

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

HOMESTREET BANK, a Washington state
chartered savings bank,

Plaintiff,

v.

GEORGE L. FULTON and MARCIA A.
FULTON, husband and wife; ALL
OCCUPANTS of the real property located at
6120 Lone Oak Road SE, Salem, Oregon;
NATIONSTAR MORTGAGE, LLC;
CORELOGIC; CITY OF SALEM PUBLIC
WORKS DEPARTMENT; FIRST EQUITY
CARD CORPORATION; DE LAGE
LANDEN FINANCIAL SERVICES; UNITED
STATES OF AMERICA; MATSCO, a
division of Greater Bay Bank, N.A.; and THE
BANK OF NEW YORK MELLON, as Trustee
for the Certificatshareholders of CWHEQ,
Inc., Home Equity Loan Asset Backed
Certificates, Series 2006-S8,

Defendants.

No. 15CV30405

WRIT OF EXECUTION

To: The Sheriff of Marion County, Oregon

WHEREAS, on October 5, 2017, in this court, a General Judgment of Foreclosure and
Amount Due (the "**Judgment**") was enrolled and docketed in this cause, a copy of which is
attached and expressly incorporated and made a part hereof;

Writ of Execution- 1

HILLIS CLARK MARTIN & PETERSON P.S.
999 Third Avenue, Suite 4600
Seattle, Washington 98104
Telephone: (206) 623-1745
Facsimile: (206) 623-7789

1 NOW, THEREFORE, IN THE NAME OF THE STATE OF OREGON, you are
2 hereby commanded to sell, in the manner prescribed by law for the sale of real property on
3 execution (subject to redemption), and pursuant to the terms of the attached Judgment, all of
4 the interest that defendants have at 6120 Lone Oak Road SE, Salem, Oregon, and legally
5 described as:

6 LOT 463, GOLF CLUB ESTATES AT CREEKSIDE PHASE 10, A
7 PLANNED UNIT DEVELOPMENT, IN THE CITY OF SALEM, MARION
8 COUNTY, OREGON.

9 to satisfy the sum of \$694,890.50, together with \$60.02 in interest on that sum from
10 October 5, 2017 the date after the entry of the Judgment through October 6, 2017, the date the
11 Writ was requested @ legal rate of interest of 3.750% per annum (\$60.02 per diem), currently
12 totaling \$694,950.52.

13 The mailing address for the judgment creditor is:

14 HomeStreet Bank
15 c/o Amit D. Ranade
16 Hillis Clark Martin & Peterson P.S.
17 999 Third Avenue, Suite 4600
18 Seattle, WA 98104

Signed: 10/11/2017 10:20 AM

Cristin Ballenger

, Court Clerk



21 Submitted by:

22 HILLIS CLARK MARTIN & PETERSON P.S.

23 By /s/ Amit D. Ranade

24 Amit D. Ranade, OSB #080292
25 Hillis Clark Martin & Peterson P.S.
26 999 Third Avenue, Suite 4600
27 Seattle, Washington 98104
28 Telephone: (206) 623-1745
E-Mail: amit.ranade@hcmp.com

Attorneys for Plaintiff

Writ of Execution- 2

HILLIS CLARK MARTIN & PETERSON P.S.
999 Third Avenue, Suite 4600
Seattle, Washington 98104
Telephone: (206) 623-1745
Facsimile: (206) 623-7789

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

HOMESTREET BANK, a Washington state
chartered savings bank,

Plaintiff,

v.

GEORGE L. FULTON and MARCIA A.
FULTON, husband and wife; ALL
OCCUPANTS of the real property located at
6120 Lone Oak Road SE, Salem, Oregon;
NATIONSTAR MORTGAGE, LLC;
CORELOGIC; CITY OF SALEM PUBLIC
WORKS DEPARTMENT; FIRST EQUITY
CARD CORPORATION; DE LAGE
LANDEN FINANCIAL SERVICES; UNITED
STATES OF AMERICA; and MATSCO, a
division of Greater Bay Bank, N.A.; and THE
BANK OF NEW YORK MELLON, as Trustee
for the Certificatshareholders of CWHEQ,
Inc., Home Equity Loan Asset Backed
Certificates, Series 2006-S8,

Defendants.

