NATIONAL TITLE COMPANY
BENEFICIARY	:	MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., A SEPARATE CORPORATION THAT IS ACTING SOLELY AS A NOMINEE FOR LENDER AND LENDER'S SUCCESSORS AND ASSIGNS
LENDER	:	M&T BANK, A CORPORATION
RECORDED	:	MAY 29, 2008, AS INSTRUMENT NO. 2008-006922, OF OFFICIAL RECORDS

THE BENEFICIAL INTEREST UNDER SAID DEED OF TRUST HAS BEEN ASSIGNED:

ASSIGNOR	:	MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.
ASSIGNEE	:	WELLS FARGO BANK, NA
DATED	:	OCTOBER 5, 2010
RECORDED	:	OCTOBER 6, 2010, AS INSTRUMENT NO. 2010-009776, OF OFFICIAL RECORDS

SAID ASSIGNMENT MAY BE INSUFFICIENT IN THAT MERS MAY HAVE HAD NO BENEFICIAL INTEREST UNDER SAID DEED OF TRUST, AS DEFINED BY ORS 86.705 (1), AS OF THE DATE OF EXECUTION OF THIS ASSIGNMENT.

ORDER NO: 100577208

THE EFFECT OF:

A SUBSTITUTION OF TRUSTEE UNDER SAID DEED OF TRUST WHICH NAMES AS THE SUBSTITUTE TRUSTEE, THE FOLLOWING

TRUSTEE : NORTHWEST TRUSTEE SERVICES, INC.
EXECUTED BY : WELLS FARGO BANK, NA, BY KATHY TAGGART AS ATTORNEY IN FACT BY POWER OF ATTORNEY RECORDED 1/24/2010 UNDER AUDITOR'S FILE NO. 2010-728
RECORDED : OCTOBER 6, 2010, AS INSTRUMENT NO. 2010-009777, OF OFFICIAL RECORDS

SAID INSTRUMENT MAY BE INSUFFICIENT IN THAT THE BENEFICIARY WHO EXECUTED SAID DOCUMENT IS NOT THE BENEFICIARY OF RECORD.

C. THE ESTATE OR INTEREST IN THE LAND HEREINAFTER DESCRIBED OR REFERRED TO COVERED BY THIS GUARANTEE IS:

A FEE

D. TITLE TO SAID ESTATE OR INTEREST AT THE DATE HEREOF IS VESTED IN:

JASON J. SMITH AND BRENDA K. SMITH, AS TENANTS BY THE ENTIRETY

E. THE LAND REFERRED TO IN THIS GUARANTEE IS SITUATED IN THE CITY OF SALEM, COUNTY OF POLK, STATE OF OREGON, AND IS DESCRIBED AS FOLLOWS:

BEGINNING ON THE EAST LINE OF TRACT OF LAND CONVEYED TO LELAND W. SVARVERUD, JR., BY DEED RECORDED IN VOLUME 155, PAGE 26, DEED RECORDS FOR POLK COUNTY, OREGON, SAID TRACT OF LAND SITUATED IN SECTION 30, TOWNSHIP 7 SOUTH, RANGE 3 WEST, OF THE WILLAMETTE MERIDIAN IN SAID COUNTY, AND STATE, AT A POINT WHICH IS 541.32 FEET SOUTH 20'26' EAST FROM THE NORTHEAST CORNER OF SAID TRACT OF LAND; THENCE SOUTH 20'26' EAST ALONG THE EAST LINE OF SAID TRACT OF LAND 154.74 FEET; THENCE SOUTH 69'34' WEST 12.50 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF AN 85.00 FOOT RADIUS CURVE TO THE RIGHT (THE CHORD OF WHICH BEARS SOUTH 14'28' WEST 97.27 FEET) A DISTANCE OF 103.55 FEET; THENCE SOUTH 49'22' WEST 135.15 FEET; THENCE NORTH 40'38' WEST 12.50 FEET; THENCE SOUTH 80'47' WEST 126.32 FEET TO A POINT ON THE WEST LINE OF SAID SVARVERUD TRACT; THENCE NORTH 9'13' WEST ALONG THE WEST LINE OF SAID TRACT 249.65 FEET TO A POINT WHICH BEARS SOUTH 69'34' WEST FROM THE POINT OF BEGINNING; THENCE NORTH 69'34' EAST 274.67 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH A NON-EXCLUSIVE ROADWAY EASEMENT AS FOLLOWS: A STRIP OF LAND 25.00 FEET IN WIDTH BEING 12.50 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE: BEGINNING AT THE NORTHEAST CORNER OF A TRACT OF LAND CONVEYED TO LELAND W. SVARVERUD, JR., BY A DEED RECORDED IN VOLUME 155, PAGE 26, DEED RECORDS FOR POLK COUNTY, OREGON, SAID TRACT OF LAND SITUATED IN SECTION 30, TOWNSHIP 7 SOUTH, RANGE 3 WEST OF THE WILLAMETTE MERIDIAN IN SAID COUNTY AND STATE; THENCE SOUTH 20'26' EAST 340.74 FEET; THENCE SOUTH 69'34' WEST 12.50 FEET TO THE TRUE POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT OF LAND; THENCE SOUTH 20'26' EAST PARALLEL WITH THE EAST LINE OF SAID TRACT OF LAND 355.32 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF AN 85.00 FOOT RADIUS CURVE TO THE RIGHT (THE CHORD OF WHICH BEARS SOUTH 14'28' WEST 97.27 FEET) A DISTANCE OF 103.55 FEET; THENCE SOUTH 49'22' WEST 135.15 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF A 90.00 FOOT RADIUS CURVE TO THE LEFT (THE CHORD OF WHICH BEARS SOUTH 11'02' WEST 116.64 FEET) A DISTANCE OF 120.43 FEET; THENCE SOUTH 27'18' EAST 264.56 FEET TO A POINT ON THE NORTHERLY LINE OF THE STATE HIGHWAY.

