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*LANE COUNTY S.O. CIVIL
03.19.18 1875 411*

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

BANK OF AMERICA, N.A.,

Plaintiff,

vs.

KIMBERLY K. BUCHANAN; MARY F.
BUCHANAN; PERSONS OR PARTIES
UNKNOWN CLAIMING ANY RIGHT,
TITLE, LIEN, OR INTEREST IN THE
PROPERTY DESCRIBED IN THE
COMPLAINT HEREIN,

Defendants.

Case No.: 161309737

WRIT OF EXECUTION IN
FORECLOSURE

TO THE LANE COUNTY SHERIFF:

A Judgment of Foreclosure was entered and docketed in this case on March 17, 2014. A true copy of the Judgment is attached hereto. The Judgment was entered in favor of the Plaintiff:

BANK OF AMERICA, N.A.
c/o Robinson Tait, P.S.
710 Second Ave., Suite 710
Seattle, WA 98104

With the adjudicated amount due of \$215,999.15, plus post judgment interest at the statutory rate of 9.0% per annum from March 17, 2014 to February 12, 2018 in the amount of \$76,055.28, and continuing with a per diem of \$53.26, currently totaling \$292,054.43.

1 **NOW, THEREFORE, IN THE NAME OF THE STATE OF OREGON**, you are
2 hereby commanded to sell, in the manner prescribed by law for the sale of real property on
3 execution (subject to redemption of 180 days), all of the interest that the Defendant had on or
4 about October 26, 2010, the date of the Deed of Trust, and also the interest that the Defendant
5 had thereafter, in the real property described as follows in attached Exhibit 1, APN/Parcel #
6 0628139, and commonly known as: 85 W 24th Place, Eugene, OR 97405.

7 Sale of the property is to satisfy the sum listed above, plus the costs incurred in
8 performing this Writ. Pursuant to ORS 18.872, you are authorized to continue execution under
9 the writ and delay making a return on the writ to no later than 150 days from receipt of the writ.
10 You are to make the return within 60 days after you receive this Writ. Should the sale be
11 continued, the writ may be automatically extended for 30 days.

12
13 *February 6, 2018*

14 *By: [Signature]*
15 _____ *court clerk*

16 Dated: 2/2/2018 and submitted by:

17 **McCarthy & Holthus, LLP**

18 s/ Andreanna C. Smith
19 Andreanna Smith OSB No. 131336
20 920 SW 3rd Ave, 1st Floor
21 Portland, OR 97204
22 Phone: (971) 201-3200
23 Fax: (971) 201-3202
24 ansmith@mccarthyholthus.com
25 Of Attorneys for Plaintiff



EXHIBIT 1

The East 50 feet of Lots 2,3 and 4, Block 3 of MELROSE ADDITION, as platted and recorded in Book 5, Page 10, Lane County Oregon Plat Records, in Lane County, Oregon.

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RECEIVED
FEB 10 2014
CIRCUIT COURT, LANE CO

FILED
AT 11:15 O'CLOCK A.M.

MAR 13 2014

Circuit Court For Lane County, Oregon
BY Eskurai

CIRCUIT COURT OF OREGON FOR LANE COUNTY

BANK OF AMERICA, N.A.,

Plaintiff,

v.

KIMBERLY K. BUCHANAN; MARY F.
BUCHANAN; PERSONS OR PARTIES
UNKNOWN CLAIMING ANY RIGHT,
TITLE, LIEN OR INTEREST IN THE
PROPERTY DESCRIBED IN THE
COMPLAINT HEREIN,

Defendants.

NO. 161309737

GENERAL JUDGMENT DETERMINING
AMOUNT OWED AND FORECLOSURE

MONETARY JUDGMENT AGAINST:
DEFENDANT #1 KIMBERLY K.
BUCHANAN
DEFENDANT #2 MARY F. BUCHANAN

(Clerk's Action Required)

THIS MATTER having come on for hearing this day before the undersigned Judge of the above entitled court upon the motion of the plaintiff for judgment and foreclosure herein, the plaintiff, BANK OF AMERICA, N.A., appearing and being represented by CRAIG PETERSON, Attorney of Robinson Tait, defendants Kimberly K. Buchanan and Mary F. Buchanan being self represented, the court finds that the allegations contained in the plaintiff's Complaint are true, that there are no material issues of fact, that the plaintiff is entitled to judgment as a matter of law, and that the judgment should be entered in favor of the plaintiff forthwith as more particularly hereafter set forth. Therefore,

GENERAL JUDGMENT DETERMINING
AMOUNT OWED AND FORECLOSURE - 1
603670803-JUD-2424257

161309737
JGGM
Judgment - General Creates Lien
2936032



Law Office
ROBINSON TAIT, P.S.

