

Verified-Correct Copy of Original 2/8/2018.

FILE COPY

FILE COPY

In the Circuit Court of the State of Oregon
For the County of Klamath

Enterprise Irrigation District,

Plaintiff,

v.

Anthony Ray Velasquez; Christina R. Velasquez; State of Oregon, Department of Justice; Frank W. Velasquez; and Maria Velasquez,

Defendants.

Case No. 16CV40984

Writ of Execution

16CV40984
WREX
Writ - Execution
8724502



TO: THE SHERIFF OF KLAMATH COUNTY, OREGON, GREETINGS:

On January 4, 2018, plaintiff recovered a General Judgment of Foreclosure in the above-entitled matter against certain real property located in Klamath County, Oregon, described as follows:

Lot 2, Block 1, Bryant Tracts, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

Said parcel is also described as Klamath County Tax Assessor's Account No. R-3909-003AA-00700 and Account R524720 and M49110 Map No. M-118985, and more commonly referred to as 4022 Shasta Way, Klamath Falls, Oregon 97603

in the amount of \$983.33 for irrigation charges, interest, and lien fees, together with interest thereon at the rate of 1 1/3 percent per month or portion thereof from January 1, 2018 until paid; and on January 17, 2018, plaintiff was awarded a Supplemental Judgment for plaintiff's costs, disbursements, and attorney's fees, which total \$8,070.00, plus interest thereon at the rate of 9 percent per annum from January 17, 2018, until

1 paid. True copies of the General Judgment of Foreclosure and the Supplemental
2 Judgment are attached hereto and made a part hereof.

3 The name and mailing address of the Judgment creditor is:

4 Enterprise Irrigation District
5 c/o Blain Law, LLC
6 Mika N. Blain
7 Attorney at Law
8 1151 Pine Street
9 Klamath Falls OR 97601

10 The amount owed on the General Judgment as of February 1, 2018 and the
11 amount of interest accruing on the Money Award each day from February 1, 2018 are:

12 a. General Judgment of Foreclosure:

- 13 1. Principal amount of General Judgment: \$ 983.33
- 14 2. Monthly interest accrues on the 1st day of each month
15 for the entire month beginning on 1.1.18 at the daily rate of: \$.43

16 b. Supplemental Judgment:

- 17 1. Principal amount of Supplemental Judgment: \$8,070.00
- 18 2. Interest accrued from 1.17.18 to 1.31.18: \$ 29.89
- 19 3. Daily interest after 1.31.18: \$ 1.99

20 WHEREAS, said Judgments remain unsatisfied, in the name of the state of
21 Oregon you are commanded to sell the real property described above in the manner
22 required by ORS 545.502, as follows:

23 A. The sale shall be held in the same manner as other
24 foreclosure sales after giving notice thereof for two
25 consecutive weeks prior to the day of sale, by publication of
26 notice once each week in a newspaper published in Klamath
27 County and by posting notice in three public and
28 conspicuous places within the county at least two weeks
prior to the date of sale;

B. The plaintiff may be a bidder and purchaser at the sale;

C. The property sold is subject to statutory redemption
procedures;

and

D. Prior to the Sheriff's sale, the former owner, assessment
payer, or holder of legal or equitable title or lien on any tract
of land included in the sale may pay the amount of the

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plaintiff's lien and foreclosure costs set forth above to the Sheriff, and the plaintiff shall thereafter issue satisfaction of the lien.

Dated this 8th day of February 2018.

KLAMATH COUNTY CIRCUIT COURT
ADMINISTRATOR

By: Marcela F
Deputy



County of KLAMATH)
STATE OF OREGON
I hereby certify that the within is a true and correct copy and the whole of the original.
Clerk of Court

By _____
Date _____



Verified Correct Copy of Original 2/8/2018.

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In the Circuit Court of the State of Oregon
For the County of Klamath

Enterprise Irrigation District,
Plaintiff,
v.
Anthony Ray Velasquez; Christina R. Velasquez; State of Oregon, Department of Justice; Frank W. Velasquez; and Maria Velasquez,
Defendants.

Case No. 16CV40984
General Judgment of Foreclosure
(PPJG)

THIS MATTER came before the court on plaintiff's Motion for Entry of General Judgment of Foreclosure. The court, having considered said Motion, the Complaint filed herein, and the other pleadings filed herein, finds that the plaintiff is entitled to a General Judgment of Foreclosure as described below.

