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APR 27 2018

JEFFERSON COUNTY SHERIFF'S OFFICE
MADRAS, OR 97741

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

**THREE RIVERS LANDOWNERS
ASSOCIATION, INC.**, an Oregon
nonprofit corporation,

Plaintiff,

v.

**DEBORAH DRALLE, and THRIFTY
PAYLESS, INC., dba RITE AID**, a
California corporation,

Defendants.

Case No. 16CV33786

AMENDED WRIT OF EXECUTION

TO THE SHERIFF OF JEFFERSON COUNTY, OREGON:

WHEREAS, on March 7, 2018, and on April 18, 2018, in this Court, a Limited Judgment, Decree of Foreclosure, and Money Award and a Supplement Judgment was enrolled and docketed in this cause;

NOW, THEREFORE, IN THE NAME OF THE STATE OF OREGON, you are hereby commanded to levy on and sell residential real property of the judgment debtor, Deborah Dralle, and deliver the proceeds to the Court for application against amounts owing on the judgment.

The amount owing on the Judgments as of April 18, 2018 is:

\$25,497.55, plus per diem interest of \$5.22 from April 18, 2018, along with the costs of this writ and any additional attorney fees and costs incurred by Plaintiff, making due return within 60 days after you receive this writ.

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Legal description of the interest in the residential real property to be levied upon is:

Lot 6, Block 6, THIRD ADDITION TO THREE RIVERS RECREATION AREA,
Jefferson County, Oregon ("Lot 6").

The real property to be levied on is not subject to the pre-sale order requirements of
ORS 18.904 as the Court decreed foreclosure of the property in the March 7, 2018
judgment.

The street address of the real property to be levied on is 11611 SW Evergreen Lane
Culver, Oregon 97734.

The name and mailing address of the judgment creditor is:

Three Rivers Landowners Association
c/o Stuart K. Cohen
Landye Bennett Blumstein LLP
1300 SW 5th Avenue, Ste. 3600
Portland, OR 97201

Signed: 4/25/2018 01:42 PM


Amy Bonkosky, Trial Court Administrator



Submitted by:
Stuart K. Cohen, OSB #851738
scohen@lbblawyers.com
Of Attorneys for Plaintiff

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JEFFERSON COUNTY SHERIFF'S OFFICE
MADRAS, OR 97741

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

THREE RIVERS LANDOWNERS
ASSOCIATION, INC., an Oregon nonprofit
corporation,

Plaintiff,

v.

DEBORAH DRALLE, and THRIFTY
PAYLESS, INC., dba RITE AID, a California
corporation,

Defendants.

Case No. 16CV33786

**SUPPLEMENTAL JUDGMENT (MONEY
AWARD)**



BY: Stuart K. Cohen
Stuart K. Cohen COURT CLERK

Based on Plaintiff's Motion for Entry of Supplemental Judgment and the court's award of attorney fees and costs on April 3, 2018,

IT IS HEREBY ORDERED AND ADJUDGED that Plaintiff shall have a supplemental judgment in addition to the Limited Judgment, Decree of Foreclosure, and Money Award (By Stipulation) previously entered herein as follows:

MONEY AWARD

Judgment creditor:	Three Rivers Landowners Association, Inc.
Judgment creditor's address:	c/o Fieldstone Management, LLC P.O. Box 700 Bend, OR 97709
Judgment creditor's attorney:	Stuart K. Cohen
Judgment creditor's attorney address/phone:	Landye Bennett Blumstein LLP 1300 SW Fifth Avenue, Ste. 3600 Portland, OR 97201 (503) 224-4100

