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

CITIMORTGAGE, INC.,

Plaintiff,

vs.

STEVEN HEDGE AKA STEVEN CRAIG  
HEDGE; TRACEY HEDGE AKA TRACEY  
ELIZABETH HEDGE; STATE OF OREGON;  
OCCUPANTS OF THE PROPERTY,

Defendants.

Case No.: 16CV40924

WRIT OF EXECUTION IN  
FORECLOSURE

**TO THE LANE COUNTY SHERIFF:**

A Judgment of Foreclosure was entered and docketed in this case on November 27, 2017.

A true copy of the Judgment is attached hereto. The Judgment was entered in favor of the  
Plaintiff:

CITIMORTGAGE, INC.  
c/o Andreanna Smith  
Attorney for Plaintiff  
McCarthy & Holthus, LLP  
920 SW 3rd Ave, 1st Floor  
Portland, OR 97204

1 With the adjudicated amount due of \$461,551.25, plus post judgment interest at the statutory rate  
2 of 9.0% per annum from November 27, 2017 to January 12, 2018 in the amount of \$5,235.26,  
3 and continuing with a per diem of \$113.81, currently totaling \$466,786.51.

4 **NOW, THEREFORE, IN THE NAME OF THE STATE OF OREGON**, you are  
5 hereby commanded to sell, in the manner prescribed by law for the sale of real property on  
6 execution (subject to redemption of 180 days), all of the interest that the Defendant had on or  
7 about June 27, 2008, the date of the Deed of Trust, and also the interest that the Defendant had  
8 thereafter, in the real property described as follows described in attached Exhibit 1, APN/Parcel  
9 #1187879, and commonly known as: 524 Cascade Dr, Springfield, OR 97478.

10 Sale of the property is to satisfy the sum listed above, plus the costs incurred in  
11 performing this Writ. Pursuant to ORS 18.872, you are authorized to continue execution under  
12 the writ and delay making a return on the writ to no later than 150 days from receipt of the writ.  
13 You are to make the return within 60 days after you receive this Writ. Should the sale be  
14 continued, the writ may be automatically extended for 30 days.

15  
16  
17 *January 18, 2018*

18 *By: [Signature]*  
19 *Court Clerk*

20 Dated: 1/9/2018 and submitted by:

21 **McCarthy & Holthus, LLP**

22 s/ Andreanna C. Smith

23 Andreanna Smith OSB No. 131336

24 920 SW 3rd Ave, 1st Floor

25 Portland, OR 97204

26 Phone: (971) 201-3200

27 Fax: (971) 201-3202

28 [ansmith@mccarthyholthus.com](mailto:ansmith@mccarthyholthus.com)

Of Attorneys for Plaintiff



LOT 50 OF EASTON SECOND ADDITION, AS PLATTED AND RECORDED IN FILE 72, SLIDE 15,  
LANE COUNTY OREGON PLAT RECORDS, IN LANE COUNTY, OREGON.

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

CITIMORTGAGE, INC.,

Plaintiff,

vs.

STEVEN HEDGE AKA STEVEN CRAIG HEDGE; TRACEY HEDGE AKA TRACEY ELIZABETH HEDGE; STATE OF OREGON; OCCUPANTS OF THE PROPERTY,

Defendants.

Case No.: 16CV40924

GENERAL JUDGMENT OF FORECLOSURE

1.

THIS MATTER came before the Court on Plaintiff's motion. Defendants STEVEN HEDGE AKA STEVEN CRAIG HEDGE was substitute served on December 29, 2016 at 4:38 pm to Nathan Long - Co-Occupant with follow up mailing on December 30, 2016; TRACEY HEDGE AKA TRACEY ELIZABETH HEDGE was served by publication in the Guard Publishing Company on which ran four consecutive weeks starting on March 8, March 15, March 22, March 29, 2017 with the follow up on March 9, 2017; STATE OF OREGON was served by service on state on December 14, 2016 at 11:35 am; and OCCUPANTS OF THE PROPERTY were served by publication in the Guard Publishing Company on which ran four consecutive weeks starting on March 8, March 15, March 22, March 29, 2017 with the follow up on March 9, 2017 ("Defaulted Defendants") were duly served with process and failed to appear; the default has been entered against Defaulted Defendants, and it appearing that Defaulted Defendants are not incapacitated, protected persons, respondents as defined in ORS 125.005, minors, or in the military service of the United States;

IT IS HEREBY ADJUDGED that Plaintiff shall have judgment as follows:

