

pd #45
575
03

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

Court clerk has not verified the figures in this writ. If you have questions regarding this writ, please contact your legal counsel, the leasing 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. 17CV21399

WRIT OF EXECUTION

v.
MARC S. WILSON; NICHOLAS T. WILSON; OREGON AFFORDABLE HOUSING ASSISTANCE CORPORATION; AND ALL OTHER PERSONS OR PARTIES UNKNOWN CLAIMING ANY RIGHT, TITLE, LIEN, OR INTEREST IN THE REAL PROPERTY COMMONLY KNOWN AS 7023 SE 72ND AVE, PORTLAND, OR 97206,
Defendant.

TO THE MULTNOMAH COUNTY SHERIFF:

On March 8, 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 7023 SE 72ND AVE, PORTLAND, OR 97206 ("Subject Property"), and legally described as:

THE NORTH 80 FEET OF LOT 4, BLOCK 2, BRENTWOOD, IN THE CITY OF PORTLAND, COUNTY OF MULTNOMAH AND STATE OF OREGON.

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

1	Judgment:	Principal	\$350,559.45
2	Pre-Judgment:	Interest(7.375%, \$54.68/day)	\$4,374.40 (12/19/17 through 3/8/18)
3		Attorney Fees	\$3,345.00
4		Costs	\$3,677.15
5		Prevailing Party Fee	\$300.00
6	Post-Judgment:	Interest(9.000%, \$89.39/day)	\$1,162.07 (3/9/18 through 3/21/18)
7		Attorney Fees	\$305.00

8 **TOTAL: \$363,723.07**

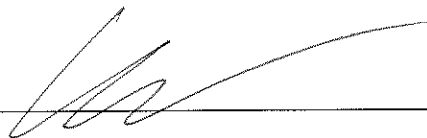
9 In the name of the State of Oregon, you are hereby directed to proceed to notice for sale
10 and sell the Subject Property. After the sale, you are directed to issue a certificate of sale to the
11 purchaser and file a return on the writ of execution, depositing the sale proceeds with the Court.
12 Further, you are directed to execute, after the time for redemption has elapsed, a deed to the
13 holder of the certificate of sale.

14 //
15 //
16 //
17 //
18 //
19 //
20 //
21 //
22 //
23 //
24 //
25 //
26 //

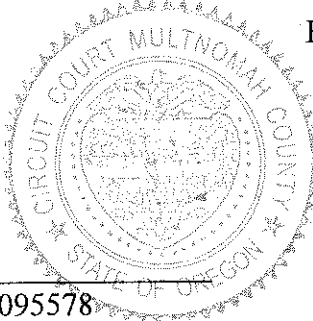
1 By the signature of the attorney for the judgment creditor, the person that requested
2 issuance of the Writ hereby authorizes the sheriff to continue execution under the Writ and delay
3 making a return on the writ to a date up to 150 days after receipt.


4 4/10/18

COURT ADMINISTRATOR FOR
MULTNOMAH COUNTY CIRCUIT
COURT

6 By: 

7
8 Presented by:
9 ALDRIDGE PITE, LLP



10 By: 
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
16 (858) 750-7600
17 (503) 222-2260 (facsimile)
18 orecourtnotices@aldridgepite.com

2010 APR 25 AM 8:29

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
--

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

NATIONSTAR MORTGAGE LLC,

Plaintiff,

v.

MARC S. WILSON; NICHOLAS T.
WILSON; OREGON AFFORDABLE
HOUSING ASSISTANCE CORPORATION;
and ALL OTHER PERSONS OR PARTIES
UNKNOWN CLAIMING ANY RIGHT,
TITLE, LIEN, OR INTEREST IN THE REAL
PROPERTY COMMONLY KNOWN AS
7023 SE 72ND AVE, PORTLAND, OR
97206,

Defendants.

Case No. 17CV21399

**GENERAL JUDGMENT OF
FORECLOSURE AND DECLARATION OF
AMOUNT DUE BY STIPULATION AND
DEFAULT**

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

Based upon the stipulation of Defendants MARC S. WILSON and NICHOLAS T.
WILSON ("Stipulating Defendants"), the Court's Order of Default against Defendants MARC S.
WILSON; OREGON AFFORDABLE HOUSING ASSISTANCE CORPORATION; and ALL
OTHER PERSONS OR PARTIES UNKNOWN CLAIMING ANY RIGHT, TITLE, LIEN, OR
INTEREST IN THE REAL PROPERTY COMMONLY KNOWN AS 7023 SE 72ND AVE,
PORTLAND, OR 97206 ("Defendants"), the records on file herein, and pursuant to
NATIONSTAR MORTGAGE LLC ("Plaintiff's") Motion for General Judgment and
Declaration of Amount Due by Stipulation and Default,

///

Page 1 - GENERAL JUDGMENT OF FORECLOSURE AND DECLARATION OF AMOUNT DUE BY
STIPULATION AND DEFAULT

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

IT IS HEREBY ADJUDGED:

1. Plaintiff's security interest in the real property located at 7023 SE 72nd Ave, Portland, OR 97206 ("Subject Property"), as evidenced by the Deed of Trust recorded in the official records of County as Instrument Number 2007-183716 ("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:

THE NORTH 80 FEET OF LOT 4, BLOCK 2, BRENTWOOD, IN THE CITY OF PORTLAND, COUNTY OF MULTNOMAH AND STATE OF OREGON.

