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

JPMORGAN CHASE BANK, NATIONAL  
ASSOCIATION

Case No. 16CV42771

Plaintiff,

WRIT OF EXECUTION

vs.

JERRY L. WYLIE; KATHLEEN WYLIE;  
PARTIES IN POSSESSION

Defendants.

TO: MARION COUNTY SHERIFF

WHEREAS, on May 24, 2017, in the above-entitled court, a General Judgment of Foreclosure and Sale, with said Judgment containing therein a Declaration of Amount Due and was duly entered and docketed in the above-entitled cause

NOW, THEREFORE, IN THE NAME OF THE STATE OF OREGON, you are hereby commanded to sell, in the manner prescribed by law for the sale of real property upon execution (subject to redemption) all of the interest which the defendants had on July 10, 2003, the date of the deed of trust, and also all of the interest which the defendants acquired thereafter, in the real property described in the judgment:

LOTS 5 AND 6, BLOCK 3, WESTERN ADDITION, IN THE CITY OF TURNER AND A PORTION OF A 20 FOOT IN WIDTH ALLEY VACATED BY CITY OF TURNER ORDINANCE RECORDED IN REEL 807, PAGE 195, MARION COUNTY CLERKS

1- WRIT OF EXECUTION  
S&S No. 16-118582

*SHAPIRO & SUTHERLAND, LLC*  
7632 SW Durham Road, Suite 350, Tigard, OR 97224  
Telephone (360)260-2253 (800)970-5647  
Fax (360)260-2285  
ksutherland@logs.com

1 RECORDS, MARION COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS  
2 FOLLOWS: BEGINNING AT THE MOST SOUTHWESTERLY CORNER OF SAID LOT 5;  
3 THENCE NORTH 9° 31' 26" WEST 100.00 FEET ALONG THE WESTERLY BOUNDARY  
4 OF SAID LOTS 5 AND 6 TO THE NORTHWEST CORNER OF SAID LOT 6; THENCE  
5 NORTH 80° 26' 41" EAST 137.20 FEET ALONG THE NORTHERLY BOUNDARY OF SAID  
6 LOT 6 AND THE EASTERLY EXTENSION THEREOF AND A PORTION OF SAID  
7 VACATED ALLEY TO A FENCE AS IT EXISTS AS OF MARCH 15, 2002, THENCE  
8 SOUTH 10° 10' 11" EAST 100.01 FEET ALONG SAID FENCE AND IN SAID ALLEY TO  
9 THE SOUTHERLY BOUNDARY OF SAID LOT 5; THENCE SOUTH 80° 26' 41" WEST  
10 138.61 FEET ALONG THE SOUTHERLY BOUNDARY OF SAID LOT 5 TO THE POINT OF  
11 BEGINNING.

12 and commonly known as 5025 Boise Street SE and 7748 6th Street SE, fka 5025 Boise Street and  
13 7748 6th Street, Turner, OR 97392 to satisfy the sum of \$157,147.70, as of May 26, 2017,  
14 together with additional post judgment interest of 9.00% from that date (\$38.73 per day), and  
15 costs of this execution, making due return within 60 days after you receive this writ.

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26 2- WRIT OF EXECUTION  
S&S No. 16-118582

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1 JPMorgan Chase Bank, National Association is the Judgment Creditor, and its address for  
2 purpose of this writ only is: C/O Shapiro & Sutherland, LLC, 7632 SW Durham Road, Suite 350,  
3 Tigard, OR 97224 (360)260-2253. Shapiro & Sutherland, LLC is the attorney for the Judgment  
4 Creditor.  
5  
6  
7

Signed: 5/30/2017 03:40 PM

  
J. Tolman, Court Clerk



12 Submitted by:  
13 Attorneys for Plaintiff,  
14 SHAPIRO & SUTHERLAND, LLC

14 By: 

15  James A. Craft #090146 [jcraft@logs.com]  
16  Kelly D. Sutherland #873575 [ksutherland@logs.com]  
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25 3- WRIT OF EXECUTION  
26 S&S No. 16-118582

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

JPMORGAN CHASE BANK, NATIONAL ASSOCIATION,

Plaintiff,

vs.

JERRY L. WYLIE; KATHLEEN WYLIE;  
PARTIES IN POSSESSION,

Defendants.