1	Judgment debtor and address, if known:	Deborah Dralle 23421 S. Highway 213, #36 Oregon City, OR 97045
2		
3	Judgment debtor's date of birth, if known:	1958
4	Judgment debtor's social security number, if known:	xxx-xx-0853
5		
6		
7	Judgment debtor's driver license number and state of issuance, if known:	Unknown
8		
9	Judgment debtor's attorney, if known:	Robert Kerr Kerr Law Office P.C. 1001 Molalla Avenue, Ste. 203 Oregon City, OR 97045
10		
11	Person or public body entitled to any portion of judgment:	None
12		
13	Post-judgment interest	9% per annum
14	Supplemental Attorney fees and costs awarded:	
15		
16	Attorney fees:	\$14,745.50
17	Costs	\$680.32

Signed: 4/12/2018 10:41 AM



Daina A. Vitolins, Circuit Court Judge

Submitted by:
Stuart K. Cohen, OSB #851738
Of Attorneys for Plaintiff

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APR 27 2018

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

JEFFERSON COUNTY SHERIFF'S OFFICE
MADRAS, OR 97741

THREE RIVERS LANDOWNERS ASSOCIATION,
INC., an Oregon nonprofit corporation,
Plaintiff,

v.

DEBORAH DRALLE, and THRIFTY PAYLESS, INC.,
dba RITE AID, a California corporation,
Defendants.

Case No. 16CV33786

**CERTIFICATE OF READINESS
(UTCR 5.100)**

CERTIFICATE OF READINESS UNDER UTCR 5.100

I certify the **SUPPLEMENTAL JUDGMENT (MONEY AWARD)** is ready for judicial signature because:

- Each opposing party affected by this judgment/order has stipulated to the judgment/order, as shown by each opposing party's signature on the document submitted.
- Each opposing party affected by this judgment/order has approved the order/judgment.
- I have served a copy of this judgment/order on all parties entitled to service and:
 - No objection has been served on me
 - I received objections that I could not resolve with the opposing party despite reasonable efforts to do so. I have filed a copy of the objections I received and indicated which objections remain unresolved.
 - After conferring about objections, the opposing party agreed to independently file any remaining objections.
 - The relief sought is against an opposing party who has been found to be in default.
 - An order of default is being requested with this proposed judgment.
 - Service is not required pursuant to subsection (3) of this rule, or by statute, rule or otherwise (fees and costs awarded by the court on April 3, 2018),
 - This is a proposed judgment that includes an award of punitive damages and notice has been served on the Director of the Crime Victims' Assistance Section as required by subsection (4) of this rule.

Copies served on Robert Kerr, Kerr Law Office P.C., 1001 Molalla Avenue, Ste. 203, Oregon City, OR 97045 by first class mail on April 5, 2018.

LANDYE BENNETT BLUMSTEIN LLP

By: s/ Jeri Zwick
Jeri Zwick, Legal Assistant

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CERTIFICATE OF SERVICE

I hereby certify that on April 11, 2018, I served the foregoing **SUPPLEMENTAL JUDGMENT (MONEY AWARD)** on the following individual(s):

Robert Kerr
robert@rkerrlaw.com
Kerr Law Office P.C.
1001 Molalla Avenue, Ste. 203
Oregon City, OR 97045
Of Attorneys for Defendant Dralle

- by the Court's eFiling system to the respective party's email address as recorded on the date of service in the Court's eFiling system (pursuant to UTCR 21.100)
- by facsimile pursuant to the fax numbers listed above (pursuant to ORCP 9F)
- by email to the email addresses listed above (pursuant to ORCP 9G)
- by overnight delivery to the addresses listed above
- by first class mail to the addresses listed above
- by hand-delivery to the addresses listed above

LANDYE BENNETT BLUMSTEIN LLP

s/ Stuart K. Cohen

Stuart K. Cohen
Of Attorneys for Plaintiff

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APR 27 2018

JEFFERSON COUNTY SHERIFF'S OFFICE
MADRAS, OR 97741

CERTIFIED TRUE COPY OF THE ORIGINAL
DATED THIS 26th DAY OF APRIL 20 18
JEFFERSON COUNTY
CIRCUIT COURT
STATE OF OREGON



BY: *Adrian J. Robinson*
Adrian J. Robinson, COURT CLERK

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

**THREE RIVERS LANDOWNERS
ASSOCIATION, INC.**, an Oregon nonprofit
corporation,

Plaintiff,

v.

