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

MTGLQ INVESTORS, L.P., its successors in
interest and/or assigns,

Plaintiff,

vs.

UNKNOWN HEIRS OF HELEN WASHAM;
LAURIE M REINELT; SHARYN EGAN;
UNKNOWN HEIRS OF MARY D
CHARLSON; UNKNOWN HEIRS OF
KENNETH M CAMERON; JENNIFER
CAMERON; LESLI R CHARLSON aka Lesli
Horne; BRENDA CHARLSON; BRADLEY
CHARLSON; BRIAN CHARLSON; LYNN
CHARLSON; STATE OF OREGON;
OREGON DEPARTMENT OF STATE
LANDS; and OCCUPANTS OF THE
PREMISES,

Defendants.

CASE NO.: CV15080044

WRIT OF EXECUTION

STATE OF OREGON)
) ss.
County of Clackamas)

TO THE SHERIFF OF CLACKAMAS COUNTY OREGON:

WHEREAS, on December 19, 2017 by consideration of the Clackamas County Circuit
Court, there was entered a General Judgment of Foreclosure as to Defendants. Said General
Judgment of Foreclosure was duly enrolled and docketed in the Trial Court Administrator's

WRIT OF EXECUTION -1-

ZIEVE, BRODNAX & STEELE, LLP
Amy F. Harrington, Esq.
One World Trade Center
121 Southwest Salmon St., 11th Floor
Portland, OR 97204
503-946-6558
aharrington@zbslaw.com

1 Office in said County on December 19, 2017; a true copy of the General Judgment of
2 Foreclosure is attached hereto and made a part hereof.

3 Judgment Creditor: MTGLQ INVESTORS, L.P,

4 Judgment Creditor Address: 55 Beattie Place, Suite 100
5 Greenville, SC 29601

6 NOW THEREFORE IN THE NAME OF THE STATE OF OREGON, you are
7 commanded to sell the real property as by said General Judgment of Foreclosure according to
8 law (subject to redemption) all of the interest that the Defendants Unknown Heirs of Helen
9 Washam; Unknown Heirs of Mary D. Charlson; Unknown Heirs of Kenneth M. Cameron; Laurie
10 M. Reinelt; Sharyn Egan; Lesli R. Charlson aka Lesli Horne; Brenda Charlson; Bradley
11 Charlson; Brian Charleson; Lynn Charlson; State of Oregon; Oregon Department of State Lands,
12 had on the 3rd day of August 2009, the date of the Mortgage, and also all of the interest that
13 Defendants had thereafter, in the real property described in the Judgment as:

14
15 LOT 22, BLOCK 3, SHADYBROOK NO.2, TOGETHER WITH A PORTION
16 OF LOT 23, BLOCK 3, SHADYBROOK NO.2, IN THE COUNTY OF
17 CLACKAMAS AND STATE OF OREGON, MORE PARTICULARLY
18 DESCRIBED AS FOLLOWS:

19 BEGINNING AT THE MOST NORTHERLY CORNER OF SAID LOT 23;
20 THENCE EASTERLY ALONG THE NORTHERLY LINE OF SAID LOT 23, A
21 DISTANCE OF 28.91 FEET TO AN IRON PIPE; THENCE WESTERLY TO A
22 POINT ON THE, NORTHERLY LINE OF SAID LOT 23, WHICH IS SOUTH
23 82 DEG. 10' 58" WEST 50 FEET FROM THE POINT OF BEGINNING;
24 THENCE NORTH 82 DEG. 10' 58" EAST, A DISTANCE OF 50 FEET TO THE
25 POINT OF BEGINNING.
26

1 Tax Parcel Number: 00292613

2 The street address of the real property to be levied upon is 3301 SE Riviere Dr.
3 Milwaukie, OR 97267.

4 The above referenced property shall be sold to satisfy the following sums: The base
5 judgment amount of \$161,635.47, plus prejudgment interest in the amount of \$75,354.24, plus
6 additional pre-judgment interest in the amount of \$934.43, plus Plaintiff's costs and reasonable
7 attorney fees in the amount of \$4531.15, plus a prevailing party fee in the amount of \$300.00,
8 plus post-judgment interest accruing after December 20, 2017, at the rate of 9.0% per annum, of
9 \$ 3,352.02, for a total of \$ 246,107.30, with interest to continue to accrue at 9.0 % (59.86 per
10 diem) until the date of sale; Thus,

11 THE TOTAL AMOUNT OF EXECUTION REQUESTED HEREON, STATED AS OF
12 THE DATE OF SUBMISSION (December 19, 2017) IS AS FOLLOWS:

13	Base Judgment:	\$ 161,635.47
14	Prejudgment Interest:	\$ 75,354.24
15	Additional Pre-Judgment Interest	\$ 934.43
16	Plaintiff's Costs and Attorney Fees	\$ 4,531.15
17	Prevailing Party Fee	\$ 300.00
18	Post-judgment Interest	\$ 3,352.02
19	Total due as of January 25, 2018	\$ 246,107.30 plus \$59.86 per diem thereafter until
20	paid.	

