

RECEIVED  
CLACKAMAS COUNTY SHERIFF

18 MAR -8 AM 10:32

1 Craig Peterson, OSB #120365  
2 Lisa McMahon-Myhran, OSB #000849  
3 Jaimie Fender, OSB #120832  
4 Kimberly Hood, OSB #123008  
5 Robinson Tait, P.S.  
6 901 Fifth Avenue, Suite 400  
7 Seattle, WA 98164  
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CIRCUIT COURT OF OREGON FOR CLACKAMAS COUNTY

U.S. BANK NATIONAL ASSOCIATION, AS  
TRUSTEE, ON BEHALF OF THE HOLDERS  
OF THE CREDIT SUISSE FIRST BOSTON NO. CV12110456  
MORTGAGE SECURITIES CORP., HOME  
EQUITY PASS THROUGH CERTIFICATES, WRIT OF EXECUTION IN FORECLOSURE  
SERIES 2007-1, its successors in interest and/or  
assigns

Plaintiff,

v.

DANA R. BERRY; WILD HARE RANCH,  
INC.; MORTGAGE ELECTRONIC  
REGISTRATION SYSTEMS, INC., SOLELY  
AS NOMINEE FOR LIME FINANCIAL  
SERVICES, LTD; MIDLAND FUNDING  
LLC; XAVIER-MICHAEL MORONEY;  
ACCOUNTS RECEIVABLE INC.; AND  
OCCUPANTS OF THE PREMISES.

Defendants.

TO: CLACKAMAS COUNTY SHERIFF

1  
2 1. WHEREAS, on May 14, 2014, in the above-entitled court, a judgment of foreclosure  
3 was enrolled and docketed in the above-entitled cause, a true copy of which is attached hereto as  
4 **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 U.S. Bank National Association, as trustee, on behalf of the holders of the Credit  
8 Suisse First Boston Mortgage Securities Corp., Home Equity Pass Through  
9 Certificates, Series 2007-1  
10 c/o Select Portfolio Servicing, Inc.  
3217 S. Decker Lake Dr.  
Salt Lake City, UT 84119

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

12  
13 Select Portfolio Servicing, Inc.  
14 c/o Robinson Tait, P.S.  
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 A TRACT OF LAND SITUATED IN SECTION 19, TOWNSHIP 3 SOUTH, RANGE 1  
19 EAST OF THE WILLAMETTE MERIDIAN, IN COUNTY OF CLACKAMAS AND STATE OF  
20 OREGON, AND BEING A PART OF THAT CERTAIN TRACT OF LAND RECORDED AS THE  
21 ERNEST R. BECKE PROPERTY AS RECORDED IN BOOK 573, PAGE 87, DEED RECORDS,  
22 CLACKAMAS COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS  
23 FOLLOWS. TO WIT: BEGINNING AT THE ONE-QUARTER SECTION CORNER IN THE  
24 SOUTH BOUNDARY OF SAID SECTION 19, TOWNSHIP 3 SOUTH, RANGE 1 EAST OF THE  
25 WILLAMETTE MERIDIAN. FROM SAID PLACE OF BEGINNING; THENCE NORTHERLY  
26 ALONG THE EASTERLY BOUNDARY OF THE SOUTHWEST ONE-QUARTER OF SAID  
27 SECTION 19. A DISTANCE OF 330.00 FEET (ALSO THE CENTER LINE OF COUNTY ROAD  
28 NO. 1038); THENCE LEAVING SAID EASTERLY BOUNDARY WEST, PARALLEL WITH  
THE SOUTHERLY BOUNDARY OF SAID SECTION 19, TOWNSHIP 3 SOUTH, RANGE 1  
EAST, 284.00 FEET; THENCE SOUTH PARALLEL WITH SAID EASTERLY BOUNDARY OF  
THE SOUTHWEST ONE-QUARTER OF SAID SECTION 19. 330.00 FEET TO THE  
SOUTHERLY BOUNDARY OF SAID SECTION 19; THENCE EAST ALONG SAID  
SOUTHERLY BOUNDARY OF SECTION 19, A DISTANCE OF 284.00 FEET TO THE PLACE  
OF BEGINNING.

and commonly known as 25555 NE GLASS ROAD. AURORA. OR 97002.