- a. The real property to which this judgment relates is located and situated in Lane County, Oregon, and is commonly known as 524 Cascade Dr, Springfield, OR 97478 (the "Subject Property"), legally described as shown in the attached *Exhibit 1*, and having APN/Parcel No. 1187879.
- b. Plaintiff is entitled to enforce the note dated June 27, 2008 and made, delivered, and executed by STEVEN HEDGE AKA STEVEN CRAIG HEDGE and TRACEY HEDGE AKA TRACEY ELIZABETH HEDGE to CITIMORTGAGE, INC. in the amount of \$283,000.00 (the "Note"). The Note was transferred to Plaintiff by delivery of possession and by indorsement set forth on the Note.
- c. A deed of trust was made, executed, and delivered by Defendants STEVEN HEDGE AKA STEVEN CRAIG HEDGE and TRACEY HEDGE AKA TRACEY ELIZABETH HEDGE on or about June 30, 2008 (the "Deed of Trust"). The Deed of Trust was recorded on July 2, 2008 as Instrument No. 2008-038860 in the official records of Lane County, Oregon. The Deed of Trust is a valid and perfected lien against all of the Property for and securing the Amount Due. The lien of the Plaintiff is superior to any interest, lien, or claim of the Defendants and shall remain in effect until issuance of a Sheriff's Deed.
- d. The Borrower failed to make the payment that was due for June 1, 2010 and has not cured the default. The amount of debt secured by the Deed of Trust that is now due and owing is comprised of the following amounts (the "Amount Due"):
- |   |              |
|---|--------------|
| a) Unpaid principal balance:  | \$276,751.57 |
| b) Prejudgment interest accruing from 6/1/2010 through 11/9/2017 and continuing until the entry of judgment at the current Note rate of 6.5%: | \$133,856.68 |
| c) Additional amounts due under the terms of the loan:  | \$47,006.00  |

d) Attorney fees and costs:	\$3,852.00
e) Prevailing party fee (ORS 20.190 (1)(a)):	\$85.00
<b>TOTAL:</b>	<b>\$461,551.25</b>

Pursuant to ORS 82.010 (2), post-judgment interest shall accrue on the Amount Due from the date of entry of this judgment through the sale of the Subject Property at the rate of 9.00% per annum.

- e. The interest of the Defendants and any successor in interest in the Subject Property is foreclosed and terminated excepting only any statutory right of redemption as provided by Oregon law.
- f. The Defendants are not entitled to a homestead exception as against Plaintiff's judgment.
- g. All right, title and interest in the Subject Property that Defendants STEVEN HEDGE AKA STEVEN CRAIG HEDGE and TRACEY HEDGE AKA TRACEY ELIZABETH HEDGE had as of the date of the Deed of Trust or thereafter acquired is hereby ordered to be sold by the Lane County Sheriff's Office in accordance with the process for sale upon execution, and the proceeds of sale shall be applied:
  - 1) First, to the costs of sale not incurred by Plaintiff;
  - 2) Second, to the Amount Due, plus post-judgment interest accruing from the date of entry of judgment through the date of the sale and any incurred costs of sale;
  - 3) Third, the surplus, if any, to the Defendants in the priority as their interest may appear, described *infra*, or to the clerk of the court to be distributed by the Court to such party or parties as they may establish their right thereto.
- h. Plaintiff may become purchaser at the sale of the Subject Property and, pursuant to ORS 18.936 (2), may credit bid up to the Amount Due, plus post-judgment interest accruing from the date of entry of judgment through the date of the sale and any incurred costs of sale.
- i. The purchaser at the sale is entitled to exclusive and immediate possession of the Subject Property from and after the date of the sale and is entitled to such remedies as are available at

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law or in equity to secure possession. The purchaser at the sale may apply to the Court for a writ of assistance if any Defendant, other party, or other person shall refuse to surrender possession to the purchaser immediately upon the purchaser's demand for possession.

j. In the event the proceeds of sale are insufficient to pay the Amount Due, Plaintiff shall not be entitled to any further or other judgment, including a judgment for the deficiency.

k. If, before the sale, the Amount Due is brought into court and paid to the clerk, the execution, if issued, shall be recalled and the effect of the judgment as to the Amount Due shall be terminated.

l. Pursuant to ORS 18.950 (4), the apparent priority of liens subsequent and inferior to the Deed of Trust are as follows:

- 1) Defendant STATE OF OREGON may claim a junior interest in Subject Property by virtue of a judgment for child support filed on 8/13/2010 as Case No. 151017910 in the official records of Lane County, Oregon.

Signed: 11/22/2017 01:47 PM



R. Curtis Conover, Circuit Court Judge

I hereby certify that the requirements of UTCR 5.100 have been satisfied.

This proposed Judgment of Foreclosure is ready for judicial signature because:

The relief sought is against an opposing party who has been found in default.

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Dated: 11/9/2017 and submitted by:

**McCarthy & Holthus, LLP**

s/ Andreanna C. Smith  
Andreanna Smith OSB No. 131336  
920 SW 3rd Ave, 1st Floor  
Portland, OR 97204  
Phone: (971) 201-3200  
Fax: (971) 201-3202  
ansmith@mccarthyholthus.com  
Of Attorneys for Plaintiff



LOT 50 OF EASTON SECOND ADDITION, AS PLATTED AND RECORDED IN FILE 72, SLIDE 15,  
LANE COUNTY OREGON PLAT RECORDS, IN LANE COUNTY, OREGON.