

RCUD DCS00JUL04APR18 10:41



CERTIFIED TRUE COPY OF THE ORIGINAL
Dated this 02 day of 01, 2017.
CIRCUIT COURT OF THE STATE OF OREGON
FOR DESCHUTES COUNTY
BY: C. Behm
COURT CLERK

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

U.S. Bank National Association,

CASE NUMBER: 16CV21207

Plaintiff,

vs.

WRIT OF EXECUTION IN
FORECLOSURE

Duane Knox and Darla Knox; UNKNOWN
PARTIES IN POSSESSION OR CLAIMING
A RIGHT TO POSSESSION,

Defendants.

TO: THE SHERIFF OF DESCHUTES COUNTY, OREGON:

1.

WHEREAS, on November 13, 2016, in the above-entitled Court, a General Judgment of Foreclosure ("Judgment") was entered and docketed in the above-entitled and numbered proceeding.

2.

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 (subject to redemption, if applicable), all of the interest which the Defendants Duane Knox and Darla Knox ("Defendants") had on February 5, 2008, the date of the foreclosed Deed of Trust which was recorded on February 12, 2008, as Instrument No. 2008-06269 in the official records of the Deschutes 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 **Lender's Principal Judgment:**

2 Unpaid Principal Balance: \$219,469.13
3 Pre-Judgment Interest from June 1,
4 2014, to October 15, 2016, at 4.375%
5 (\$26.31 per diem): \$22,772.49
6 Lender's Fees and Costs: \$7,914.33
7 Attorney's Fees and Costs \$0.00

8 ***Total Judgment Entered: \$250,155.95***

9 **Additional Pre-Judgment Interest:**

10 Accrued Interest from October 16,
11 2016, the day after the date set forth in
12 the Judgment through November 13,
13 2016, the date of entry of the Judgment,
14 at 4.375% per annum (\$26.31 per
15 diem): \$736.68

16 ***Total Judgment Entered Including***
17 ***Additional Pre-Judgment***
18 ***Interest: \$250,892.63***

19 3.

20 Additionally, Plaintiff is entitled to the continued accrual of post-judgment interest at the
21 legal rate of interest of 9% per annum \$61.86 per diem, from November 14, 2016, to the date the real
22 property subject to the Judgment is sold by the County Sheriff at its foreclosure auction, plus costs of
23 this writ, Sherriff's fees and sale costs, and all other recovered costs pursuant to law.

24 4.

25 The real property subject to this writ of execution is commonly known as 8255 NW Ice Ave,
26 Terrebonne, OR 97760 ("Property") and described in Exhibit "1" attached hereto.

27 5.

28 The Judgment Creditor's name and address is:

U.S. Bank National Association

4801 Frederica Street

Owensboro, Kentucky 42301-7441

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


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

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

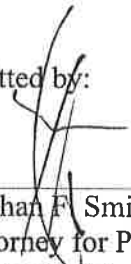
MAKE RETURN HEREOF within 60 days after you receive this Writ.

Signed: 11/30/2017 08:56 AM



Trial Court Administrator Jeffrey E. Hall

Submitted by:



Dated: November 27, 2017

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

Exhibit “1”

LEGAL DESCRIPTION

Lot Seventy-Four of CROOKED RIVER RANCH NO 5, Deschutes County, Oregon.

1 **Katrina E. Glogowski, OSB#035386**
Allegiant Law Group
2 **22000 64th Ave W #2F**
Mountlake Terrace, WA 98043
3 **(206) 903-9966**
Fax (206) 405-2701
4 **Katrina@AllegiantLawGroup.com**

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

U.S. Bank National Association,)	Case No.: 16CV21207
)	
Plaintiff,)	
)	GENERAL JUDGMENT OF
vs.)	FORECLOSURE
)	
Duane Knox and Darla Knox; et al)	
)	
Defendants.)	

10 This matter came before this court on motion of Plaintiff, appearing by and
11 through its attorney, Katrina E. Glogowski, for a General Judgment of Foreclosure and
12 Order of Sale against Defendants Duane Knox and Darla Knox.
13

14 It further appearing that this matter involves real property commonly known as
15 8255 NW Ice Ave, Terrebonne, OR 97760 (the "Property"), parcel number 136007, and
16 legally described as: LOT SEVENTY-FOUR OF CROOKED RIVER RANCH NO. 5,
17 DESCHUTES COUNTY, OREGON; and

18 The court having previously entered orders of default as follows:

Defendant	Date of Default
Duane Knox and Darla Knox	Pending

21 Now, therefore, it is hereby:

22
23 IT IS HEREBY ORDERED AND ADJUDGED as follows:

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

Description	Amount	Total
Principal	\$219,469.13	

1	Interest at 6.0% through 10/15/2016 (accruing thereafter until entry of judgment in the 2 amount of \$26.31 per day pursuant to the terms of the Note)	\$22,772.49	
3	Late Charges	\$0.00	
4	Other Recoverable Fees and Costs:	\$	
5	Property Insurance \$1,118.00		
6	Mortgage Insurance \$1,813.70		
7	Taxes \$5,021.08		
8	Property Preservation \$133.00		
9	Attorneys' Fees (previous action) \$1,230.00		
10	Credits -\$1,401.45		
11	Total		\$250,155.95

2. Post judgment interest on all amounts shall accrue from the date of judgment at the legal rate of 9.0% per annum pursuant to ORS 82.010.

3. This Judgment shall not create a personal lien or liability against Defendant Duane Knox and Darla Knox, except as is necessary and customary to execute on such judgment and for purposes of redemption. In no event shall it be construed as establishing personal liability for any persons whose debt has been extinguished in bankruptcy or by an in rem order granting relief from stay, but only to foreclose the deed of trust. In the event the proceeds of the Sheriff's Sale are insufficient to pay the amounts due to Plaintiff, Plaintiff shall not be entitled to any further judgment.

Signed: 11/13/2016 01:55 PM



 Circuit Court Judge Wells B. Ashby

Submitted by:
 /s/ Katrina E. Glogowski
 Katrina E. Glogowski, OSB#035386

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UTCR 5.100 CERTIFICATION

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.

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

3. I have served a copy of this order or judgment on all parties entitled to services and:

a. No objection has been served on me.

b. 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.

c. After conferring about objections, _____, agreed to independently file any remaining objection.

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

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

6. Services is not required pursuant to subsection (3) of this rule, or by state, rule or otherwise. (Ex Parte)

7. 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.

I hereby declare that the above statement is true to the best of my knowledge and belief, and that I understand it is made for use as evidence in court and is subject to penalty for perjury.

DATED: November 4, 2016

Allegiant Law Group

/s/ Katrina E. Glogowski
Katrina E. Glogowski, OSB #035386