F. AS OF THE EFFECTIVE DATE, THE PREMISES ARE SUBJECT TO THE FOLLOWING EXCEPTIONS:

1. PROPERTY TAXES, AND ANY ASSESSMENTS COLLECTED WITH TAXES, FOR THE FISCAL YEAR 2011-2012.

TAX AMOUNT BILLED : \$3,721.98
BALANCE DUE : \$0.00
SERIAL NO./PROPERTY ID# : 226660
ACCOUNT NO./ALTERNATE # : 226660
MAP NO/MAP TAX LOT# : 07330A002200
LEVY CODE AREA : 3207

2. CITY LIENS IN FAVOR OF THE CITY OF SALEM, IF ANY.

3. THE LIEN OF SUPPLEMENTAL TAXES, IF ANY, OF THE REVENUE AND TAXATION CODE OF THE STATE OF OREGON.

4. SPECIAL ASSESSMENTS, IF ANY, WHICH ARE NOT BILLED AND COLLECTED BY THE COUNTY TAX ASSESSOR.

ORDER NO: 100577208

- 5. THE LATEST TAX BILL FROM THE COUNTY TAX ASSESSOR SHOWS THE SITUS ADDRESS ON SAID LAND AS 3605 SALEM DALLAS HWY NW, SALEM, OR 97304 AND THE PARCEL NO./PROPERTY ID NO. AS 226660.
- 6. EASEMENT FOR ROADWAY RECORDED IN REEL 1970, PAGE 669 OF POLK COUNTY RECORDS.
- 7. LIMITED ACCESS AS SET FORTH IN DEED RECORDED IN REEL 193, PAGE 156 AND REAL 206, PAGE 511 OF POLK COUNTY RECORDS.
- 8. WATER AGREEMENT RECORDED IN REEL 171, PAGE 2296 OF POLK COUNTY RECORDS.
- 9. A DEED OF TRUST TO SECURE AN INDEBTEDNESS IN THE AMOUNT SHOWN BELOW, AND ANY OTHER OBLIGATIONS SECURED THEREBY

AMOUNT : \$380,000.00
 DATED : MAY 22, 2008
 TRUSTOR : JASON J SMITH AND BRENDA K SMITH
 TRUSTEE : FIDELITY NATIONAL TITLE COMPANY
 BENEFICIARY : MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., A SEPARATE CORPORATION THAT IS ACTING SOLELY AS A NOMINEE FOR LENDER AND LENDER'S SUCCESSORS AND ASSIGNS
 LENDER : M&T BANK, A CORPORATION
 RECORDED : MAY 29, 2008, AS INSTRUMENT NO. 2008-006922, OF OFFICIAL RECORDS