710 Second Avenue, Suite 710
Seattle WA 98104
(206) 616-9640

Jgm #1
MAR 13 2014
df

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IT IS HEREBY ORDERED AND ADJUDGED THAT:

1. Plaintiff, BANK OF AMERICA, N.A. be awarded judgment against defendants, Kimberly K. Buchanan and Mary F. Buchanan in the sum of \$196,618.20, together with interest at rate of 4.5% per annum as provided in the Note from June 1, 2012 through July 19, 2013 in the amount of \$10,322.48 with additional interest at \$24.24 per diem as provided in the Note to the date of sale; plus reasonable attorneys' fees in the amount of \$6,600.00, plus other recoverable amounts of \$1,828.97 which includes the amounts itemized in the declaration of the lender in support of motion for judgment plus allowable costs of \$629.50 as itemized in Plaintiff's Statement for Attorney's Fees, Costs and Disbursements for Plaintiff, and an additional amount for post-judgment sheriff's fees. Said judgment to bear interest until paid at the statutory rate; and.

2. Plaintiff's Deed of Trust on real property in Lane County, Oregon, legally described as follows:

THE EAST 50 FEET OF LOTS 2, 3 AND 4 , BLOCK 3 OF MELROSE ADDITION, AS PLATTED AND RECORDED IN BOOK 5, PAGE 10, LANE COUNTY OREGON PLAT RECORDS, IN LANE COUNTY, OREGON

more commonly known as 85 W. 24th Place, Eugene, OR 97405, which was recorded on November 3, 2010, under Auditor's File No. 2010-055955, records of Lane County, Oregon, be adjudged and decreed to be a first and paramount lien upon the above described real estate and the whole thereof as security for the payment of the judgment herein set forth, and that said Deed of Trust be foreclosed and the property therein described is hereby ordered sold by the Sheriff of Lane County in the manner provided for by law, and the proceeds therefrom shall be applied to the payment of the judgment, interest, attorneys' fees and costs, and such other sums as plaintiff has advanced prior to judgment, and that such sums shall constitute a first and specific lien and charge upon said real estate, prior and

Verified Correct Copy of Original 6/18/2015

1 superior to any right, title, estate, lien or interest of KIMBERLY K. BUCHANAN, MARY F.
2 BUCHANAN and of any one claiming by, through or under them; and
3

4 3. KIMBERLY K. BUCHANAN; MARY F. BUCHANAN; subsequent to October 26,
5 2010, the date of the Deed of Trust which is foreclosed herein, be forever barred and estopped from
6 claiming or asserting any right, title, lien or interest in or to said property or any part thereof, save
7 and except for the right of redemption as allowed by law; and
8

9 4. Plaintiff be granted the right to become a bidder and purchaser at the sale and the
10 purchaser shall be entitled to exclusive possession of the property upon completion of sale according to
11 law, and to all right, title and interest in any rents and profits generated or arising from the property
12 during the statutory redemption period; and plaintiff is entitled to such remedies as are available at law to
13 secure possession, including writ of assistance, if defendants or any of them or any other party or person
14 shall refuse to surrender possession to the purchaser immediately upon purchaser's demand for
15 possession.
16

17 **MONEY AWARD**

18
19 Judgment Creditor: BANK OF AMERICA, N.A.
20 C/O Robinson Tait, P.S.
21 710 Second Ave., Suite 710
22 Seattle, WA 98104
23 206-676-9640

24 Attorney for Judgment Creditor: Craig Peterson
25 Robinson Tait, P.S.
26 710 Second Ave., Suite 710
27 Seattle, WA 98104
28 206-676-9640

Judgment Debtors: Kimberly K. Buchanan
85 W 24th Place
Eugene, OR 97405
DOB: Unknown

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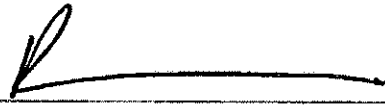
Social Security No.: ***-**-9425
Driver's License Number: Unknown

Mary F. Buchanan
3004 Shady Ln.
High Ridge, MO 63049
DOB: Unknown
Social Security No.: ***-**-9919
Driver's License Number: Unknown

Attorney for Judgment Debtors:	Pro Se
Other Entities entitle to Portion of Judgment, Other than Creditor's Attorney:	N/A
Principal Amount:	\$196,618.20
Simple Interest on the Principal Amount from 6/1/2012 to 7/19/2013 with a per diem of \$24.24 thereafter:	\$10,322.48
Other Recovery Amounts	\$1,828.97
Total Costs:	\$629.50
Attorneys' Fee (for determination of Amount owed, establishment of priority, and foreclosure) :	\$6,600.00

Post-Judgment: Simple Interest Accrues on the total of the amounts listed above at \$24.24 per diem and in accordance with the Note from the date of entry of this Judgment.

DONE IN COURT this 11 day of March, 2014.



JUDGE

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Presented by:

Craig

- Matt Booth, OSB #082663
Email: mbooth@robinsontait.com
 - Zachary Bryant, OSB #113409
Email: zbryant@robinsontait.com
 - Craig Peterson, OSB #120365
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Tel: (206) 676-9640
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