**DEBORAH DRALLE, and THRIFTY
PAYLESS, INC.**, dba RITE AID, a
California corporation,

Defendants.

Case No. 16CV33786

**LIMITED JUDGMENT, DECREE OF
FORECLOSURE, AND MONEY AWARD (BY
STIPULATION)**

This matter came before the court on the stipulation of Plaintiff Three Rivers Landowners Association, Inc. and Defendant Deborah Dralle. Plaintiff is represented by Stuart K. Cohen of Landye Bennett Blumstein LLP. Defendant Deborah Dralle is represented by her attorney, Robert Kerr. Defendant Thrifty Payless, Inc., dba Rite Aid, was served with summons and complaint on October 14, 2016, and failed to appear in the action. The court entered an order of default against Defendant Thrifty Payless on November 23, 2016.

**BASED UPON THE STIPULATION OF THE PARTIES HERETO, IT IS HEREBY
ADJUDGED AND DECREED:**

On Plaintiff's First Claim for Relief:

1. Plaintiff Three Rivers Landowners Association, Inc., is awarded judgment against Defendant Dralle in the amount of \$8,678.05 for assessments through and including March 5, 2018; plus Plaintiff's reasonable attorney fees, plus Plaintiff's costs and disbursements incurred herein as may be established by a supplemental judgment

Page 1 - **LIMITED JUDGMENT, DECREE OF FORECLOSURE, AND MONEY AWARD (BY
STIPULATION)**

1 pursuant to ORCP 68. Plaintiff's lien secures the amount of past due assessments and costs
2 awarded in the small claims judgment entered in this court on April 6, 2015 for unpaid
3 assessments through March 4, 2015.

4 2. Plaintiff's lien, recorded on March 26, 2015 as Document No. 2015-1005, is
5 declared to be a valid and subsisting lien against the property of Defendant Dralle in the
6 amount of Plaintiff's judgment set forth in ¶ 1 above, which property is more particularly
7 described as:

8 Lot 6, Block 6, THIRD ADDITION TO THREE RIVERS RECREATION AREA,
9 Jefferson County, Oregon ("Lot 6").

10 3. Plaintiff's lien is foreclosed and all interest that the Defendants had in Lot 6 shall
11 be sold by the Sheriff of Jefferson County, Oregon, in the manner provided by law and in
12 accordance with the practice of this court.

13 4. The proceeds of sale shall be applied first toward the costs of sale, then toward
14 the satisfaction of Plaintiff's judgment awarded herein, with the excess, if any, to be paid to
15 such party as may establish the right thereto by subsequent order of the Court.

16 5. If the proceeds of sale are not sufficient to satisfy Plaintiff's judgment against
17 Defendant Dralle, then any such deficiency may be enforced by execution as provided by
18 law.

19 6. Defendants and all persons claiming through or under Defendants, as
20 purchasers, encumbrances or otherwise, are forever foreclosed of all interest, lien or claim
21 in the real property described above and every portion thereof, excepting only any
22 statutory right of redemption as Defendants may have therein.

23 7. Plaintiff or any other party to this suit may become the purchaser at the sale of
24 the real property. The purchaser is entitled to exclusive possession of the real property
25 from and after the date of sale and is entitled to such remedies as are available at law to
26 secure possession, including a writ of assistance, if Defendants or any other party or person

1 shall refuse to surrender possession to the purchaser immediately on the purchaser's
2 demand for possession.

3 **On Plaintiff's Second Claim for Relief:**

4 8. Plaintiff is awarded a money judgment against Defendant Dralle in the amount of
5 \$5,011.23 for assessments from March 4, 2015 through and including March 5, 2018, plus
6 Plaintiff's reasonable attorney fees, along with Plaintiff's costs and disbursements incurred
7 herein as may be established by one or more supplemental judgments.

