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CLACKAMAS COUNTY SHERIFF  
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5 **IN THE CIRCUIT COURT FOR THE STATE OF OREGON**  
6 **IN AND FOR THE COUNTY OF CLACKAMAS**  
7

8 U.S. BANK NATIONAL ASSOCIATION,

**CASE NUMBER: CV13040626**

9 Plaintiff,

10 vs.

**WRIT OF EXECUTION IN  
FORECLOSURE**

11 THE ESTATE OF NANCY J. MONACO,  
12 DECEASED; UNKNOWN HEIRS AND  
13 DEVISEES OF NANCY J. MONACO,  
14 DECEASED; AND PERSONS OR  
15 PARTIES UNKNOWN CLAIMING ANY  
16 RIGHT, TITLE, LIEN, OR INTEREST IN  
17 THE PROPERTY DESCRIBED IN THE  
18 COMPLAINT HEREIN,

19 Defendants.

20 TO: THE SHERIFF OF CLACKAMAS COUNTY, OREGON:

21 1.

22 WHEREAS, on October 25, 2017, in the above-entitled Court, a General Judgment of  
23 Foreclosure ("Judgment") was entered and docketed in the above-entitled and numbered proceeding

24 2.

25 NOW, THEREFORE, IN THE NAME OF THE STATE OF OREGON, you are hereby  
26 commanded to sell, in the manner prescribed by law for the sale of real property upon (subject to  
27 redemption, if applicable), all of the interest which the Defendants had on October 12, 2010, the date  
28 of the foreclosed Deed of Trust which was recorded on October 25, 2010, as Instrument No. 2010-  
067143 in the official records of the Clackamas County Recorder's Office, and/or all of the interest  
which Defendants had thereafter, in the real property described in the Judgment to satisfy the  
Judgment as follows:

1  
2 **Lender's Principal Judgment:**

3 Unpaid Principal Balance: \$162,210.06  
4 Pre-Judgment Interest from July 1, 2011  
5 to September 10, 2017, the date set  
6 forth in the Judgment at 4.375%, per  
7 annum, (\$19.44 per diem): \$43,937.85  
8 Lender's Fees and Costs: \$28,988.41  
9 Attorney's Fees and Costs: \$2,064.70

10 ***Total Judgment Entered:*** ***\$237,201.02***

11 **Additional Pre-Judgment Interest:**

12 Accrued Interest from September 11,  
13 2017, the day after the date set forth in  
14 the Judgment through October 25, 2017,  
15 the date of entry of the Judgment, at  
16 4.375% per annum (\$19.44 per diem): \$855.36

17 ***Total Judgment Entered Including***  
18 ***Additional Pre-Judgment***  
19 ***Interest:*** ***\$238,056.38***

20 3.

21 Additionally, Plaintiff is entitled to the continued accrual of post-judgment interest at the  
22 statutory rate of interest of 9% per annum, \$58.69 per diem, from October 26, 2017, to the date the  
23 real property subject to the Judgment is sold by the County Sheriff at its foreclosure auction, plus  
24 costs of this writ, Sheriff's fees and sale costs, and all other recovered costs pursuant to law.

25 4.

26 The real property subject to this writ of execution is commonly known as 2256 SE Park Ave,  
27 Milwaukie, OR 97222 ("Property") and described in Exhibit "1" attached hereto.

28 5.

The Judgment Creditor's name and address is:

U.S. Bank National Association

4801 Frederica Street

Owensboro, Kentucky 42301-7441

1 The Judgment Creditor's name and address for the purpose of this Writ is:

2 U.S. Bank National Association  
3 c/o Malcolm & Cisneros, ALC (Attention: Jennifer Yoon)  
4 2112 Business Center Drive  
5 Irvine, CA 92612  
6 949-252-9400

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


10 MAKE RETURN HEREOF within 60 days after you receive this Writ.

11  
12 COURT CLERK HAS NOT VERIFIED FIGURES IN THIS WRIT.  
13 IF YOU HAVE ANY QUESTIONS REGARDING THIS WRIT,  
14 PLEASE CONTACT YOUR LEGAL COUNSEL, THE ISSUING  
15 ATTORNEY OR THE ISSUING COMPANY. DEBTOR MAY CONTEST  
16 THIS WRIT BY FILING A CLAIM OF EXEMPTION.



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Wendy Watson Nov 17, 2017

Submitted by:

  
Nathan F. Smith, OSB #120112  
Attorney for Plaintiff  
MALCOLM ♦ CISNEROS, A Law Corporation  
2112 Business Center Drive, Second Floor  
Irvine, California 92612  
Phone: (949) 252-9400  
Fax: (949) 252-1032  
Email: Nathan@mclaw.org

Dated: November 14, 2017

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 "1"

## LEGAL DESCRIPTION

A tract of land being a portion of Lots 1 and 2, Block 24, MILWAUKIE PARK, in the County of Clackamas and State of Oregon, more particularly described as follows:

Beginning at the Northwest corner of Lot 1, Block 24, MILWAUKIE PARK; thence along the North line thereof, North  $89^{\circ}13'00''$  East, 50.04 feet; thence South  $00^{\circ}57'15''$  West, 100.00 feet to the South line of Lot 2, Block 24, MILWAUKIE PARK; thence along the South line thereof, South  $89^{\circ}13'00''$  West, 50.04 feet to the Southwest corner of said Lot 2; thence along the West line of Lot 2 and 1, Block 24, MILWAUKIE PARK, North  $00^{\circ}57'15''$  East, 100.00 feet to the point of beginning.