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CIRCUIT COURT, LANE CO

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

THE BANK OF NEW YORK MELLON
FKA THE BANK OF NEW YORK, AS
TRUSTEE FOR THE
CERTIFICATEHOLDERS OF THE
CWABS, INC., ASSET-BACKED
CERTIFICATES, SERIES 2007-6,

Plaintiff,

vs.

LOANNE P. SOLOMON, an individual;
STACY DEAN SOLOMON, an individual;
ROGERS & SON DISTRIBUTING INC. dba
ROGERS & SON, an Oregon corporation;
RAY KLEIN INC. dba PROFESSIONAL
CREDIT SERVICE, an Oregon corporation;
UNITED STATES OF AMERICA, a
Government entity; and all other persons,
parties, or occupants unknown claiming any
legal or equitable right, title, estate, lien, or
interest in the real property described in the
complaint herein, adverse to Plaintiff's title,
or any cloud on Plaintiff's title to the
Property.

Defendants.

CASE NUMBER: 16-14-06605

WRIT OF EXECUTION IN FORECLOSURE

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TO: THE SHERIFF OF LANE COUNTY, OREGON:

1.

WHEREAS, on June 24, 2015, 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 LOANNE P. SOLOMON, STACY DEAN SOLOMON, ROGERS & SON DISTRIBUTING INC., RAY KLEIN INC. dba PROFESSIONAL CREDIT SERVICE, and UNITED STATES OF AMERICA ("Defendants") had on February 8, 2007, the date of the foreclosed Deed of Trust which was recorded on February 14, 2007, as Instrument No. 2007-010169 in the official records of the Lane 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:

Lender's Principal Judgment:

Unpaid Principal Balance:	\$195,610.43
Pre-Judgment Interest from October 1, 2009 to January 30, 2015, the date set forth in the Judgment at 8.250%, per annum, (\$44.83 per diem):	\$86,005.85
Lender's Fees and Costs:	\$18,643.61
Attorney's Fees and Costs:	\$4,484.50

Total Judgment Entered: \$305,100.39

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1 **Additional Pre-Judgment Interest:**

2 Accrued Interest from January 31,
3 2015, the day after the date set forth in
4 the Judgment through June 24, 2015,
5 the date of entry of the Judgment, at
6 8.25%, per annum (\$44.83 per diem): \$6,366.72

7
8 ***Total Judgment Entered Including***

9 ***Additional Pre-Judgment***

10 ***Interest:*** \$311,467.11

11 3.

12 Additionally, Plaintiff is entitled to the accrual of post-judgment interest on \$311,467.11 at
13 the legal rate of interest of 9% per annum, \$76.80 per diem, from June 25, 2015 to the date the real
14 property subject to the Judgment is sold by the County Sheriff at its foreclosure auction, plus costs of
15 this Writ, Sherriff's fees and sale costs, and all other recovered costs pursuant to law.

16 4.

17 The real property subject to this writ of execution is commonly known as 1132 E ADAMS
18 AVE, COTTAGE GROVE, OR 97424 ("Property") and described in Exhibit "1" attached hereto.

19 5.

20 The Judgment Creditor's name and address is:

21 THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE FOR
22 THE CERTIFICATEHOLDERS OF THE CWABS, INC., ASSET-BACKED CERTIFICATES,
23 SERIES 2007-6

24 c/o Specialized Loan Servicing

25 8742 Lucent Blvd.

26 Highlands Ranch, Colorado 80129

27 ///

28 ///

6.

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

THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE FOR
THE CERTIFICATEHOLDERS OF THE CWABS, INC., ASSET-BACKED CERTIFICATES,
SERIES 2007-6

c/o Malcolm & Cisneros, ALC (Attention: Nathan F. Smith)

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.

SEP 14 2017



Angie Jones
Court Clerk

Submitted by:

[Handwritten signature]

Dated:

9/11/17

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

Verified Correct Copy of Original 2/4/2016



Order No. [REDACTED]

LEGAL DESCRIPTION

Lots 7 and 8, Block 6, Plat of GEORGETOWN, as platted and recorded in Volume 2, Page 40, Lane County Oregon Plat Records, in Lane County, Oregon.

[REDACTED]

Combination Form Guarantee
Oregon Title Insurance Rating Organization (OTIRO)
OTIRO No. G-01

Verified Correct Copy of Original 6/24/2015

161406605

FILED AT 11:25 O'CLOCK AM

JUN 22 2015

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

THE BANK OF NEW YORK MELLON
FKA THE BANK OF NEW YORK, AS
TRUSTEE FOR THE
CERTIFICATEHOLDERS OF THE
CWABS, INC., ASSET-BACKED
CERTIFICATES, SERIES 2007-6,

CASE NUMBER: 16-14-06605

GENERAL JUDGMENT OF
FORECLOSURE AGAINST:

Plaintiff,
vs.