No. 15CV30405

GENERAL JUDGMENT AND AMOUNT
DUE

THIS MATTER came before the Court on Plaintiff's Motion Summary Judgment and
Supporting Memorandum (the "*Motion*"). The Court has reviewed the Motion and all
documents filed in connection with the Motion. Based on the foregoing, HomeStreet Bank
shall have judgment against the defendants in this action as follows:

General Judgment and Amount Due - 1

HILLIS CLARK MARTIN & PETERSON P.S.
999 Third Avenue, Suite 4600
Seattle, Washington 98104
Telephone: (206) 623-1745
Facsimile: (206) 623-7789

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

I. GENERAL JUDGMENT

1. The lien created by the deed of trust dated October 12, 2006 recorded in the official records of Marion County, under Reel No. 2720, Page 156 (the "*Deed of Trust*") is a valid and subsisting lien for the amounts of the foregoing money judgment against the real property legally described in the attached Exhibit A, which is incorporated herein by reference as though fully set forth herein (the "*Property*"), and the lien of the Deed of Trust is superior to any interest, lien, or claim of the defendants in the Property.

2. The Deed of Trust shall be foreclosed as a mortgage, and the Marion County Sheriff shall sell the Property in the manner prescribed by law.

3. To the extent that the Sheriff collects money from the sale of the Property and deposits those funds into the registry of the Court, the funds shall be first applied towards the costs of sale and then towards the amount of the judgment with the surplus, if any, paid to any parties who establish their rights thereto.

4. Defendants George L. Fulton, Marcia A. Fulton, All Occupants of the Property, Nationstar Mortgage, LLC, Corelogic, City of Salem Public Works Department, First Equity Card Corporation, De Lage Landen Financial Services, United States of America, Matsco, The Bank of New York Mellon, and all persons claiming through them are forever foreclosed of all interest or claim in the Property except any statutory right of redemption they may have in the Property

5. HomeStreet may become a bidder and purchaser at the sale by the Sheriff. The purchaser shall have exclusive possession of the Property from and after the date of sale and is entitled to such remedies as are available at law to secure possession, including but not limited

1 to a writ of assistance, if any party refuses to immediately surrender possession of the Property
2 to the winning purchaser at the sheriff's sale.

3 6. HomeStreet waives any right to a deficiency following the sheriff's sale of the
4 Property.
5

6 7. The amount due under the Note and Deed of Trust, which as of June 1, 2017, is
7 \$667,443.13 (excluding attorney fees and costs), together with interest at the rate of 3.750%
8 (\$60.02 per diem) and any future advances and/or fees that may be made or incurred pursuant
9 to the terms of the Note and Deed of Trust up to the date of the execution sale. This amount is
10 to be satisfied by sale of the Property as directed under this Judgment.
11

12 8. Plaintiff is owed reasonable attorney fees in the amount of \$23,190.70, plus
13 \$2,050.00 for post-judgment collection fees, pursuant to the Note and Deed of Trust and ORCP
14 Rule 68(C), which amount may be added to the outstanding obligation due and owing under the
15 Note and Deed of Trust and recovered from the proceeds of the sheriff's sale. Pursuant to the
16 Deed of Trust, these fees continue to accrue to the date of the execution sale. This amount to
17 be satisfied by sale of the Property as directed under this Judgment.
18

19 9. Plaintiff is owed costs of suit in the amount of \$1,906.67, pursuant to the Note
20 and Deed of Trust, ORCP Rule 68(A)(2) and ORS 20.115(4), which may be added to the
21 outstanding obligation due and owing under the Note and Deed of Trust and recovered from the
22 proceeds of the sheriff's sale. Pursuant to the Deed of Trust, these costs continue to accrue to
23 the date of the execution sale. This amount to be satisfied by sale of the Property as directed
24 under this Judgment.
25

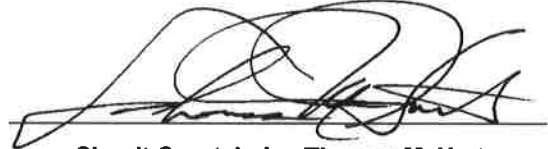
26 10. Plaintiff is owed the prevailing party fee of \$300.00, this amount to be satisfied
27 by sale of the Property as directed under this Judgment.
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