THE BENEFICIAL INTEREST UNDER SAID DEED OF TRUST HAS BEEN ASSIGNED:

ASSIGNOR : MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.
 ASSIGNEE : WELLS FARGO BANK, NA
 DATED : OCTOBER 5, 2010
 RECORDED : OCTOBER 6, 2010, AS INSTRUMENT NO. 2010-009776, OF OFFICIAL RECORDS

SAID ASSIGNMENT MAY BE INSUFFICIENT IN THAT MERS MAY HAVE HAD NO BENEFICIAL INTEREST UNDER SAID DEED OF TRUST, AS DEFINED BY ORS 86.705 (1), AS OF THE DATE OF EXECUTION OF THIS ASSIGNMENT.

THE EFFECT OF:

A SUBSTITUTION OF TRUSTEE UNDER SAID DEED OF TRUST WHICH NAMES AS THE SUBSTITUTE TRUSTEE, THE FOLLOWING

TRUSTEE : NORTHWEST TRUSTEE SERVICES, INC.
 EXECUTED BY : WELLS FARGO BANK, NA, BY KATHY TAGGART AS ATTORNEY IN FACT BY POWER OF ATTORNEY RECORDED 1/24/2010 UNDER AUDITOR'S FILE NO. 2010-728
 RECORDED : OCTOBER 6, 2010, AS INSTRUMENT NO. 2010-009777, OF OFFICIAL RECORDS

SAID INSTRUMENT MAY BE INSUFFICIENT IN THAT THE BENEFICIARY WHO EXECUTED SAID DOCUMENT IS NOT THE BENEFICIARY OF RECORD.

10. A COURT ORDER FOR INSTALLMENT PAYMENTS OF SPOUSAL AND/OR CHILD SUPPORT, TO BE MADE BY:

DEBTOR : JASON JAY SMITH
CREDITOR : BRENDA KAY SMITH
DATE ENTERED : NOVEMBER 20, 2008
COUNTY : POLK
COURT : CIRCUIT
CASE NO. : 08P-2612

11. A COURT ORDER FOR INSTALLMENT PAYMENTS OF SPOUSAL AND/OR CHILD SUPPORT, TO BE MADE BY:

DEBTOR : BRENDA KAY SMITH
CREDITOR : JASON JAY SMITH
DATE ENTERED : NOVEMBER 20, 2008
COUNTY : POLK
COURT : CIRCUIT
CASE NO. : 08P-2612

12. A JUDGMENT, FOR THE AMOUNT SHOWN BELOW, AND ANY OTHER AMOUNT DUE:

AMOUNT : \$50,000.00
DEBTOR : JASON JAY SMITH
CREDITOR : BRENDA KAY SMITH
DATE ENTERED : NOVEMBER 20, 2008
COURT : CIRCUIT
COUNTY : POLK
CASE NO. : 08P-2612

G. THE VESTEE NAMED IN SCHEDULE A AND PARTIES CLAIMING TO HAVE SOME RIGHT, TITLE OR INTEREST BY REASON OF THE MATTERS SHOWN IN THIS GUARANTEE MAY BE NECESSARY PARTIES DEFENDANT IN THE JUDICIAL FORECLOSURE ACTION. THIS COMPANY CANNOT OFFER LEGAL ADVICE AS TO WHOM, AMONG THESE PARTIES, THE ASSURED MUST NAME AS DEFENDANT, BUT THE GUARANTEE IDENTIFIES BELOW, AND IN PARAGRAPH 10 OF EXHIBIT 2 OF THIS GUARANTEE, NAMES AND ADDRESSES OF PARTIES WHOSE ESTATES, INTERESTS OR CLAIMS APPEAR OF RECORD SO THAT THE ASSURED CAN MAKE A FURTHER DETERMINATION.

1. JASON J SMITH
2. BRENDA K SMITH
3. JASON JAY SMITH
4. BRENDA KAY SMITH

H. NO COVERAGE IS PROVIDED IN THE EVENT OF AN ADVERSE CLAIM BASED UPON THE ASSERTION THAT THIS JUDICIAL FORECLOSURE GUARANTEE WAS FURNISHED FOR ANY PURPOSE OTHER THAN TO FACILITATE THE FILING OF A JUDICIAL FORECLOSURE ACTION BY THE NAMED ASSURED.

