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LANE COUNTY S.O. CIVIL
02.16.18 JJS YLL

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CIRCUIT COURT OF OREGON FOR LANE COUNTY

FREEDOM MORTGAGE CORPORATION,

Plaintiff,

v.

THE ESTATE OF RONALD L. WESSELS
SR., DECEASED, ROBYN HUBER,
ELIZABETH LEMMONS, THE UNKNOWN
HEIRS AND DEVISEES OF RONALD L.
WESSELS SR, DECEASED, RONALD L.
WESSELS JR., RACHEL WESSELS,
RAYMOND WESSELS, WENDY WESSELS,
AND PERSONS OR PARTIES UNKNOWN
CLAIMING ANY RIGHT, TITLE, LIEN, OR
INTEREST IN THE PROPERTY DESCRIBED
IN THE COMPLAINT HEREIN,

Defendants.

NO. 15CV24656

WRIT OF EXECUTION IN FORECLOSURE

TO: LANE COUNTY SHERIFF

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2 1. WHEREAS, on October 24, 2016, in the above-entitled court, a judgment of
3 foreclosure was enrolled and docketed in the above-entitled cause, a true copy of which is attached
4 hereto as **Exhibit "A"** and made a part hereof;

5 2. WHEREAS, pursuant to ORS 18.862, the Judgment Creditor's address is as follows:

6
7 Freedom Mortgage Corporation
8 c/o Freedom Mortgage
9 P.O. Box 489
10 Mt. Laurel, NJ 08054

11 For the purpose of this Writ, the Judgment Creditor's address is as follows:

12 Freedom Mortgage
13 c/o Robinson Tait, P.S.
14 901 Fifth Avenue, Suite 400
15 Seattle, Washington 98164

16 3. WHEREAS, the real property to be sold pursuant to the above referenced judgment is
17 legally described as

18 LOT 3, BLOCK 3, SEYCHELLES WEST, AS PLATTED AND RECORDED IN BOOK 71,
19 PAGE 21, LANE COUNTY OREGON PLAT RECORDS, IN LANE COUNTY, OREGON.
20 and commonly known as 2035 Praslin St, Eugene, OR 97402.

21 4. NOW, THEREFORE, IN THE NAME OF THE STATE OF OREGON, you are
22 hereby commanded to sell the above referenced real property, in the manner prescribed by law for the
23 sale of real property upon execution (subject to redemption), all of the interest which the defendant(s)
24 had on May 19, 2012, the date of the Deed of Trust, and also all of the interest which the defendant(s)
25 had thereafter, in the real property described in the judgment, to satisfy the judgment, which as of
26 August 30, 2017,
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5. THEREFORE, in the name of the State of Oregon you are hereby commanded to seize and sell the above described Property, in the manner prescribed by law; or so much thereof as may be necessary to satisfy the Judgment and Money Award, interest, fees and costs.

MAKE RETURN HEREOF within 60 days after you receive this writ.

DATED this 13th day of December, 2017.

By: Angie Jones
court clerk



EXHIBIT A

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CIRCUIT COURT OF OREGON FOR LANE COUNTY

FREEDOM MORTGAGE CORPORATION,

Plaintiff,

v.

THE ESTATE OF RONALD L. WESSELS SR., DECEASED; ROBYN HUBER; ELIZABETH LEMMONS; THE UNKNOWN HEIRS AND DEVISEES OF RONALD L. WESSELS SR, DECEASED; RONALD L. WESSELS JR.; RACHEL WESSELS; RAYMOND WESSELS; WENDY WESSELS; AND PERSONS OR PARTIES UNKNOWN CLAIMING ANY RIGHT, TITLE, LIEN, OR INTEREST IN THE PROPERTY DESCRIBED IN THE COMPLAINT HEREIN,

Defendants.

NO. 15CV24656

CORRECTED GENERAL JUDGMENT DETERMINING AMOUNT OWED AND FORECLOSURE

(Clerk's Action Required)

THIS MATTER having come on for hearing this day before the undersigned Judge of the above entitled court upon the motion of the plaintiff for judgment and foreclosure herein, the plaintiff, FREEDOM MORTGAGE CORPORATION, appearing and being represented by CRAIG PETERSON, Attorney of Robinson Tait, and after considering the pleadings and affidavits on file herein, findings of fact and conclusion of law being unnecessary under Civil Rule 69D, the court finds that the allegations contained in the plaintiff's Complaint are true, that there are no material

CORRECTED GENERAL JUDGMENT DETERMINING AMOUNT OWED AND FORECLOSURE - 1

60128-25799-JUD-OR1605456

Law Office
ROBINSON TAIT, P.S.