THEREFORE, IT IS HEREBY ORDERED AND ADJUDGED as follows:

- 1. Plaintiff's Motion is granted;
- 2. Plaintiff has a valid and subsisting lien and is awarded a General Judgment against the parcel of real property more particularly described as follows:

Lot 2, Block 1, Bryant Tracts, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

Said parcel is also described as Klamath County Tax Assessor's Account No. R-3909-003AA-00700 and Account R524720 and M49110 Map No. M-118985, and more commonly referred to as:

4022 Shasta Way
Klamath Falls, Oregon 97603

for plaintiff's irrigation charges, lien fees, interest, and costs of suit to this date as follows:

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- a. 2014 and 2015 lien, including late fees, lien fees, and interest to 12.31.17 \$671.31
- b. 2016 assessment, late fee, and interest to 12.31.17 \$166.38
- c. 2017 assessment, late fee, and interest to 12.31.17 \$145.64
- d. Cost of foreclosure to be determined pursuant to ORCP 68
- e. The figures from a., b., and c., above, earn interest at the rate of 1.33% per month from 1.1.18 until paid

3. Plaintiff's said lien and General Judgment are declared to be superior to the interests of the defendants and all persons claiming by or through defendants in said real property.

4. Plaintiff's said General Judgment is hereby foreclosed against said parcel, and the Sheriff of Klamath County, Oregon is hereby ordered to hold the sale of the parcel described above as provided in ORS 545.502 in the same manner as other foreclosure sales.

5. The proceeds of said sale shall be applied first to the cost of the Sheriff's Sale, then to satisfy plaintiff's General Judgment and Supplemental Judgment against the parcel, and then any excess shall be paid to the defendants as may be hereafter ordered.

6. The defendants, and all persons claiming through or under defendants, either as purchasers, encumbrancers, or otherwise, are hereby foreclosed of all interest or claim in the subject real property except any statutory right of redemption that defendants may have in the real property.

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7. The plaintiff or any other party to this action may become a purchaser at said sale, action may become a purchaser at said sale, and the purchaser shall be entitled to exclusive possession of the real property from the date of sale.

Signed 1/4/2018 01:21 PM

Roxanne Osborne
Circuit Court Judge Roxanne Osborne

Certificate of UTCR 5.100 Compliance and Certificate of Service

I certify that I have complied with UTCR 5.100, and the submission of this Order is ready for judicial signature because the relief sought is against opposing parties who have been found in default. Service is not required pursuant to subsection (93) of this rule, or by statute, or otherwise.

/s/ Mika N. Blain
Mika N. Blain, OSB 130280

Verified Correct Copy of Original 2/8/2018.

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In the Circuit Court of the State of Oregon
For the County of Klamath

Enterprise Irrigation District,

Plaintiff,

v.

Anthony Ray Velasquez; Christina R. Velasquez; State of Oregon, Department of Justice; Frank W. Velasquez; and Maria Velasquez,

Defendant.

Case No. 16CV40984

Supplemental Judgment for Attorneys' Fees, Costs, and Disbursements

(PPJG)

THIS MATTER came before the Court on January 17, 2018, upon the Declarations of Attorney's Fees, Costs, and Disbursements filed by William M. Ganong, plaintiff's original attorney until he withdrew on November 15, 2017, and Mika N. Blain of Blain Law, LLC, plaintiff's current attorney. No objections or other responses were filed to said Declarations and the time allowed by law for filing objections has expired. The Court, having considered plaintiff's attorneys' Declarations, awards plaintiff a Supplement Judgment for Attorneys' Fees, Costs, and Disbursements in the sum of \$8,070.00, plus interest thereon at the rate of 9 percent per annum from the date of this Supplemental Judgment until paid, against the parcel of property more particularly described as follows:

Lot 2, Block 1, Bryant Tracts, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

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Said parcel is also described as Klamath County Tax Assessor's Account No. R-3909-003AA-00700 and Account R524720 and M49110 Map No. M-118985, and more commonly referred to as 4022 Shasta Way, Klamath Falls, Oregon 97603

Signed, 1/17/2018 01:23 PM

Roxanne Osborne
Circuit Court Judge Roxanne Osborne

Certificate of UTCR 5.100 Compliance and Certificate of Service

I certify that I have complied with UTCR 5.100, and the submission of this Supplemental Judgment is ready for judicial signature because the relief sought is against opposing parties who have been found in default. Service is not required pursuant to subsection (93) of this rule, or by statute, or otherwise.

/s/ Mika N. Blain
Mika N. Blain, OSB 130280

County of KLAMATH)
STATE OF OREGON)
I hereby certify that the within is a
true and correct copy and the whole
of the original.
Clerk of Court

By Mika N. Blain
Date 2/10/18

In the Circuit Court of the State of Oregon
For the County of Klamath

Enterprise Irrigation District,
Plaintiff,
v.
**Anthony Ray Velasquez; Christina R.
Velasquez; State of Oregon,
Department of Justice; Frank W.
Velasquez; and Maria Velasquez,**
Defendants.