EXHIBIT 2

RELATIVE TO THE ENCUMBRANCE TO BE ENFORCED, SHOWN ON EXHIBIT 1:

1. ATTENTION IS CALLED TO THE SERVICEMEMBERS CIVIL RELIEF ACT OF 2003 (108P.L. 189; 117 STAT. 2835; 2003 ENACTED H.R.100) AND AMENDMENTS THERETO AND THE MILITARY RESERVIST ACT OF 1991 (SEC. 800 TO 810, MILITARY VETERANS CODE) WHICH CONTAIN INHIBITIONS AGAINST THE SALE OF LAND UNDER A DEED OF TRUST IF THE OWNER IS ENTITLED TO THE BENEFITS OF SAID ACTS.
2. ATTENTION IS CALLED TO THE FEDERAL TAX LIEN ACT OF 1966 WHICH, AMONG OTHER THINGS, PROVIDES FOR THE GIVING OF WRITTEN NOTICE OF SALE IN A SPECIFIED MANNER TO THE SECRETARY OF TREASURY OR HIS DELEGATE AS A REQUIREMENT FOR THE DISCHARGE OR DIVESTMENT OF A FEDERAL TAX LIEN IN A NON JUDICIAL SALE, AND ESTABLISHES WITH RESPECT TO SUCH LIEN A RIGHT IN THE UNITED STATES TO REDEEM THE PROPERTY WITHIN A PERIOD OF 120 DAYS FROM THE DATE OF ANY SUCH SALE.
3. ATTENTION IS CALLED TO THE FEDERAL DEBT COLLECTION PROCEDURES ACT (28 USC 3001-3308) AND THE PROVISIONS OF 28 USC 2410 (ACTIONS AFFECTING PROPERTY ON WHICH UNITED STATES HAS LIEN) WHICH, AMONG OTHER THINGS PROVIDES FOR WRITTEN NOTICE TO BE GIVEN TO THE UNITED STATES, AND PROVIDES FOR THE DISCHARGE OF THE PROPERTY FROM THE MORTGAGE OR OTHER LIEN HELD BY THE UNITED STATES, AND PROVIDES THAT THE UNITED STATES SHALL HAVE ONE YEAR FROM THE DATE OF SALE WITHIN WHICH TO REDEEM.
4. OREGON REVISED STATUTES 86.740(C) AND 94.709(2) CALL FOR NOTICE TO HOLDERS OF JUNIOR HOMEOWNERS ASSOCIATION LIENS AND SUCH HOLDERS MAY BE DISCLOSED IN THE DECLARATION OF CC&R'S OR THE CONDOMINIUM/P.U.D. RIDER ATTACHED TO THE SUBJECT DEED OF TRUST.
5. EXCEPT AS SHOWN ON EXHIBIT 1, NO NOTICE OF PENDENCY OF AN ACTION FOR THE FORECLOSURE OF THE ENCUMBRANCE TO BE ENFORCED HAS BEEN RECORDED IN THE COUNTY IN WHICH THE PREMISES ARE SITUATED.
6. THIS GUARANTEE PROVIDES NO ASSURANCES WITH RESPECT TO ANY FACTS, RIGHTS, TITLE, INTERESTS OR CLAIMS WHICH ARE NOT SHOWN BY THE PUBLIC RECORDS, AND THIS EXHIBIT 2 IS NOT INTENDED TO SHOW THE NAMES OF PERSONS WHOSE RIGHTS, TITLE, INTERESTS OR CLAIMS ARE NOT SHOWN BY THE PUBLIC RECORDS, INCLUDING, WITHOUT LIMITATION, THOSE WHO MAY BE KNOWN TO THE ASSURED OR WHO COULD BE ASCERTAINED BY AN INSPECTION OF THE LAND OR BY MAKING INQUIRY OF PERSONS IN POSSESSION OF THE LAND.
7. IF APPLICABLE, THE NAMES AND ADDRESSES, AS SHOWN THEREIN, OF PERSONS WHO HAVE RECORDED REQUESTS FOR A COPY OF A NOTICE OF SALE OR NOTICE OF DEFAULT, UNDER ORS 86.785 OF THE OREGON TRUST DEED STATUTES, ARE:

NONE
8. IF APPLICABLE, THE NAME OF THE GRANTOR IN THE ENCUMBRANCE WHOSE LIEN IS TO BE ENFORCED IS:

