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

WILMINGTON SAVINGS FUND SOCIETY,  
FSB, DBA CHRISTIANA TRUST, NOT  
INDIVIDUALLY BUT AS TRUSTEE FOR  
PRETIUM MORTGAGE ACQUISITION  
TRUST,

Plaintiff,

v.

MARY STRONG, INDIVIDUALLY AND  
AS TRUSTEE OF THE MARY STRONG  
FAMILY TRUST; WHISPERING PINES  
HOMEOWNERS ASSOCIATION;  
MORTGAGE ELECTRONIC  
REGISTRATION SYSTEMS, INC.; GMAC  
MORTGAGE, LLC; AND ALL OTHER  
PERSONS OR PARTIES UNKNOWN  
CLAIMING ANY RIGHT, TITLE, LIEN, OR  
INTEREST IN THE REAL PROPERTY  
COMMONLY KNOWN AS 65510 OLD  
BEND REDMOND HWY, BEND, OREGON  
97701,

Defendant.

Case No. 16CV19530

**WRIT OF EXECUTION**

TO THE DESCHUTES COUNTY SHERIFF:

On January 2, 2018, a General Judgment of Foreclosure and Declaration of Amount Due by Default was entered by the DESCHUTES County Circuit Court, foreclosing Plaintiff's Deed of Trust and directing that the property subject to the Deed of Trust be sold to satisfy the unpaid debt due to Plaintiff.

The mailing address for the judgment creditor is: WILMINGTON SAVINGS FUND SOCIETY, FSB, DBA CHRISTIANA TRUST, NOT INDIVIDUALLY BUT AS TRUSTEE FOR PRETIUM MORTGAGE ACQUISITION TRUST c/o Aldridge Pite, LLP, 111 SW Columbia St., Ste. 950, Portland, OR 97201.

1 The real property to be sold at public auction is commonly known as 65510 OLD BEND  
2 REDMOND HWY, BEND, OREGON 97701 ("Subject Property"), and legally described as:

3 LOT THIRTY-TWO, BLOCK NINETEEN, SECOND ADDITION TO WHISPERING  
4 PINES ESTATES, DESCHUTES COUNTY, OREGON.

5 The total amount due and owing on the Judgment as of January 24, 2017;

6 Judgment:	Principal	\$364,000.00
7 Pre-Judgment:	Interest	thru \$184,405.58
8	10/27/17@6.375%,\$63.58/day	
9	Attorney Fees	\$34,182.00
10	Costs	\$2,283.50
11	Prevailing Party Fee	\$300.00

12  
13 **TOTAL: \$585,171.08**

14 In the name of the State of Oregon, you are hereby directed to proceed to notice for sale  
15 and sell the Subject Property.

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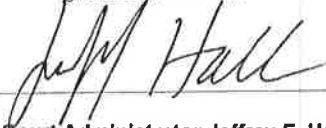
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Page 2 – WRIT OF EXECUTION

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After the sale, you are directed to issue a certificate of sale to the purchaser and file a return on the writ of execution, depositing the sale proceeds with the Court. Further, you are directed to execute, after the time for redemption has elapsed, a deed to the holder of the certificate of sale.

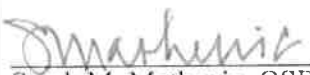
Signed: 2/20/2018 09:40 AM



Trial Court Administrator Jeffrey E. Hall



Presented by:  
ALDRIDGE PITE, LLP



Sarah M. Mathenia, OSB No. 120681  
Tel: (858) 750-7600  
Fax: (503) 222-2260  
smathenia@aldridgepite.com

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

WILMINGTON SAVINGS FUND SOCIETY,  
FSB, DBA CHRISTIANA TRUST, NOT  
INDIVIDUALLY BUT AS TRUSTEE FOR  
PRETIUM MORTGAGE ACQUISITION  
TRUST,

Plaintiff,

v.

MARY STRONG, INDIVIDUALLY AND  
AS TRUSTEE OF THE MARY STRONG  
FAMILY TRUST, et al.,

Defendants.

Case No. 16CV19530

**GENERAL JUDGMENT OF  
FORECLOSURE AND DECLARATION OF  
AMOUNT DUE**

PURSUANT TO ORS 88.010(1)(a) THIS IS A  
JUDGMENT OF FORECLOSURE AND DOES  
NOT CONSTITUTE A MONEY AWARD  
AGAINST ANY DEFENDANT

A Bench Trial in this matter was held on October 27, 2017 before the Honorable Beth M. Bagley. Casey Pence, Esq., appeared for the Plaintiff Wilmington Savings Fund Society, FSB, dba Christiana Trust, Not Individually But As Trustee For Pretium Mortgage Acquisition Trust (“Plaintiff”). Mary Strong, Individually, and as Trustee of the Mary Strong Family Trust, appeared *pro se* (collectively, “Strong”). All other parties were defaulted by the Order of Default entered on November 30, 2016.