21 The proceeds of sale shall be applied, delivered, and distributed according to ORS
22 18.950.

23 ///

1 The Sheriff is hereby authorized to continue execution under the writ and delay making a
2 return on the writ to a date not later than 150 days after the sheriff receives the writ as long as the
3 execution sale occurs no later than 150 days after the sheriff receives the writ pursuant to ORS
4 18.872.

5 Dated: March 7, 2018.



7
8 Amy F. Harrington
9

10 Submitted by:

11
12 Amy F. Harrington

13 Amy F. Harrington, OSB No. 123363
14 Attorney for Plaintiff
15 One World Trade Center
16 121 Southwest Salmon St, 11th Floor
17 Portland, OR 97204
18 (714) 848-7920
19 aharrington@zbslaw.com

COURT CLERK HAS NOT VERIFIED FIGURES IN THIS WRIT.
IF YOU HAVE ANY QUESTIONS REGARDING THIS WRIT,
PLEASE CONTACT YOUR LEGAL COUNSEL, THE ISSUING
ATTORNEY OR THE ISSUING COMPANY. DEBTOR MAY CONTEST
THIS WRIT BY FILING A CLAIM OF EXEMPTION.

Court Administrator relies on the information
provided by the person seeking issuance of
this writ of execution and is not liable for any
errors or omissions in the information

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

MTGLQ INVESTORS, L.P., its successors in
interest and/or assigns,

Plaintiff,

vs.

UNKNOWN HEIRS OF HELEN WASHAM;
LAURIE M REINELT; SHARYN EGAN;
UNKNOWN HEIRS OF MARY D
CHARLSON; UNKNOWN HEIRS OF
KENNETH M CAMERON; JENNIFER
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CHARLSON; BRIAN CHARLSON; LYNN
CHARLSON; STATE OF OREGON;
OREGON DEPARTMENT OF STATE
LANDS; and OCCUPANTS OF THE
PREMISES,

Defendants.

CASE NO. CV15080044

**GENERAL JUDGMENT OF
FORECLOSURE BY DEFAULT
(WITHOUT MONEY AWARD –
JUDGMENT DOES NOT
CREATE A LIEN)**

Based upon the Motion for a General Judgment of Foreclosure filed by Plaintiff MTGLQ Investors, L.P., its successors in interest and/or assigns (“Plaintiff”) and against defendants Unknown Heirs of Helen Washam (“Helen Heirs”); Unknown Heirs of Mary D. Charlson (“Mary Heirs”); Unknown Heirs of Kenneth M. Cameron (“Kenneth Heirs” together with Helen Heirs and Mary Heirs, collectively “Heirs”); Laurie M. Reinelt (“Laurie”); Sharyn Egan (“Sharyn”); Lesli R. Charlson aka Lesli Horne (“Lesli”); Brenda Charlson (“Brenda”); Bradley Charlson

1 (“Bradley”); Brian Charleson (“Brian”); Lynn Charlson (“Lynn”); State of Oregon (“OR State”);
2 Oregon Department of State Lands (“ODSL” together with Heirs. Laurie, Sharyn, Lesli, Brenda,
3 Bradley, Brian , Lynn, and OR State, collectively, “Defendants”), and that Plaintiff has filed a
4 Statement for Attorney Fees, Costs, and Disbursements,

5 **IT IS HEREBY ORDERED AND ADJUDGED:**

6 **1.**

7 Plaintiff is awarded judgment against Defendant and all persons claiming through or
8 under Defendant, as purchasers, encumbrances, or otherwise, are forever foreclosed of all
9 interest, lien or claim in the real property described above and every portion thereof excepting
10 only any satisfactory right of redemption as Defendant, or any of them, may have therein.

11 **2.**

Purchaser may apply to the court for a Writ of Execution.

~~Writ of execution upon this General Judgment of Foreclosure shall issue.~~

13 **3.**

14 The Deed of Trust executed by Borrower and recorded on August 3, 2009, in the
15 Clackamas County Recorder’s Office as Instrument number 2009-054924, is a valid mortgage
16 lien for the amount of Plaintiff’s judgment set forth in paragraph 1 against all the real property,
17 located in Clackamas County, Oregon commonly referred to as 3301 SE Riviere Dr. Milwaukie,
18 OR 97267, with a legal description as follows:

19 LOT 22, BLOCK 3, SHADYBROOK NO.2, TOGETHER WITH A PORTION
20 OF LOT 23, BLOCK 3, SHADYBROOK NO.2, IN THE COUNTY OF
21 CLACKAMAS AND STATE OF OREGON, MORE PARTICULARLY
22 DESCRIBED AS FOLLOWS:

23 BEGINNING AT THE MOST NORTHERLY CORNER OF SAID LOT 23;
24 THENCE EASTERLY ALONG THE NORTHERLY LINE OF SAID LOT 23, A
25 DISTANCE OF 28.91 FEET TO AN IRON PIPE; THENCE WESTERLY TO A
26 POINT ON THE, NORTHERLY LINE OF SAID LOT 23, WHICH IS SOUTH

1 82 DEG. 10' 58" WEST 50 FEET FROM THE POINT OF BEGINNING;
2 THENCE NORTH 82 DEG. 10' 58" EAST, A DISTANCE OF 50 FEET TO THE
3 POINT OF BEGINNING.