8 **MONEY AWARD**

9 Judgment creditor's name and address:	Three Rivers Landowners Association, Inc. c/o Fieldstone Management, LLC P.O. Box 700 Bend, OR 97709
10	
11	
12 Judgment creditor's attorney:	Stuart K. Cohen
13	
14 Judgment creditor's attorney address/phone	Landye Bennett Blumstein LLP 1300 SW 5 th Avenue, Ste. 3600 Portland, OR 97201 503-224-4100
15	
16 Judgment debtors and addresses, if known:	Deborah Dralle 23421 S Highway 213, #36 Oregon City, OR 97045
17	
18	
19 Judgment debtors' year of birth, if known:	1958 (Dralle)
20	
21 Judgment debtors' social security number, if known:	xxx-xx-0853 (Dralle)
22 Judgment debtors' driver license number and state of issuance, if known:	Unknown
23	
24 Person or public body entitled to any portion of judgment:	Unknown
25	
26 Judgment debtors' attorney, if known	Robert Kerr Kerr Law Office P.C.

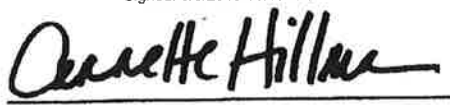
Page 3 - LIMITED JUDGMENT, DECREE OF FORECLOSURE, AND MONEY AWARD (BY
STIPULATION)

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1001 Molalla Avenue, Ste. 203
Oregon City, OR 97045

Money judgment award:	\$4,022.63
Attorney fees award:	TBD
Costs and disbursements	TBD
Prevailing party fee:	\$300.00
Prejudgment Interest	\$988.60
Post-judgment interest:	Post-judgment interest on all above amounts shall accrue at the rate of twelve percent (12%) per annum from date of entry of this judgment until paid.


Signed: 3/5/2018 10:10 AM



Annette C. Hillman, Circuit Court Judge

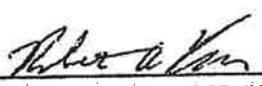
IT IS SO STIPULATED:

LANDYE BENNETT BLUMSTEIN LLP

By: 

Stuart K. Cohen, OSB #851738
scohen@lbbllawyers.com
Of Attorneys for Plaintiff

KERR LAW OFFICE P.C.

By: 

Robert A. Kerr, OSB #963270
robert@rkerrlaw.com
Of Attorneys for Defendant Dralle

Page 4 - LIMITED JUDGMENT, DECREE OF FORECLOSURE, AND MONEY AWARD (BY STIPULATION)

LANDYE BENNETT BLUMSTEIN LLP
Attorneys at Law
1300 SW Fifth Avenue, Suite 3400
Portland, Oregon 97201
503.224-4100
503.224-4133 (facsimile)

4282559.15392-003

RECEIVED

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

APR 27 2018

THREE RIVERS LANDOWNERS ASSOCIATION,
INC., an Oregon nonprofit corporation,
Plaintiff,

JEFFERSON COUNTY SHERIFF'S OFFICE
MADRAS, OR 97741

Case No. 16CV33786

v.

**CERTIFICATE OF READINESS
(UTCR 5.100)**

DEBORAH DRALLE, and THRIFTY PAYLESS, INC.,
dba RITE AID, a California corporation,
Defendants,

CERTIFICATE OF READINESS UNDER UTCR 5.100

I certify the **LIMITED JUDGMENT, DECREE OF FORECLOSURE, AND MONEY AWARD (BY STIPULATION)** is ready for judicial signature because:

- Each opposing party affected by this judgment/order has stipulated to the judgment/order, as shown by each opposing party's signature on the document submitted.
- Each opposing party affected by this judgment/order has approved the order/judgment.
- I have served a copy of this judgment/order on all parties entitled to service and:
 - No objection has been served on me.
 - I received objections that I could not resolve with the opposing party despite reasonable efforts to do so. I have filed a copy of the objections I received and indicated which objections remain unresolved.
 - After conferring about objections, the opposing party agreed to independently file any remaining objections.
 - The relief sought is against an opposing party who has been found to be in default.
 - An order of default is being requested with this proposed judgment.
 - Service is not required pursuant to subsection (3) of this rule, or by statute, rule or otherwise.
 - This is a proposed judgment that includes an award of punitive damages and notice has been served on the Director of the Crime Victims' Assistance Section as required by subsection (4) of this rule.