After hearing the parties’ arguments, testimony and evidence presented at trial, and additionally based on the Court’s prior rulings and the records in this matter,

**THE COURT HEREBY MAKES THE FOLLOWING FINDINGS OF FACT:**

1. At the time the Complaint was filed in this matter, the Plaintiff was the holder and the bearer of the promissory note (“Note”) at issue in this matter;

///

- 1           2. The Note has been indorsed in blank and attached as an exhibit to the complaint,
- 2                     and the original was presented to the Court for viewing;
- 3           3. Based on the testimony of Mike Aiken, the Court finds the two allonges presented
- 4                     into evidence were executed after the Complaint was filed and their effect was to
- 5                     close the blank indorsement into the specific name of Plaintiff;
- 6           4. The Note presented to the Court was the original Note;
- 7           5. Strong is in default of her obligations under the Note and Deed of Trust;
- 8           6. Plaintiff has established its right to foreclose the Note and deed of trust (“Deed of
- 9                     Trust”) against Strong;
- 10          7. Pursuant to Exhibit 9 and Mike Aiken's testimony, both presented at trial, the
- 11                     principal amount due is \$364,000.00; and
- 12          8. Pursuant to Exhibit 9 and Mike Aiken's testimony, both presented at trial, simple
- 13                     interest accrued on the principal amount due at a rate of 6.375% through
- 14                     November 7, 2017, with a per diem of \$63.58, in the total amount of interest of
- 15                     \$185,104.91. Adjusting that interest figure by subtracting 11 day’s interest, at the
- 16                     per diem rate, to comply with the Court’s ruling granting interest due through
- 17                     October 27, 2017 ( $\$185,104.91 - \$699.33 = \$184,405.58$ ), the interest through
- 18                     October 27, 2017 is found to be \$184,405.58;

**IT IS HEREBY ADJUDGED:**

19           1. Plaintiff’s security interest in the real property located at 65510 OLD BEND  
20 REDMOND HWY, BEND, OREGON 97701 (“Subject Property”), as evidenced by the Deed of  
21 Trust recorded March 23, 2007 in the official records of DESCHUTES County as instrument  
22 number 2007-17104 (“Deed of Trust”), is a viable first priority lien, superior to the interests of  
23 all the Defendants. All rights, claims, ownerships, liens, titles and demands of all Defendants are  
24 subsequent to Plaintiff’s lien as created by the Note and Deed of Trust. The Subject Property is  
25 legally described as follows:  
26

1           **LOT THIRTY-TWO, BLOCK NINETEEN, SECOND ADDITION TO**  
2           **WHISPERING PINES ESTATES, DESCHUTES COUNTY, OREGON.**

3           2.       The Deed of Trust is foreclosed and upon entry of this Judgment the court  
4 administrator shall upon request of the Plaintiff issue a writ of execution for the sale, by the  
5 Sheriff, in the manner provided by law;

6           3.       Plaintiff has submitted a Declaration of Amount Due and is owed the total amount  
7 due under the Note and Deed of Trust and any future advances and/or fees that may be made or  
8 incurred pursuant to the terms of the Note and Deed of Trust up to the date of the execution sale.  
9 This amount is to be satisfied by sale of the Subject Property as directed under this Judgment;

10          4.       Plaintiff is owed reasonable attorney fees plus the remaining flat rate fees for an  
11 uncontested execution on the Judgment, pursuant to the Note and Deed of Trust and ORCP Rule  
12 68(C), which amount may be added to the outstanding obligation due and owing under the Note  
13 and Deed of Trust and recovered from the proceeds of the sheriff's sale. Pursuant to the Deed of  
14 Trust, these fees continue to accrue to the date of the execution sale. This amount to be satisfied  
15 by sale of the Subject Property as directed under this Judgment;

16          5.       Plaintiff is owed costs of suit pursuant to the Note and Deed of Trust, ORCP Rule  
17 68(A)(2) and ORS 20.115(4), which may be added to the outstanding obligation due and owing  
18 under the Note and Deed of Trust and recovered from the proceeds of the sheriff's sale. Pursuant  
19 to the Deed of Trust, these costs continue to accrue to the date of the execution sale. This  
20 amount to be satisfied by sale of the Subject Property as directed under this Judgment;

21          6.       Plaintiff is owed the prevailing party fee of \$300.00, this amount to be satisfied by  
22 sale of the Subject Property as directed under this Judgment.

23          7.       The Sheriff shall make a return on the writ of execution to the court administrator  
24 along with the proceeds of the sale, if any. The proceeds of the sale, if any, shall be applied first  
25 toward the costs of the sale; then toward the satisfaction of Plaintiff's Judgment of Foreclosure  
26 awarded herein; and the surplus, if any, to the clerk of the court to be distributed to such party or

1 parties as may establish their right thereto. The Defendants and all persons claiming through or  
2 under Defendants, whether lien claimants, judgment creditors, claimants arising under junior  
3 mortgages or deeds of trust, purchasers, encumbrances or otherwise, shall be barred and  
4 foreclosed from all rights, claims, interest or equity of redemption in the Subject Property and  
5 every part of the Subject Property when the time for redemption has elapsed;

6 8. Plaintiff or any other party to this action may become a purchaser at the  
7 foreclosure sale, and such purchaser shall be immediately let into possession of the subject  
8 property, until redemption of the property, if any. The purchaser at the foreclosure sale or any  
9 successor in interest may apply to this Court for a writ of assistance to gain possession of the  
10 subject property if Defendants or any other party or person refuses to surrender possession;

11 DECLARATION OF AMOUNT DUE BY DEFAULT

12 (PURSUANT TO 88.010(1)(a), THIS IS A JUDGMENT OF FORECLOSURE AND DOES  
13 NOT CONSTITUTE A MONEY AWARD AGAINST ANY DEFENDANT)

- 14 1. The amount due is \$582,171.08, broken down as follows:
- 15 2. The principal amount due is \$364,000.00;
- 16 3. The interest due through October 27, 2017 is \$184,405.58;
- 17 4. Attorney fees of \$34,182.00;
- 18 5. Costs of \$2,283.50, plus costs accrued through the date of sale.
- 19 6. Prevailing party fee: \$300.00.

20  
21 **IT IS SO ADJUDGED**

22  
23 Signed: 12/29/2017 08:54 AM

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25 \_\_\_\_\_  
26 **Circuit Court Judge Beth M. Bagley**