4 Note: This legal description was created prior to January 1, 2008.

5 Assessor's Parcel No: 00292613

6 4.

7 Said mortgage lien is superior to any interest, lien or claim of the Defendant in the real
8 property, and all other interest in the property gained by him thereafter, or so much interest as
9 may be necessary to satisfy the judgment of the Plaintiff shall be sold by the Sheriff of
10 Clackamas County, Oregon in the manner provided by law and in accordance with the practice
11 of this Court.

12 5.

13 The proceeds of sale shall first be applied to the costs of sale; then toward the satisfaction
14 of Plaintiff's judgment awarded herein, calculated as of the date of sale; and any resulting surplus
15 shall then be tendered to the Clerk of the Court to be distributed to such other party or parties as
16 may establish their right thereto.

17 6.

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

22 7.

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

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

3 ///

4 **SECURED DEBT**

5
6 1. Judgment Creditor: MTGLQ Investors, L.P., its successors in interest
7 and/or assigns
8 c/o Zieve, Brodnax, & Steele, LLP
9 One World Trade Center
10 121 Southwest Salmon St., 11th Floor
11 Portland, OR 97204
12 714-848-7920

13
14 2. Judgment Creditor's Attorney: Amy F. Harrington
15 Zieve, Brodnax, & Steele, LLP
16 One World Trade Center
17 121 Southwest Salmon St., 11th Floor
18 Portland, OR 97204
19 714-848-7920

20 3. Person or public body entitled to any portion of money award herein: None

21 **4. Total Amount of Secured Debt:**

22 **a. Lenders' Principal and Interest**

23 Principal Balance \$ 161,635.47

24 Accrued interest and fees on \$ 75,354.24
25 the principal balance through
26 10/31/17

27 Additional pre-judgment interest
28 to accrue from 10/31/17 to the date this
judgment is entered, at the note rate
of 4.875% (\$19.07 per diem)

Post-judgment interest to accrue on the
sum of: (1) the judgment amount in section
d, and (2) the additional pre-judgment interest
accruing from 10/31/17 to the date of judgment.
This post-judgment interest shall accrue at the
statutory rate of 9.0%, from the date judgment

is entered until the date of sale.

**Total Principal and Interest
Through 10/31/17 at the rate of
4.875% per annum (\$19.07 per diem). \$ 231,158.29**

b. Attorneys' Fees and Costs

Attorney Fees \$3,030.00

Attorney Costs \$1,501.15

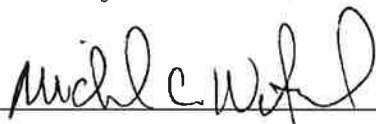
Total Attorney Fees and Costs \$4,531.15

c. Prevailing Party Fee \$300.00

d. TOTAL SECURED DEBT (JUDGMENT) \$ 235,989.44

Interest will continue to accrue on the judgment amount at the rate of Said Judgment is meant to be for the purposes of foreclosure *only*, and is not intended to be a monetary judgment against the Borrower.

Signed: 12/19/2017 03:52 PM



Circuit Court Judge Michael C. Wetzel

UTCRC 5.100(2) CERTIFICATE OF READINESS

This proposed order or judgment is ready for judicial signature because:

1. Each party affected by this order of judgment has stipulated to the order or judgment, as shown by each party's signature on the document being submitted.

1 2. Each party affected by this order of judgment has approved the order or judgment, as
2 shown by each party's signature on the document being submitted or by written
3 confirmation of approval sent to me.

- 4 3. I have served a copy of this order of judgment on each party entitled to service and:
5 a. No objection has been served on me.
6 b. I received objections that I could not resolve with a party despite reasonable
7 efforts to do so. I have filed a copy of the objections I have received and
8 indicated which objections remained unresolved.
9 c. After conferring about objections [role and name of objecting party] agreed to
10 independently file any remaining objection.
11

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

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

14 6. Service is not required pursuant to subsection 3 of this rule, or by statute, rule, or
15 otherwise.

16 7. This is a proposed judgment that includes an award of punitive damages and notice as
17 been served on the Director of the Crime Victims' Assistance Section as required by
18 subsection (5) of the rule.
19

20 8. Other: _____
21

22 Submitted By:

23 /s/Amy F. Harrington 10/20/17

24 Amy F. Harrington, OSB No. 123363

25 Attorney for Plaintiff

26 MTGLQ Investors, L.P., its successors in interest and/or assigns
27