JASON J SMITH

BRENDA K SMITH

ORDER NO: 100577208

9. IF APPLICABLE, THE NAME OF THE SUCCESSOR IN INTEREST TO THE GRANTOR IS:

NONE

10. IF APPLICABLE, THE NAMES OF ADDITIONAL NECESSARY PERSONS NOT SHOWN ABOVE TO BE MADE DEFENDANTS IN A SUIT TO ENFORCE THE SUBJECT ENCUMBRANCE; OR, IF APPLICABLE, THE NAMES OF ADDITIONAL PERSONS WHO ARE ENTITLED, UNDER THE OREGON TRUST DEED STATUTES, ORS 86.705 ET SEQ., TO RECEIVE NOTICE OF SALE; OR, IF APPLICABLE, THE NAMES OF ADDITIONAL PERSONS WHO ARE ENTITLED, UNDER THE LAND SALE CONTRACT FORFEITURE STATUTES, ORS 93.905 ET SEQ., TO RECEIVE NOTICE OF DEFAULT, ARE:

JASON J SMITH
3605 SALEM DALLAS HWY NW
SALEM, OR 97304
ITEM G1 EXHIBIT 1

JASON J SMITH
4305 SALEM-DALLAS HWY NW
SALEM, OR 97304
ITEM G1, G3 EXHIBIT 1

JASON J. SMITH
P.O. BOX 5306
SALEM, OR 97304
ITEM G1, G3 EXHIBIT 1

BRENDA K SMITH
3605 SALEM DALLAS HWY NW
SALEM, OR 97304
ITEM G2 EXHIBIT 1

BRENDA K SMITH
2194 MOUSEBIRD AVE. NW
SALEM, OR 97304
ITEM G2, G4 EXHIBIT 1

BRENDA K. SMITH
P.O. BOX 5306
SALEM, OR 97304
ITEM G2, G4 EXHIBIT 1

JASON JAY SMITH
4305 SALEM-DALLAS HWY NW
SALEM, OR 97304
ITEM G3 EXHIBIT 1

JASON JAY SMITH
C/O GORDON L. DICK, ATTORNEY AT LAW
242 CHURCH STREET SE
SALEM, OR 97301
ITEM G3 EXHIBIT 1

ORDER NO: 100577208

JASON JAY SMITH
C/O DEPARTMENT OF JUSTICE, CHILD SUPPORT SERVICES
P.O. BOX 14506
SALEM, OR 97309
ITEM G3 EXHIBIT 1

JASON JAY SMITH
C/O DEPARTMENT OF HUMAN RESOURCES
P.O. BOX 14506
SALEM, OR 97309
ITEM G3 EXHIBIT 1

BRENDA KAY SMITH
2194 MOUSEBIRD AVE. NW
SALEM, OR 97304
ITEM G4 EXHIBIT 1

BRENDA KAY SMITH
C/O DENNIS V. MESSOLINE, P.C., ATTORNEY AT LAW
2711 12TH STREET SE
SALEM, OR 97302
ITEM G4 EXHIBIT 1

BRENDA KAY SMITH
C/O DEPARTMENT OF JUSTICE, CHILD SUPPORT SERVICES
P.O. BOX 14506
SALEM, OR 97309
ITEM G4 EXHIBIT 1

BRENDA KAY SMITH
C/O DEPARTMENT OF HUMAN RESOURCES
P.O. BOX 14506
SALEM, OR 97309
ITEM G4 EXHIBIT 1

LSI TITLE COMPANY OF OREGON, LLC.
3220 EL CAMINO REAL, IRVINE, CALIFORNIA 92602
(714) 247-7000 • (800) 323-0165

TRANSMITTAL

TO:

DATE: JANUARY 9, 2012

NORTHWEST TRUSTEE SERVICES, INC
13555 SE 36TH ST, SUITE 100
BELLEVUE, WA 98006

ATTN:

REF. NO.: 7023.78940
ORDER NO.: 100577208

PLEASE FIND ENCLOSED HEREWITH ITEMS CHECKED BELOW:

- CERTIFIED COPY
- OWNERS POLICY
- ALTA POLICY
- CORRECTED GUARANTEE, POLICY AND/OR ENDORSEMENT
- ENDORSEMENT
- PRELIMINARY REPORT
- SUPPLEMENTAL REPORT
- JUDICIAL FORECLOSURE GUARANTEE**



MIKE SCOTT, TITLE OFFICER