Case No. 16CV42771

GENERAL JUDGMENT OF FORECLOSURE AND SALE

Default having been entered against Defendant(s), Jerry L. Wylie, Kathleen Wylie, and Parties in Possession:

It is hereby

ORDERED AND ADJUDGED:

- 1. The real property to which this judgment relates (hereafter the "Property") is situated in Marion County, Oregon is commonly known as 5025 Boise Street SE and 7748 6th Street SE, fka 5025 Boise Street and 7748 6th Street, Turner, OR 97392 and is legally described as follows:

1 - GENERAL JUDGMENT OF FORECLOSURE AND SALE  
S&S No. 16-118582

SHAPIRO & SUTHERLAND, LLC  
7632 SW Durham Road, Suite 350, Tigard, OR 97224  
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1        Lots 5 and 6, Block 3, WESTERN ADDITION, in the City of Turner and a portion of  
2        a 20 foot in width alley vacated by City of Turner Ordinance recorded in Reel 807,  
3        Page 195, Marion County Clerks Records, Marion County, Oregon, more particularly  
4        described as follows: Beginning at the most Southwesterly corner of said Lot 5; thence  
5        North 9° 31' 26" West 100.00 feet along the Westerly boundary of said Lots 5 and 6 to  
6        the Northwest corner of said Lot 6; thence North 80° 26' 41" East 137.20 feet along  
7        the Northerly boundary of said Lot 6 and the Easterly extension thereof and a portion  
8        of said vacated alley to a fence as it exists as of March 15, 2002, thence South 10° 10'  
9        11" East 100.01 feet along said fence and in said alley to the Southerly boundary of  
10       said Lot 5; thence South 80° 26' 41" West 138.61 feet along the Southerly boundary of  
11       said Lot 5 to the point of beginning.

- 12
- 13       2. The Deed of Trust executed and delivered by Defendant, Jerry L Wylie and Kathleen Wylie,  
14       as tenants by the entirety ("Borrower") on or about July 10, 2003 and recorded on July 22,  
15       2003 as Reel 2163, Page 49 in the official records of Marion County, Oregon, is a valid and  
16       perfected lien against all of the Property for the amount of Plaintiff's judgment as provided  
17       herein.
- 18       3. The Plaintiff is the holder of the original note dated July 10, 2003 and made by Jerry L  
19       Wylie and Kathleen Wylie in the amount of \$190,000.00. A copy of the Note was attached  
20       to the complaint as Exhibit. Plaintiff is the holder of the Note and the beneficial interest in  
21       the Deed of Trust (together the "Loan").
- 22       4. The interest of each of the Defendant(s) subject to this Judgment and any successor in  
23       interest in the Property is foreclosed and terminated excepting only any statutory right of  
24       redemption as provided by Oregon law. To the extent Plaintiff maintains additional  
25       subordinate interests in the Property, said coinciding interest(s) shall be resolved upon the  
26       completion of the foreclosure sale of Plaintiff's Deed of Trust herein, and subsequent  
27       delivery of the sheriff's deed.

- 1 5. The lien of the Plaintiff is superior to any interest, lien, or claim of the remaining  
2 Defendants and shall remain in effect until issuance of a Sheriff's Deed. Upon Motion to  
3 the Court and good cause shown, Plaintiff may move to rescind the foreclosure judgment  
4 and to reinstate the Loan prior to the Sheriff's sale, returning the parties to their prejudgment  
5 interests and priorities.  
6  
7 6. The Defendant(s) are not entitled to a homestead exception as against Plaintiff's judgment.  
8  
9 7. All of the rights, title and interest that Borrower(s) had as of the date of the Deed of Trust or  
10 thereafter acquired in the subject Property, is hereby ordered to be sold by the Marion  
11 County Sheriff's Office in accordance with the process for sale upon execution, and the  
12 proceeds of sale shall be applied; first to the costs of sale; second to satisfaction of the  
13 amounts awarded Plaintiff herein; with the surplus, if any, to the Defendants in the priority  
14 as their interest may appear or to the clerk of the court to be distributed to such party of  
15 parties as may establish their right thereto.  
16  
17 8. Plaintiff or any junior lienholders may become purchaser at the sale of the Property.  
18  
19 9. The purchaser at the sale is entitled to exclusive and immediate possession of the Property  
20 from and after the date of the sale and is entitled to such remedies as are available at law or  
21 in equity to secure possession.  
22  
23 10. The purchaser at the sale may apply to the Court for a writ of assistance if any Defendant or  
any person holding possession under or through such Defendant(s) shall refuse to surrender  
possession to the purchaser immediately on the purchaser's demand for possession.