- (1) LOANNE P. SOLOMON
- (2) STACY DEAN SOLOMON
- (3) ROGERS & SON DISTRIBUTING INC.
DBA ROGERS & SON
- (4) RAY KLEIN INC. DBA
PROFESSIONAL CREDIT SERVICE
- (5) UNITED STATES OF AMERICA

LOANNE P. SOLOMON, an individual;
STACY DEAN SOLOMON, an individual;
ROGERS & SON DISTRIBUTING INC. dba
ROGERS & SON, an Oregon corporation;
RAY KLEIN INC. dba PROFESSIONAL
CREDIT SERVICE, an Oregon corporation;
UNITED STATES OF AMERICA, a
Government entity; and all other persons,
parties, or occupants unknown claiming any
legal or equitable right, title, estate, lien, or
interest in the real property described in the
complaint herein, adverse to Plaintiff's title,
or any cloud on Plaintiff's title to the
Property.

Defendants.

161406605
JGIM
Digitized Judgment Document
2978248



I.

THIS MATTER, coming on regularly before the Court on this day and it appearing from the record herein that Plaintiff THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF THE CWABS, INC., ASSET-BACKED CERTIFICATES, SERIES 2007-6 ("Plaintiff") filed its Complaint for Foreclosure of Deed of Trust; that Defendants LOANNE P. SOLOMON, STACY DEAN SOLOMON, ROGERS & SON DISTRIBUTING INC. DBA ROGERS & SON, RAY KLEIN INC. DBA PROFESSIONAL CREDIT SERVICE, and UNITED STATES OF AMERICA ("Defendants") were duly served with the Summons and Complaint as required by law; that Defendants failed to appear, and that the

1 ORDER FOR ENTRY OF DEFAULT AGAINST DEFENDANTS STACY DEAN SOLOMON,
2 ROGERS & SON DISTRIBUTING INC. DBA ROGERS & SON, AND RAY KLEIN INC. DBA
3 PROFESSIONAL CREDIT SERVICE, ORDER FOR ENTRY OF DEFAULT AGAINST
4 DEFENDANT LOANNE P. SOLOMON, and ORDER FOR ENTRY OF DEFAULT AGAISNT
5 DEFENDANT UNITED STATES OF AMERICA have been entered against them on Plaintiff's
6 Complaint.

7 2.

8 Plaintiff hereby requests that this General Judgment be entered into the Court's register to
9 accomplish the foreclosure of any and all interest of the Defendants in the real property subject to
10 this foreclosure action, located at 1132 E ADAMS AVE, COTTAGE GROVE, OREGON 97424.

11 3.

12 The Court being fully advised; it is hereby
13 ORDERED AND ADJUDGED:

14 4.

15 That Plaintiff is the holder of the promissory note ("Note"), dated February 8, 2007, and
16 made, executed, and delivered by STACY DEAN SOLOMON in the amount of \$200,000.00.

17 5.

18 That the Note is secured by the deed of trust made, executed and delivered by STACY
19 DEAN SOLOMON on or about February 8, 2007, recorded on February 14, 2007 under the
20 recording number 2007-010169 of the Official Records of Lane County, Oregon, against the
21 property located at 1132 E ADAMS AVE, COTTAGE GROVE, OREGON 97424, legally described
22 as

23 **Lots 7 and 8, Block 6, Plat of GEORGETOWN, as platted and recorded in Volume 2, Page 40,**
24 **Lane County Oregon Plat Records, in Lane County, Oregon.**

25 ("Property") which constitutes a valid lien ("Deed of Trust").

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6.

That Defendant STACY DEAN SOLOMON failed to comply with the terms of the Note and Deed of Trust by failing to make the payments due and owing according to the terms of the Note and Deed of Trust. Pursuant to the terms of the Note and Deed of Trust, Plaintiff has now declared all sums due and owing under the Note and Deed of Trust as immediately due and payable.

7.

That the Deed of Trust is a valid first priority lien encumbering the Property and is superior to any interest, lien, or claim of Defendants or any other party in the Property and that the Deed of Trust is hereby foreclosed by this Court on the Property.

8.

That a judgment of foreclosure in the amount of \$305,100.39 shall be granted against STACY DEAN SOLOMON and in favor of Plaintiff or its successors or assigns, as further described in the Money Award below.

9.

That the Property is hereby ordered to be sold by law and the proceeds of sale shall be applied toward the satisfaction of Plaintiff's money award herein; and the surplus, if any to the Clerk of the Court to be disbursed to such party or parties as may establish their right thereto.

10.

That Plaintiff is entitled to recover its reasonable attorneys' fees and all reasonable and necessary costs and expenses incurred to enforcing the Note and Deed of Trust.