1  
2 4. NOW, THEREFORE, IN THE NAME OF THE STATE OF OREGON, you are  
3 hereby commanded to sell the above referenced real property, in the manner prescribed by law for the  
4 sale of real property upon execution (subject to redemption), all of the interest which the defendant(s)  
5 had on October 17, 2006, the date of the Deed of Trust, and also all of the interest which the  
6 defendant(s) had thereafter, in the real property described in the judgment, to satisfy the judgment,  
7 which as of February 12, 2018,  
8

9 **Lenders Principal Judgment:**

10	1. Unpaid Principal Balance	<u>\$301,839.31</u>
11	2. Pre-Judgment Interest from December 1, 2011	
12	to February 28, 2014 the date calculated by the Declarant	
13	in the Declaration in Support of Judgment	<u>\$47,085.84</u>
14	3. Lenders Fees and Costs	<u>\$10,875.86</u>
15	4. Attorney's Fees and Costs	<u>\$2,923.76</u>
16	<b><i>Total Judgment Award Entered</i></b>	<u><b>\$362,724.77</b></u>

17 **Additional Pre Judgment Interest**

18	1. Accrued Interest from March 1, 2014 to May 14, 2014 the date of entry	
19	of Judgment	<u>\$5,217.00</u>
20	<b><i>Total Judgment Award</i></b>	<u><b>\$367,941.77</b></u>

21 **Post Judgment Interest**

22		
23	1. Accrued Post Judgment Interest at a rate of 9% per annum or at \$90.73, from May 15,	
24	2014 the day after the entry of judgment, through February 12, 2018	
25	the date the writ is being requested	<u>\$124,300.10</u>
26	<b><i>Current Total Amount Owning</i></b>	<u><b>\$492,241.87</b></u>
27		
28		

1 In addition to the above, interest continues to accrue on the total of the amounts listed above  
2 at the rate of 9% per annum or at \$90.73 per diem, in accordance with the General Judgment of  
3 Foreclosure and continues to accrue until the date of sale.  
4

5 5. THEREFORE, in the name of the State of Oregon you are hereby commanded to seize  
6 and sell the above described Property, in the manner prescribed by law; or so much thereof as may be  
7 necessary to satisfy the Judgment and Money Award, interest, fees and costs.  
8

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

10 DATED this 7 day of March, 2018.  
11

12  
13 COURT CLERK HAS NOT VERIFIED FIGURES IN THIS WRIT.  
14 IF YOU HAVE ANY QUESTIONS REGARDING THIS WRIT,  
15 PLEASE CONTACT YOUR LEGAL COUNSEL, THE ISSUING  
16 ATTORNEY OR THE ISSUING COMPANY. DEBTOR MAY CONTEST  
17 THIS WRIT BY FILING A CLAIM OF EXEMPTION.

18  
19 *Wendy Watson*  
20



21 Submitted By:

22   
23 [ ] Craig Peterson, OSB #120365  
24 Email: cpeterson@robinsontait.com  
25 [ ] Lisa McMahon-Myhran, OSB #000849  
26 Email: lmcMahon@robinsontait.com  
27 [ ] Jaimie Fender, OSB #120832  
28 Email: jfender@robinsontait.com  
[ ] Kimberly Hood, OSB #123008  
Email: KHood@robinsontait.com  
Robinson Tait, P.S.  
Attorneys for Plaintiff  
Tel: (206) 676-9640  
Fax: (206) 676-9659

Court Administrator relies on the information provided by the person seeking issuance of this writ of execution and is not liable for any errors or omissions in the information

# Exhibit A

STATE OF OREGON  
CLACKAMAS COUNTY COURTS  
FILED

2014 MAY 13 AM 8:53

ENTERED \_\_\_\_\_ BY \_\_\_\_\_

ENTERED

MAY 14 2014

By: KLC

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

U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE, ON BEHALF OF THE HOLDERS OF THE CREDIT SUISSE FIRST BOSTON MORTGAGE SECURITIES CORP., HOME EQUITY PASS THROUGH CERTIFICATES, SERIES 2007-1, its successors in interest and/or assigns,

Plaintiff,

v.