24 //

25 3 - GENERAL JUDGMENT OF FORECLOSURE AND  
26 SALE  
27 S&S No. 16-118582

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11. Under the terms of the Loan there is now due and owing to Plaintiff the following amounts:

Principal		\$135,494.36	
Prejudgment interest at 5.375% through April 25, 2017 (accruing thereafter until entry of judgment at \$19.95 per diem)			\$10,317.30
Late Charges		\$212.80	
Other Costs and fees (recoverable)		5,775.23	
	Hazard Insurance	\$1,673.00	
	Property Inspections	\$154.00	
	Property Preservation	\$1,070.00	
	Escrow Credits	\$-96.98	
	Escrow - Real Estate Tax - 2016	\$2,975.21	
	Subtotal		\$141,482.39
	Total plus Prejudgment Interest		\$151,799.69

12. Attorney Fees and Costs are awarded to Plaintiff as follows:

Costs			\$2,092.00
	Title Search Cost	\$675.00	
	Skip Trace Costs	\$100.00	
	Filing Fee	\$531.00	
	Lis Pendens Recording Fee	\$51.00	
	Service Costs	\$460.00	
	Prevailing Party Fee	\$275.00	
Attorney fees			\$2,600.00
Total			\$4,692.00

13. Post judgment interest on the aggregate of all amounts declared due above shall accrue from the date of judgment at the legal rate of 9% per annum pursuant to ORS 82.010.

1 14. In the event the proceeds of sale are insufficient to pay the amounts due to Plaintiff, no  
2 general execution shall be issued and Plaintiff shall not be entitled to any further judgment,  
3 including a judgment for deficiency.

4 15. Execution may issue against the subject property for the aggregate amount found due  
5 Plaintiff herein as detailed in Paragraphs 11 through 13 together (together "Amounts Due").  
6 Plaintiff may credit bid up to the Amounts Due plus such additional amounts as provided by  
7 ORS 18.936 or other applicable law.  
8

9 16. If before sale such amount, including sheriff's fees for the execution, is tendered to the  
10 Court and paid to the clerk, the execution, if issued, shall be recalled and the effect of the  
11 judgment as to the amounts due shall be terminated.  
12

13 17. The Clerk of the Court is hereby ordered to issue a Writ of Execution in Foreclosure for the  
14 sale of the Property. Plaintiff may credit bid the amounts determined in Paragraphs 11  
15 through 13 plus such additional amounts as provided in Paragraph 16 for purposes of ORS  
16 18.936.

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25 5 - GENERAL JUDGMENT OF FORECLOSURE AND  
26 SALE  
27 S&S No. 16-118582

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1 18. This Court shall retain jurisdiction to enter such additional order, judgment or decree  
2 necessary to enforce this judgment, the writ of execution or for the purchaser at the  
3 foreclosure sale to obtain possession.  
4

5  
6 Signed: 5/24/2017 02:15 PM

7  
8   
9 **Circuit Court Judge Sean E. Armstrong**  
10

11 **Certificate of Readiness under UTCR 5 100**

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

- 13  
14 1.  Each party affected by this order or judgment has stipulated to the order or judgment, as  
15 shown by each party's signature on the document being submitted.  
16 2.  Each party affected by this order or judgment has approved the order or judgment, as  
17 shown by each party's signature on the document being submitted or by written confirmation of  
18 approval sent to me.  
19 3.  I have served a copy of this order or judgment on each party entitled to service and:  
20 a.  No objection has been served on me.  
21 b.  I received objections that I could not resolve with a party despite reasonable efforts to do  
22 so. I have filed a copy of the objections I received and indicated which objections remain  
23 unresolved.  
24 c.  After conferring about objections, [role and name of objecting party] agreed to  
25 independently file any remaining objection.  
26 4.  Service is not required pursuant to subsection (3) of this rule, or by statute, rule, or  
27 otherwise. UTCR 8/1/16 5.5 (including out-of-cycle amendment of 5.100)

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25 6 - GENERAL JUDGMENT OF FORECLOSURE AND  
26 SALE  
27 S&S No. 16-118582

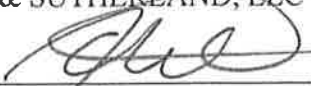
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1 5. [ ] This is a proposed judgment that includes an award of punitive damages and notice has  
2 been served on the Director of the Crime Victims' Assistance Section as required by subsection  
(5) of this rule.

3 6. [ ] Other: \_\_\_\_\_

4 Dated: May 22, 2017.  
5

6  
7 Submitted by:  
8 Attorneys for Plaintiff,  
SHAPIRO & SUTHERLAND, LLC

9 By:   
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25 7 - GENERAL JUDGMENT OF FORECLOSURE AND  
26 SALE  
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