Case No. 16CV40984

**General Judgment of
Foreclosure**

(PPJG)

THIS MATTER came before the court on plaintiff's Motion for Entry of General Judgment of Foreclosure. The court, having considered said Motion, the Complaint filed herein, and the other pleadings filed herein, finds that the plaintiff is entitled to a General Judgment of Foreclosure as described below.

THEREFORE, IT IS HEREBY ORDERED AND ADJUDGED as follows:

1. Plaintiff's Motion is granted;
2. Plaintiff has a valid and subsisting lien and is awarded a General Judgment against the parcel of real property more particularly described as follows:

Lot 2, Block 1, Bryant Tracts, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

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for plaintiff's irrigation charges, lien fees, interest, and costs of suit to this date as follows:

- 1 a. 2014 and 2015 lien, including late fees, lien fees, \$671.31
and interest to 12.31.17
- 2 b. 2016 assessment, late fee, and interest to 12.31.17 \$166.38
- 3 c. 2017 assessment, late fee, and interest to 12.31.17 \$145.64
- 4 d. Cost of foreclosure to be determined pursuant to ORCP 68
- 5 e. The figures from a., b., and c., above, earn interest at the rate
6 of 1.33% per month from 1.1.18 until paid

7 3. Plaintiff's said lien and General Judgment are declared to be superior to the
8 interests of the defendants and all persons claiming by or through defendants in said
9 real property.

10 4. Plaintiff's said General Judgment is hereby foreclosed against said parcel,
11 and the Sheriff of Klamath County, Oregon is hereby ordered to hold the sale of the
12 parcel described above as provided in ORS 545.502 in the same manner as other
13 foreclosure sales.

14 5. The proceeds of said sale shall be applied first to the cost of the Sheriff's
15 Sale, then to satisfy plaintiff's General Judgment and Supplemental Judgment against
16 the parcel, and then any excess shall be paid to the defendants as may be hereafter
17 ordered.

18 6. The defendants, and all persons claiming through or under defendants, either
19 as purchasers, encumbrancers, or otherwise, are hereby foreclosed of all interest or
20 claim in the subject real property except any statutory right of redemption that
21 defendants may have in the real property.

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7. The plaintiff or any other party to this action may become a purchaser at said sale, action may become a purchaser at said sale, and the purchaser shall be entitled to exclusive possession of the real property from the date of sale.

Signed: 1/4/2018 01:21 PM

Roxanne Osborne
Circuit Court Judge Roxanne Osborne

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I certify that I have complied with UTCR 5.100, and the submission of this Order is ready for judicial signature because the relief sought is against opposing parties who have been found in default. Service is not required pursuant to subsection (93) of this rule, or by statute, or otherwise.

/s/ Mika N. Blain
Mika N. Blain, OSB 130280

County of KLAMATH)
STATE OF OREGON
I hereby certify that the within is a
true and correct copy and the whole
of the original.
Clerk of Court
By M. Jones
Date 2/11/18

In the Circuit Court of the State of Oregon
For the County of Klamath

Enterprise Irrigation District,
Plaintiff,
v.
**Anthony Ray Velasquez; Christina R.
Velasquez; State of Oregon,
Department of Justice; Frank W.
Velasquez; and Maria Velasquez,**
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Attorneys' Fees, Costs, and
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Declarations of Attorney's Fees, Costs, and Disbursements filed by William M. Ganong,
plaintiff's original attorney until he withdrew on November 15, 2017, and Mika N. Blain of
Blain Law, LLC, plaintiff's current attorney. No objections or other responses were filed
to said Declarations and the time allowed by law for filing objections has expired. The
Court, having considered plaintiff's attorneys' Declarations, awards plaintiff a
Supplement Judgment for Attorneys' Fees, Costs, and Disbursements in the sum of
\$8,070.00, plus interest thereon at the rate of 9 percent per annum from the date of this
Supplemental Judgment until paid, against the parcel of property more particularly
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Lot 2, Block 1, Bryant Tracts, according to the official plat thereof on file in
the office of the County Clerk of Klamath County, Oregon.

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2 Said parcel is also described as Klamath County Tax Assessor's Account
3 No. R-3909-003AA-00700 and Account R524720 and M49110 Map No.
4 M-118985, and more commonly referred to as 4022 Shasta Way, Klamath
5 Falls, Oregon 97603
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8 Signed: 1/17/2018 01:23 PM

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10 Roxanne Osborne
11 Circuit Court Judge Roxanne Osborne
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20 against opposing parties who have been found in default. Service is not required
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/s/ Mika N. Blain
Mika N. Blain, OSB 130280