Copies sent to counsel of record on March 2, 2018.

LANDYE BENNETT BLUMSTEIN LLP

By: s/ Jeri Zwick
Jeri Zwick, Legal Assistant

**IN THE CIRCUIT COURT OF THE STATE OF OREGON
JEFFERSON COUNTY**

**THREE RIVERS LANDOWNERS ASSOCIATION,
INC., AN OREGON NONPROFIT CORPORATION,**

Plaintiff/s,

v.

**DEBORAH DRALLE, AND THRIFTY PAYLESS,
INC., DBA RITE AID, A CALIFORNIA
CORPORATION,**

Defendant/s.

Case No.: 16CV33786

CHALLENGE TO EXECUTION

THIS FORM MAY BE USED BY THE DEBTOR ONLY FOR THE FOLLOWING PURPOSES:

- (1) To claim such exemptions from execution as are permitted by law.
- (2) To assert that the amount specified in the writ of execution as being subject to execution is greater than the total amount owed.

THIS FORM MAY BE USED BY PERSONS OTHER THAN THE DEBTOR ONLY TO CLAIM AN INTEREST IN THE PROPERTY THAT IS TO BE SOLD ON EXECUTION.

THIS FORM MAY NOT BE USED TO CHALLENGE THE VALIDITY OF THE DEBT.

I/We claim that the following described property or money is exempt from execution:

I/We believe this property is exempt from execution because (the Notice of Exempt Property at the end of this form describes most types of property that you can claim as exempt from execution): _____

I am a person other than the Debtor and I have the following interest in the property:

Name _____

Name _____

Signature _____

Signature _____

Address _____

Address _____

Telephone Number

(required): _____

Telephone Number

(required): _____

YOU MUST ACT PROMPTLY IF YOU WANT TO GET YOUR MONEY OR PROPERTY BACK.

You may seek to reclaim your exempt property by doing the following:

- (1) Fill out the Challenge to Execution form that you received with this notice.
- (2) Mail or deliver the Challenge to Execution form to the court administrator at the address shown on the writ of execution.
- (3) Mail or deliver a copy of the Challenge to Execution form to the judgment creditor at the address shown on the writ of execution.

You should be prepared to explain your exemption in court. If you have any questions about the execution or debt, you should see an attorney.

YOU MAY USE THE CHALLENGE TO EXECUTION FORM ONLY FOR THE FOLLOWING PURPOSES:

- (1) To claim such exemptions from execution as are permitted by law.
- (2) To assert that the amount specified in the writ of execution as being subject to execution is greater than the total amount owed.

YOU MAY NOT USE THE CHALLENGE TO EXECUTION FORM TO CHALLENGE THE VALIDITY OF THE DEBT.

IF YOU CLAIM AN EXEMPTION IN BAD FAITH, YOU MAY BE SUBJECT TO PENALTIES IMPOSED BY THE COURT THAT COULD INCLUDE A FINE. Penalties that you could be subject to are listed in ORS 18.899.

NOTICE OF EXEMPT PROPERTY

Property belonging to you may have been taken or held in order to satisfy a debt. The debt may be reflected in a judgment or in a warrant or order issued by a state agency. Important legal papers are enclosed.

YOU MAY BE ABLE TO GET YOUR PROPERTY BACK, SO READ THIS NOTICE CAREFULLY.