DANA R. BERRY; WILD HARE RANCH, INC.; MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., SOLELY AS NOMINEE FOR LIME FINANCIAL SERVICES, LTD; MIDLAND FUNDING LLC; XAVIER-MICHAEL MORONEY; ACCOUNTS RECEIVABLE INC.; AND OCCUPANTS OF THE PREMISES,

Defendants.

Case No. CV12110456

GENERAL JUDGMENT OF FORECLOSURE AGAINST:

- (1) DANA R. BERRY;
- (2) WILD HARE RANCH, INC.;
- (3) MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., SOLELY AS NOMINEE FOR LIME FINANCIAL SERVICES, LTD;
- (4) MIDLAND FUNDING LLC;
- (5) ACCOUNTS RECEIVABLE INC.;
- (6) OCCUPANTS OF THE PREMISES

AND MONEY AWARD AGAINST DANA R. BERRY

1.

THIS MATTER coming regularly before the Court on this day and it appearing from the record herein that plaintiff, U.S. Bank National Association, as trustee, on behalf of the holders of the Credit Suisse First Boston Mortgage Securities Corp., Home Equity Pass Through Certificates, Series 2007-1, its successors in interest and/or assigns ("Plaintiff"), filed its First Amended Complaint for deed of trust foreclosure; that the defendants Dana R. Berry; Wild Hare Ranch, Inc.; Mortgage Electronic Registration Systems, Inc., solely as nominee for Lime Financial Services, LTD; Midland Funding

1 LLC; Accounts Receivable Inc.; and Occupants of the Premises were duly served with the Summons  
2 and Complaint as required by law; that defendants Dana R. Berry; Wild Hare Ranch, Inc.; Mortgage  
3 Electronic Registration Systems, Inc., solely as nominee for Lime Financial Services, LTD; Midland  
4 Funding LLC; Accounts Receivable Inc.; and Occupants of the Premises failed to appear, and a  
5 proposed Order of Default has been filed against them with the court but not yet entered.

6  
7 2.

*and signed by the  
Court on 17 April 2014*

8 Plaintiff hereby requests this General Judgment be entered into the Court's register to  
9 accomplish the following: to foreclose any and all interest of defendants Dana R. Berry; Wild Hare  
10 Ranch, Inc.; Mortgage Electronic Registration Systems, Inc., solely as nominee for Lime Financial  
11 Services, LTD; Midland Funding LLC; Accounts Receivable Inc.; and Occupants of the Premises in the  
12 real property subject to this foreclosure action, located at 25555 Northeast Glass Road, Aurora, Oregon  
13 97002 (the "Property").

14  
15 3.

16 The Court being fully advised; it is hereby

17 ORDERED AND ADJUDGED:

18  
19 4.

20 That the Deed of Trust executed and delivered by Dana R. Berry to Mortgage Electronic  
21 Registration Systems, Inc. as nominee for Lime Financial Services, LTD. its successors and assigns on  
22 October 17, 2006, and recorded on October 23, 2006 under recording number 2006-097866 of the  
23 official records of Clackamas County, Oregon, and assigned to Plaintiff by way of an Assignment of  
24 Deed of Trust recorded on October 8, 2009 as Instrument No. 2009-071034, is a valid lien for the  
25 amount of Plaintiff's Money Award set forth herein against the Property situated in Clackamas County,  
26