901 Fifth Avenue, Suite 400
Seattle WA 98101
(206) 676-0610

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2 issues of fact, that the plaintiff is entitled to judgment as a matter of law, and that the judgment
3 should be entered in favor of the plaintiff forthwith as more particularly hereafter set forth. Therefore,

4 IT IS HEREBY ORDERED AND ADJUDGED THAT:

5 1. Plaintiff, FREEDOM MORTGAGE CORPORATION be awarded judgment in the sum
6 of \$191,685.30, together with interest at a rate as provided in the Note from December 1, 2013 through
7 July 6, 2016 in the amount of \$11,959.46 with additional pre-judgment interest at the per diem rate of
8 \$11.8162 as provided in the Note to the date of entry of judgment; plus reasonable attorneys' fees in the
9 amount of \$2,050.00 with an additional fee in the amount of \$1,205.50 for drafting and filing a
10 stipulation, plus other recoverable amounts of \$7,011.65 which includes the amounts itemized in the
11 declaration of the lender in support of motion for judgment plus allowable costs of \$1,491.52 as itemized
12 in the bill of disbursements and an additional amount for post-judgment sheriff's fees. Said judgment to
13 bear interest until paid at the statutory rate or at the contract rate, whichever is greater; and
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16 2. Plaintiff's Deed of Trust on real property in Lane County, Oregon, legally described as
17 follows:
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19 LOT 3, BLOCK 2, SEYCHELLES WEST, AS PLATTED AND RECORDED IN
20 BOOK 71, PAGE 21, LANE COUNTY OREGON PLAT RECORDS, IN LANE
21 COUNTY, OREGON.

22 which was recorded on June 4, 2012, under Auditor's File No. 2012-027126, records of Lane County,
23 Oregon, be adjudged and decreed to be a first and paramount lien upon the above described real
24 estate and the whole thereof as security for the payment of the judgment herein set forth, and that said
25 Deed of Trust be foreclosed and the property therein described is hereby ordered sold by the Sheriff
26 of Lane County in the manner provided for by law, and the proceeds therefrom shall be applied to the
27 payment of the judgment, interest, attorneys' fees and costs, and such other sums as plaintiff has
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2 advanced prior to judgment, and that such sums shall constitute a first and specific lien and charge
3 upon said real estate, prior and superior to any right, title, estate, lien or interest of the defendant and
4 of any one claiming by, through or under them; and

5 3. Any and all persons acquiring any right, title, estate, lien or interest in or to the
6 property described above or any part thereof subsequent to May 19, 2012, the date of the Deed of
7 Trust which is foreclosed herein, be forever barred and estopped from claiming or asserting any right,
8 title, lien or interest in or to said property or any part thereof, save and except for the right of
9 redemption as allowed by law; and

10
11 4. Plaintiff be granted the right to become a bidder and purchaser at the sale and the
12 purchaser shall be entitled to exclusive possession of the property upon completion of sale according to
13 law, and to all right, title and interest in any rents and profits generated or arising from the property
14 during the statutory redemption period; and plaintiff is entitled to such remedies as are available at law to
15 secure possession, including writ of assistance, if defendants or any of them or any other party or person
16 shall refuse to surrender possession to the purchaser immediately upon purchaser's demand for
17 possession; and
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20 5. Pursuant to ORS 18.950, if any proceeds from the execution sale remain after the
21 payment of costs under ORS 18.950(3) and satisfaction of the judgment, the court administrator shall
22 pay the remaining proceeds as directed by the court in the order of distribution.
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DECLARATION DETERMINING AMOUNT OF DEBT

(Not a Money Award, see ORS 18.862, 86.797, and 88.010)

Judgment Creditor: FREEDOM MORTGAGE CORPORATION
c/o Robinson Tait, P.S.
901 Fifth Avenue, Suite 400
Seattle, WA 98164
(206) 676-9640

Attorney for Judgment Creditor: Craig Peterson
Robinson Tait, P.S.
901 Fifth Avenue, Suite 400
Seattle, WA 98164
(206) 676-9640

The name of any person or public body,
other than the Judgment Creditor's
Attorney, who is entitled to any
portion of the judgment: None

Principal Balance: \$191,685.30

Simple Interest on the Principal Balance
from December 1, 2013
to July 6, 2016: \$11,959.46

Other Amounts Due Under Terms of Loan: \$7,011.65

Attorneys' Fees and Costs:
Attorneys' Fee: \$2,050.00
Litigation Fee: \$1,205.50
Total Costs: \$1,491.52

Total Attorney Fees and Costs: \$4,747.02

TOTAL DEBT OWED \$215,403.43

Pre-Judgment: Additional pre-judgment interest accrues from July 7, 2016, to the date of entry of judgment at the per diem rate of \$11.8162, in accordance with the Note

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2 Post-Judgment: Interest Accrues on the total of the amounts listed above in accordance with
3 the contract rate in the Note, or at the statutory rate of 9% per annum, whichever is greater.
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Signed: 2/13/2017 03:37 PM

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10 **Karsten H. Rasmussen, Circuit Court Judge**

11 Submitted by:

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13 
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15 Email: cpeterson@robinsontait.com
16 Brandon Smith, OSB #124584
17 Email: bsmith@robinsontait.com
18 Jaimie Fender, OSB #120832
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