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Court clerk has not verified the figures in this writ. If you have questions regarding this writ, please contact your legal counsel, the issuing attorney or company. Debtor may contest this writ by filing a claim of exemption.

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

NATIONSTAR MORTGAGE LLC,
Plaintiff,

Case No. 15CV06318

v.

WRIT OF EXECUTION

THEODORE A. ERNST; REGULA FREY;
AND ALL OTHER PERSONS OR PARTIES
UNKNOWN CLAIMING ANY RIGHT,
TITLE, LIEN, OR INTEREST IN THE REAL
PROPERTY COMMONLY KNOWN AS
2525 N KILLINGSWORTH ST APT. 211,
PORTLAND, OR 97217,
Defendant.

TO THE MULTNOMAH COUNTY SHERIFF:

On January 29, 2018, a General Judgment of Foreclosure and Declaration of Amount Due by Default was entered by the MULTNOMAH 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: NATIONSTAR MORTGAGE LLC c/o Aldridge Pite, LLP, 111 SW Columbia St., Ste. 950, Portland, OR 97201.

The real property to be sold at public auction is commonly known as 2525 N KILLINGSWORTH ST APT. 211, PORTLAND, OR 97217 ("Subject Property"), and legally described as:

UNIT 211, DAYBREAK COHOUSING CONDOMINIUM, IN THE CITY OF PORTLAND, COUNTY OF MULTNOMAH AND STATE OF OREGON, TOGETHER WITH

1 AN UNDIVIDED INTEREST IN THE LIMITED COMMON ELEMENTS AND AN
2 UNDIVIDED INTEREST IN THE GENERAL COMMON ELEMENTS APPERTAINING TO
3 SAID UNIT AS SET FORTH IN DECLARATION OF UNIT OWNERSHIP, RECORDED
4 AUGUST 5, 2009 IN RECORDING NO. 2009-112226, MULTNOMAH COUNTY DEED
5 RECORDS.

6 The total amount due and owing on the Judgment as of March 21, 2018;

7 Judgment:	Principal	\$294,958.37
8 Pre-Judgment:	Interest(5.000%, \$31.43/day)	\$21,749.56 (3/9/16 through 1/29/18)
9	Attorney Fees	\$4,567.50
10	Costs	\$2,528.00
11	Prevailing Party Fee	\$300.00
12 Post-Judgment:	Interest(5.000%, \$31.43/day)	\$1,602.93 (1/30/18 through 3/21/18)

13 **TOTAL: \$325,706.36**

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

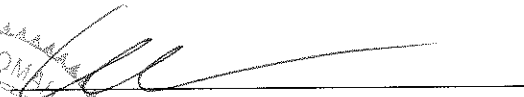
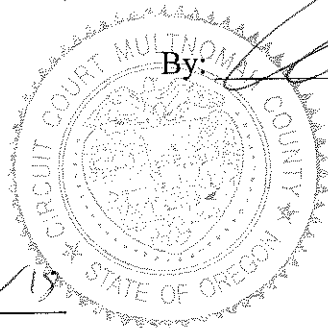
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Page 2 – WRIT OF EXECUTION

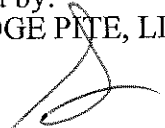
1 By the signature of the attorney for the judgment creditor, the person that requested
2 issuance of the Writ hereby authorizes the sheriff to continue execution under the Writ and delay
3 making a return on the writ to a date up to 150 days after receipt.

COURT ADMINISTRATOR FOR
MULTNOMAH COUNTY CIRCUIT
COURT

4/11/19

By: 


8 Presented by:
9 ALDRIDGE PITE, LLP

10 By:  3/22/19
11 { Hunter Zook, OSB #095578
12 { Katie Riggs, OSB #095861
13 { Sarah Mathenia, OSB #120681
14 { Shannon K. Calt, OSB #121855
15 { Christina Andreoni, OSB #160875
of Attorneys for Judgment Creditor
(858) 750-7600
(503) 222-2260 (facsimile)
orecourtnotices@aldridgepite.com

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

NATIONSTAR MORTGAGE LLC,

Plaintiff,

v.

THEODORE A. ERNST; REGULA FREY;
AND ALL OTHER PERSONS OR PARTIES
UNKNOWN CLAIMING ANY RIGHT,
TITLE, LIEN, OR INTEREST IN THE REAL
PROPERTY COMMONLY KNOWN AS
2525 N KILLINGSWORTH ST APT. 211,
PORTLAND, OR 97217,

Defendants.