11.

That any increased interest or any such additional amounts as Plaintiff may advance for taxes, assessments, municipal charges, and such other items as may constitute liens on the Property, together with insurance and repairs necessary to prevent the impairment of the Property, together with interest thereon from the date of payment may also be added to the Judgment and paid from the proceeds from the sale of the Property.

12.

That Defendants, and all parties claiming through or under them as purchasers,

1 encumbrancers, or otherwise, are forever barred and foreclosed of all interests, liens, or claims in the
2 Property and every portion thereof, excepting only any statutory right of redemption provided by the
3 laws of the State of Oregon.

4 13.

5 That Defendant STACY DEAN SOLOMON is not entitled to a homestead exemption on
6 account of his interest in the Property.

7 14.

8 That Plaintiff may become purchaser at the Sheriff's Sale of the Property and may bid up to
9 the aggregate amount of its Money Award plus interest from the date of this Judgment until sale
10 without advancing any cash except money required for the Sheriff's Sale.

11 15.

12 That the purchaser of the Property at the Sheriff's Sale is entitled to exclusive and immediate
13 possession of the Property from and after the date of the sale, and is entitled to such remedies as are
14 available at law to secure possession of the Property, and may apply to the Clerk of the Court for a
15 writ of assistance, if Defendants, any of them, or any other party or person shall refuse to surrender
16 possession of the Property to the purchaser immediately on the purchaser's demand for possession.

17 16.

18 That this Court shall retain jurisdiction to enforce all provisions of the Judgment and to enter
19 such additional order, judgment, or decree necessary for the purchaser at the foreclosure sale to
20 obtain possession of the Property.

21 17.

22 Under the Note, there is now due and owing to Plaintiff, the following amounts, to be
23 hereinafter described as the Money Award.

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18.

This suit does not constitute an attempt to collect the debt against Defendants LOANNE P. SOLOMON, STACY DEAN SOLOMON, ROGERS & SON DISTRIBUTING INC. DBA ROGERS & SON, RAY KLEIN INC. DBA PROFESSIONAL CREDIT SERVICE, and UNITED STATES OF AMERICA under the Note. Rather, it is a suit to execute upon the Property as security for the Money Award to the Plaintiff.

MONEY AWARD

1. Judgment Creditor:

THE BANK OF NEW YORK MELLON FKA
THE BANK OF NEW YORK, AS TRUSTEE
FOR THE CERTIFICATEHOLDERS OF THE
CWABS, INC., ASSET-BACKED
CERTIFICATES, SERIES 2007-6
C/O MALCOLM ♦ CISNEROS, A Law
Corporation
2112 Business Center Drive, 2nd Floor
Irvine, California 92612

Address:

Judgment Attorney:

Nathan F. Smith
MALCOLM ♦ CISNEROS, A Law Corporation
2112 Business Center Drive, 2nd Floor
Irvine, California 92612

Address:

Telephone Number:

(949) 252-9400

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2. Judgment Debtor: STACY DEAN SOLOMON

Address: 401 E Main St.
Cottage Grove, OR 97424

Year of Birth: Unknown

Final 4 digits of Social Security number: XXX-XX-8162

Driver's license number and issuing state: Unknown

Judgment Debtor Attorney: N/A

3. Persons or Public Bodies Entitled to a Portion the Money Award: N/A

4. Judgment Amount: \$300,259.89

5. Pre-Judgment Interest: Simple interest to accrue on \$195,610.43 from January 31, 2015 to the date the General Judgment is entered into the Court's register at 8.250% per annum, \$44.2133 per diem.

6. Post-Judgment Interest: Simple interest to accrue on \$305,100.39 plus Pre-Judgment Interest from the day after the General Judgment is entered to the date upon which the Writ of Execution in Foreclosure is levied at the legal rate of interest or 9% per annum, whichever is greater.

7. Periodic accrual: N/A

8. Attorney's Fees and Costs: An award of \$4,840.50 in attorney's fees and costs is made for Judgment of Foreclosure

Attorney's Fees: \$2,385.00

Litigation Guarantee: \$765.00

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Filing:	\$531.00
Recording:	\$47.00
Service Costs:	\$912.50
Mediation Costs:	\$200.00

DATED this: ___ day of _____, 2015

Signed 6/17/2015 10:02 AM

Clayton Kim

 CIRCUIT COURT JUDGE

Submitted by:

[Signature]

Dated: 6/14/15

Nathan F. Smith, OSB #120112
 Richard J. Bayless, OSB #101826
 Attorneys for Plaintiff
 MALCOLM ♦ CISNEROS, ALC
 2112 Business Center Drive
 Irvine, California 92612
 (949) 252-9400 (TELEPHONE)
 (949) 252-1032 (FAX)
 nathan@mclaw.org