1 Oregon, described as follows:

2 A TRACT OF LAND SITUATED IN SECTION 19, TOWNSHIP 3  
3 SOUTH, RANGE 1 EAST OF THE WILLAMETTE MERIDIAN, IN  
4 COUNTY OF CLACKAMAS AND STATE OF OREGON, AND  
5 BEING A PART OF THAT CERTAIN TRACT OF LAND  
6 RECORDED AS THE ERNEST R. BECKE PROPERTY AS  
7 RECORDED IN BOOK 573, PAGE 87, DEED RECORDS,  
8 CLACKAMAS COUNTY, OREGON, BEING MORE  
9 PARTICULARLY DESCRIBED AS FOLLOWS, TO WIT:  
10 BEGINNING AT THE ONE-QUARTER SECTION CORNER IN THE  
11 SOUTH BOUNDARY OF SAID SECTION 19, TOWNSHIP 3  
12 SOUTH, RANGE 1 EAST OF THE WILLAMETTE MERIDIAN.  
13 FROM SAID PLACE OF BEGINNING; THENCE NORTHERLY  
14 ALONG THE EASTERLY BOUNDARY OF THE SOUTHWEST  
15 ONE-QUARTER OF SAID SECTION 19, A DISTANCE OF 330.00  
16 FEET (ALSO THE CENTER LINE OF COUNTY ROAD NO. 1038);  
17 THENCE LEAVING SAID EASTERLY BOUNDARY WEST,  
18 PARALLEL WITH THE SOUTHERLY BOUNDARY OF SAID  
19 SECTION 19, TOWNSHIP 3 SOUTH, RANGE 1 EAST, 284.00 FEET;  
20 THENCE SOUTH PARALLEL WITH SAID EASTERLY  
21 BOUNDARY OF THE SOUTHWEST ONE-QUARTER OF SAID  
22 SECTION 19, 330.00 FEET TO THE SOUTHERLY BOUNDARY OF  
23 SAID SECTION 19; THENCE EAST ALONG SAID SOUTHERLY  
24 BOUNDARY OF SECTION 19, A DISTANCE OF 284.00 FEET TO  
25 THE PLACE OF BEGINNING.  
26

5.

That the lien is superior to any interest, lien, or claim of defendants Dana R. Berry; Wild Hare Ranch, Inc.; Mortgage Electronic Registration Systems, Inc., solely as nominee for Lime Financial Services, LTD; Midland Funding LLC; Accounts Receivable Inc.; and Occupants of the Premises in that Property and that said Deed of Trust is hereby foreclosed by this Court on the Property.

6.

That defendants Dana R. Berry; Wild Hare Ranch, Inc.; Mortgage Electronic Registration Systems, Inc., solely as nominee for Lime Financial Services, LTD; Midland Funding LLC; Accounts Receivable Inc.; and Occupants of the Premises, 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,



1 lien, or claim in the Property and every portion thereof excepting only any statutory right of redemption  
2 provided by the laws of the State of Oregon.

3  
4 7.

5 That defendants Dana R. Berry; Wild Hare Ranch, Inc.; Mortgage Electronic Registration  
6 Systems, Inc., solely as nominee for Lime Financial Services, LTD; Midland Funding LLC; Accounts  
7 Receivable Inc.; and Occupants of the Premises are not entitled to a homestead exemption as against  
8 Plaintiff's Deed of Trust.

9  
10 8.

11 That all of the right, title and interest which Dana R. Berry had on October 17, 2006, the date of  
12 the Deed of Trust, and all of the right, title and interest defendants Dana R. Berry; Wild Hare Ranch,  
13 Inc.; Mortgage Electronic Registration Systems, Inc., solely as nominee for Lime Financial Services,  
14 LTD; Midland Funding LLC; Accounts Receivable Inc.; and Occupants of the Premises and any  
15 successor thereafter had in and to the real Property is hereby ordered to be sold by law and the proceeds  
16 of sale shall be applied toward the satisfaction of Plaintiff's Money Award herein; and the surplus, if  
17 any, to the Clerk of the Court to be disbursed to such party or parties as may establish their right  
18 thereto.

19  
20 9.