Case No. 15CV06318

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

PURSUANT TO SB368, THIS IS A
JUDGMENT OF FORECLOSURE AND DOES
NOT CONSTITUTE A MONEY AWARD
AGAINST ANY DEFENDANT

Based on the stipulations herewith between Plaintiff Nationstar Mortgage LLC ("Plaintiff"), through its counsel of record, and Defendants Theodore A. Ernst and Regula Frey ("Stipulating Defendants"), and the records on file herein,

IT IS HEREBY ADJUDGED:

1. Plaintiff's security interest in the real property located at 2525 N Killingsworth St Apt. 211, Portland, OR 97217 ("Subject Property"), as evidenced by the Deed of Trust recorded January 25, 2010 in the official records of Multnomah County as instrument number 2010-012475 ("Deed of Trust"), is a viable first priority lien, superior to the interests of all the Defendants. All rights, claims, ownerships, liens, titles and demands of all Defendants are subsequent to Plaintiff's lien as created by the Note and Deed of Trust. The Subject Property is legally described as follows:

UNIT 211, DAYBREAK COHOUSING CONDOMINIUM, IN THE CITY OF PORTLAND, COUNTY OF MULTNOMAH AND STATE OF OREGON, TOGETHER WITH AN UNDIVIDED INTEREST IN THE LIMITED COMMON ELEMENTS AND

1 AN UNDIVIDED INTEREST IN THE GENERAL COMMON ELEMENTS
2 APPERTAINING TO SAID UNIT AS SET FORTH IN DECLARATION OF UNIT
3 OWNERSHIP, RECORDED AUGUST 5, 2009 IN RECORDING NO. 2009-112226,
4 MULTNOMAH COUNTY DEED RECORDS.

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

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

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

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

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

25 7. The Sheriff shall make a return on the writ of execution to the court administrator
26 along with the proceeds of the sale, if any. The proceeds of the sale, if any, shall be applied first
toward the costs of the sale; then toward the satisfaction of Plaintiff's Judgment of Foreclosure

Page 2 – STIPULATED GENERAL JUDGMENT AND DECLARATION OF AMOUNT DUE

Aldridge Pite, LLP
111 SW Columbia Street, Suite 950
Portland, OR 97201
(858) 750-7600

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

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

12 DECLARATION OF AMOUNT DUE

13 (PURSUANT TO SB 368, THIS IS A JUDGMENT OF FORECLOSURE AND DOES NOT
14 CONSTITUTE A MONEY AWARD AGAINST ANY DEFENDANT)

- 15 1. The amount of the judgment is \$294,958.37.
16 2. Simple interest at the variable rate currently at 5.00% (\$31.43 *per diem*) after
17 March 8, 2016, through the date of sale.
18 3. Attorney fees of \$4,567.50.
19 4. Costs of \$2,528.00.
20 5. Prevailing party fee: \$300.00.

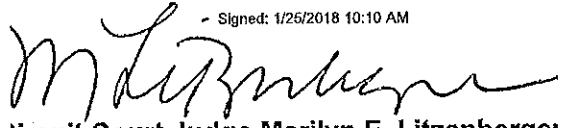
21 **IT IS SO ADJUDGED**

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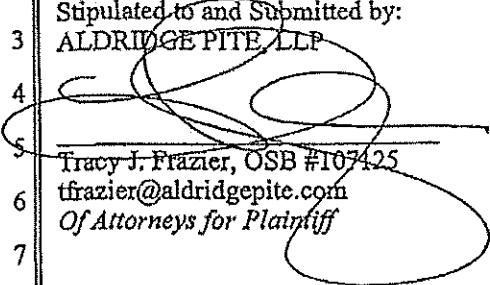
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25 <Stipulations on next page.>
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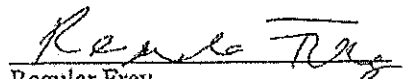
Signed: 1/26/2018 10:10 AM

Circuit Court Judge Marilyn E. Litzenberger

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Stipulated to and Submitted by:
ALDRIDGE PITE, LLP



Tracy J. Frazier, OSB #107425
tfrazier@aldridgepite.com
Of Attorneys for Plaintiff

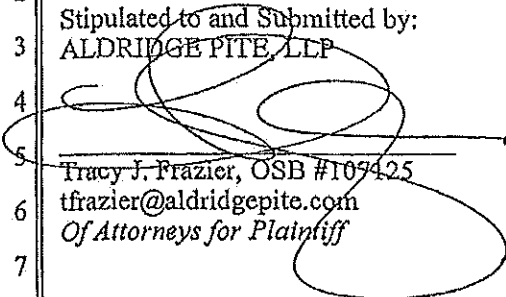

Regular Frey
Defendant Pro Se

SEE NEXT PAGE

Theodore A. Ernst
Defendant Pro Se


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Stipulated to and Submitted by:
ALDRIDGE PITE, LLP



Tracy J. Prazier, OSB #107425
tfrazier@aldridgepite.com
Of Attorneys for Plaintiff

Regular Frey
Defendant Pro Se



Theodore A. Ernst
Defendant Pro Se

CERTIFICATE OF READINESS

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 shown 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 service and:
 - a. No objections have been served on me within that time frame;
 - b. I received objections that I could not resolve with the opposing party despite reasonable efforts to do so. I have filed with the Court a copy of the objections I received and indicated which objections remain unresolved;
 - c. After conferring about objections, [Opposing Party] agreed to independently file any remaining objection with the Court.
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. Service is not required pursuant to subsection (3) of this rule, or by statute, rule, or otherwise.
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.

Stipulated to and Submitted By:

ALDRIDGE PITE, LLP

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tfrazier@aldridgepite.com
Of Attorneys for Plaintiff