II. JUDGMENT SUMMARY

- 1. Principal Judgment Amount: \$584,178.62
- 2. Pre-judgment interest: \$43,630.83
- 3. Post-judgment interest: \$60.02 per diem until paid
- 4. Late charges and fees: \$39,633.68
- 5. Attorneys' fees: \$23,190.70
- 6. Costs: \$1,906.67
- 7. Prevailing party fee: \$300.00
- 8. Post judgment collection fees and costs: \$2,050.00
- 9. Total Amount Due: \$694,890.50

Signed: 10/5/2017 03:54 PM



Circuit Court Judge Thomas M. Hart

Presented by:
HILLIS CLARK MARTIN & PETERSON P.S.

By /s/ Amit D. Ranade
Joseph A.G. Sakay, OSBA #021734
Amit D. Ranade, OSBA #080292
Hillis Clark Martin & Peterson P.S.
999 Third Avenue, Suite 4600
Seattle, Washington 98104
Tel.: (206) 623-1745 Fax: (206) 623-7789
E-Mail: joe.sakay@hcmp.com;
amit.ranade@hcmp.com
Attorneys for Plaintiff HomeStreet Bank

ND: 40005.195 4832-9762-8481v1

EXHIBIT A

LOT 463, GOLF CLUB ESTATES AT CREEKSIDE PHASE 10, A PLANNED
UNIT DEVELOPMENT, IN THE CITY OF SALEM, MARION COUNTY,
OREGON.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

General Judgment and Amount Due - 5

HILLIS CLARK MARTIN & PETERSON P.S.
999 Third Avenue, Suite 4600
Seattle, Washington 98104
Telephone: (206) 623-1745
Facsimile: (206) 623-7789

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

HOMESTREET BANK, a Washington state
chartered savings bank,

Plaintiff,

v.

GEORGE L. FULTON and MARCIA A.
FULTON, husband and wife; ALL
OCCUPANTS of the real property located at
6120 Lone Oak Road SE, Salem, Oregon;
NATIONSTAR MORTGAGE, LLC;
CORELOGIC; CITY OF SALEM PUBLIC
WORKS DEPARTMENT; FIRST EQUITY
CARD CORPORATION; DE LAGE
LANDEN FINANCIAL SERVICES; UNITED
STATES OF AMERICA; and MATSCO, a
division of Greater Bay Bank, N.A.; and THE
BANK OF NEW YORK MELLON, as Trustee
for the Certificatshareholders of CWHEQ,
Inc., Home Equity Loan Asset Backed
Certificates, Series 2006-S8,

Defendants.

No. 15CV30405

CERTIFICATE OF READINESS
(UTCR 5.100)

This proposed order or judgment is ready for judicial signature because:

1. [] Each opposing party affected by this order or judgment has stipulated to the
order or judgment, as shown by each opposing party's signature on the document being
submitted.

1 2. Each opposing party affected by this order or judgment has approved the order
2 or judgment, as shown by signature on the document being submitted or by written
3 confirmation of approval sent to me.

4
5 3. I have served a copy of this order or judgment on all parties entitled to service
6 and:

7 a. No objection has been served on me.

8 b. I received objections that I could not resolve with the opposing party despite
9 reasonable efforts to do so. I have filed a copy of the objections I received and indicated
10 which objections remain unresolved.

11 c. After conferring about objections, [role and name of opposing party] agreed to
12 independently file any remaining objection.

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

14 5. An order of default is being requested with this proposed judgment.

15 6. Service is not required pursuant to subsection (3) of this rule, or by statute, rule,
16 or otherwise.

17 7. This is a proposed judgment that includes an award of punitive damages and
18 notice has been served on the Director of the Crime Victims' Assistance Section as required
19 by subsection (4) of this rule.
20
21
22
23
24
25
26
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

DATED this 20th day of June, 2017.

HILLIS CLARK MARTIN & PETERSON P.S.

By s/Amit D. Ranade
Amit D. Ranade, OSB #080292
999 Third Avenue, Suite 4600
Seattle, Washington 98104
Tel: (206) 623-1745; Fax: (206) 623-7789
E-Mail: amit.ranade@hcmp.com
Attorneys for Plaintiff HomeStreet Bank

ND: 40005.195 4825-2908-7285v1