State and federal law specify that certain property may not be taken. Some of the property that you may be able to get back is listed below.

- (1) Wages or a salary as described in ORS 18.375 and 18.385. Whichever of the following amounts is less:
 - (a) 75 percent of your take-home wages; or
 - (b) \$218 per workweek.
- (2) Social Security benefits.
- (3) Supplemental Security Income (SSI).
- (4) Public assistance (welfare).
- (5) Unemployment benefits.
- (6) Disability benefits (other than SSI benefits).
- (7) Workers' compensation benefits.
- (8) All Social Security Benefits and Supplemental Security Income benefits, and up to \$7,500 in exempt wages, retirement benefits, welfare, unemployment benefits and disability benefits, that are held in a bank account.
- (9) Spousal support, child support or separate maintenance to the extent reasonably necessary for your support or the support of any of your dependents.
- (10) A homestead (house, manufactured dwelling or floating home) occupied by you, or occupied by your spouse, parent or child. Up to \$40,000 of the value of the homestead is exempt. If you jointly own the homestead with another person who is also liable on the debt, up to \$50,000 of the value of the homestead is exempt.

- (11) Proceeds from the sale of a homestead described in item 10, up to the limits described in item 10, if you hold the proceeds for less than one year and intend to use those proceeds to procure another homestead.
- (12) Household goods, furniture, radios, a television set and utensils with a combined value not to exceed \$3,000.
- *(13) An automobile, truck, trailer or other vehicle with a value not to exceed \$3,000.
- *(14) Tools, implements, apparatus, team, harness or library that are necessary to carry on your occupation, with a combined value not to exceed \$5,000.
- *(15) Books, pictures and musical instruments with a combined value not to exceed \$600.
- *(16) Wearing apparel, jewelry and other personal items with a combined value not to exceed \$1,800.
- (17) Domestic animals and poultry for family use with a combined value not to exceed \$1,000 and their food for 60 days.
- (18) Provisions and fuel for your family for 60 days.
- (19) One rifle or shotgun and one pistol. The combined value of all firearms claimed as exempt may not exceed \$1,000.
- (20) Public or private pensions.
- (21) Veterans' benefits and loans.
- (22) Medical assistance benefits.
- (23) Health insurance proceeds and disability proceeds of life insurance policies.
- (24) Cash surrender value of life insurance policies not payable to your estate.
- (25) Federal annuities.
- (26) Other annuities to \$250 per month (excess over \$250 per month is subject to the same exemption as wages).
- (27) Professionally prescribed health aids for you or any of your dependents.
- *(28) Elderly rental assistance allowed pursuant to ORS 310.635.
- *(29) Your right to receive, or property traceable to:
 - *(a) An award under any crime victim reparation law.
 - *(b) A payment or payments, not exceeding a total of \$10,000, on account of personal bodily injury suffered by you or an individual of whom you are a dependent.
 - *(c) A payment in compensation of loss of future earnings of you or an individual of whom you are or were a dependent, to the extent reasonably necessary for your support and the support of any of your dependents.
- (30) Amounts paid to you as an earned income tax credit under federal tax law.
- (31) Your right to the assets held in, or right to receive payments under, a medical savings account or health savings account authorized under section 220 or 223 of the Internal Revenue Code.
- (32) Interest in personal property to the value of \$400, but this cannot be used to increase the amount of any other exemption.
- (33) Equitable interests in property.

Note: If two or more people in your household owe the claim or judgment, each of them may claim the exemptions marked by an asterisk (*).

SPECIAL RULES APPLY FOR DEBTS THAT ARE OWED FOR CHILD SUPPORT AND SPOUSAL SUPPORT. Some property that may not otherwise be taken for payment against the debt may be taken to pay for overdue support. For instance, Social Security benefits, workers' compensation benefits, unemployment benefits, veterans' benefits and pensions are normally exempt, but only 75 percent of a lump sum payment of these benefits is exempt if the debt is owed for a support obligation.