21 That Plaintiff may become purchaser at the sheriff's sale of the Property and may bid up to the  
22 aggregate amount of its Money Award plus interest from the date of this Judgment until sale without  
23 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 Dana R. Berry; Wild Hare Ranch, Inc.; Mortgage Electronic Registration Systems, Inc., solely as nominee for Lime Financial Services, LTD; Midland Funding LLC; Accounts Receivable Inc.; and Occupants of the Premises 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 defendant Dana R. Berry 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: \$301,839.31, the unpaid principal balance; \$47,085.84, the accrued interest under the terms of the Note from December 1, 2011 to February 28, 2014, and to continue to accrue from that date at 7.000% per annum until the date this judgment and money award is entered by the court; plus \$10,875.86, the amounts advanced under the terms of the Note and Deed of Trust for escrow and corporate advances; \$1,850.00 for attorney fees and \$1,073.76 for litigation costs; for total money award in the amount of amount \$362,724.77 to accrue interest post-judgment at the contract rate of 7.000% 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.

//  
//

1 **MONEY AWARD**

2 1. **Judgment Creditor:** U.S. Bank National Association,  
3 as trustee, on behalf of the holders  
4 of the Credit Suisse First Boston  
5 Mortgage Securities Corp., Home  
6 Equity Pass Through Certificates,  
7 Series 2007-1  
8 c/o RCO Legal, P.S.  
9 511 SW 10<sup>th</sup> Ave., Ste. 400  
10 Portland, OR 97205  
11 503.977.7840

12 2. **Judgment Creditor's Attorney:** Nick Brajcich  
13 RCO Legal, P.S.  
14 511 SW 10<sup>th</sup> Ave., Ste. 400  
15 Portland, OR 97205  
16 503.977.7840

17 3. **Judgment Debtor:** Dana R. Berry  
18 25555 Northeast Glass Road  
19 Aurora, Oregon 97002  
20 Year of Birth: Unknown  
21 Social Security No's.: XXX-XX-5383  
22 Drivers' License No's: Unknown  
23 Name of Attorney: Unknown

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

25 4. **Total Amount of Money Award:** \$362,724.77

26 **Attorneys' Fees and Costs**

Attorneys' Fees		\$1,850.00
Filing Fee	\$505.00	
Recording Fee -- Lis Pendens	\$63.00	
Process Service Fees	\$488.50	
Courier and Mailing Costs	\$17.26	
	<b>Total Costs</b>	<b>\$1,073.76</b>
	<b>Total Attorneys' Fees and Costs</b>	<b>\$2,923.76</b>

1 **Lenders' Principal and Interest**

2 Principal Balance \$301,839.31  
3 Accrued Interest from December 1, 2011, to February 28, 2014, the date calculated by the eclarant in the  
4 declaration of indebtedness in support of default @  
7.000% per annum \$47,085.84

5 **Total Principal & Interest** **\$348,925.15**

6 **Lenders' Fees and Costs**

7 Accumulated Late Charges \$752.32  
8 BPO and Appraisals \$445.00  
9 Suspense (-1,296.46)  
10 Property Inspection \$321.95  
Escrow Balance Due \$10,653.05

11 **Total Lender's Fees and Costs:** **\$10,875.86**

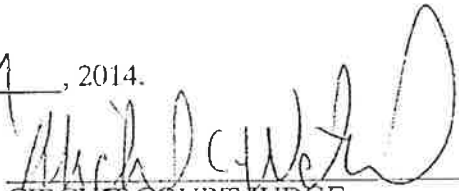
12 **Total Lenders' Principal, Interest, Fees, and Costs:** **\$359,801.01**

13 Additional pre-judgment interest pursuant to ORS  
18.042 from February 28, 2014, to the date entry of  
judgment at the contract rate of interest

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

16 **Total Money Award (Judgment)** **\$362,724.77**

17  
18 DATED this 12 day of MAY, 2014.

19   
20 CIRCUIT COURT JUDGE

21 Presented by:  
RCO LEGAL, P.S.

22 By  Dated: 2/26/14  
23 Nick Brajcich, OSB # 122847  
24 Attorneys for Plaintiff  
511 SW 10<sup>th</sup> Ave., Ste. 400  
25 Portland, OR 97205  
Telephone (503) 459-0140; Facsimile 425-974-3594  
26 nbrajcich@rcolegal.com