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

3. Stipulating Defendants are in default and Plaintiff is owed the agreed upon total amount due under the Note and Deed of Trust listed below, as well as any future advances and/or fees that may be made or incurred, pursuant to the terms of the Note and Deed of Trust up to the date of the execution sale. This amount is to be satisfied by sale of the Subject Property as directed under this Judgment;

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

5. Plaintiff is owed the agreed costs of suit listed below, pursuant to the Note and Deed of Trust, ORCP Rule 68(A)(2) and ORS 20.115(4), which may be added to the outstanding

-- Page 2 - GENERAL JUDGMENT OF FORECLOSURE AND DECLARATION OF AMOUNT DUE BY STIPULATION AND DEFAULT

1 obligation due and owing under the Note and Deed of Trust and recovered from the proceeds of
2 the sheriff's sale. Pursuant to the Deed of Trust, these costs continue to accrue to the date of the
3 execution sale. This amount to be satisfied by sale of the Subject Property as directed under this
4 Judgment;

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

7 7. The proceeds of the sale, if any, shall be applied first toward the costs of the sale;
8 then toward the satisfaction of Plaintiff's Judgment of Foreclosure awarded herein; and the
9 surplus, if any, to the clerk of the court to be distributed to such party or parties as may establish
10 their right thereto. The Defendants and all persons claiming through or under Defendants,
11 whether lien claimants, judgment creditors, claimants arising under junior mortgages or deeds of
12 trust, purchasers, encumbrances or otherwise, shall be barred and foreclosed from all rights,
13 claims, interest or equity of redemption in the Subject Property and every part of the Subject
14 Property when the time for redemption has elapsed;

15 8. Stipulating Defendants waive, release, and transfer any redemptive rights or
16 future interests in redemptive rights to the Subject Property to Plaintiff. Stipulating Defendants
17 may not otherwise sell or transfer their redemptive rights.

18 9. No action for a deficiency shall be brought or a judgment entered against
19 Stipulating Defendants on the Note or Deed of Trust.

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

25

-- Page 3 - GENERAL JUDGMENT OF FORECLOSURE AND DECLARATION OF AMOUNT DUE BY
STIPULATION AND DEFAULT

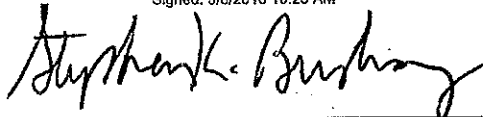
Aldridge Pite, LLP
111 SW Columbia Street, Suite 950
Portland, OR 97201
(858) 750-7600

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

DECLARATION OF AMOUNT DUE BY DEFAULT
(PURSUANT TO SB 368, THIS IS A JUDGMENT OF FORECLOSURE AND DOES
NOT CONSTITUTE A MONEY AWARD AGAINST ANY DEFENDANT)

1. The amount of the judgment is \$350,559.45.
2. Simple interest at the variable rate currently at 7.375% (\$54.68 *per diem*) after December 18, 2017, through the date of judgment.
3. Attorney fees of 3,345.00, plus \$305.00, through the date of sale.
4. Costs of \$3,677.15, plus costs accrued through the date of sale.
5. Prevailing party fee: \$300.00.
6. Post-judgment interest thereafter on the total amounts #1 – 5, above, at the contract rate of interest of 9.000% per annum, whichever is greater, through the date of sale.

IT IS SO ADJUDGED

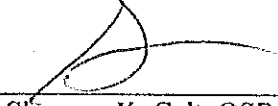
Signed: 3/8/2018 10:23 AM


Circuit Court Judge Stephen K. Bushong
proxy signed by LD

<Stipulations on next page>

1 IT IS SO STIPULATED.

2 Presented By:
3 ALDRIDGE PITE, LLP

4 


Date: 3/7/18

5 Shannon K. Calt, OSB #121855
6 111 SW Columbia Street, Suite 950
7 Portland, OR 97201
8 Telephone: (858) 750-7600
9 *Of Attorneys for Plaintiff Nationstar Mortgage LLC*

9 Approved as to Form:

10 _____ Date _____

11 Penny Wilson
12 9623 SE Glenwood
13 Portland, OR 97266
14 *Power of Attorney for Defendant Marc S. Wilson*

15  _____ Date 2/28/18

16 Charles Allen Kovas, OSB # 071391
17 Warren Allen LLP
18 850 NE 122nd Avenue
19 Portland, OR 97230
20 503-255-8795
21 *Of Attorneys for Defendant Nicholas T. Wilson*

21 By signing above the Parties hereby acknowledge the following: (1) that they were provided a
22 reasonable period of time to review and consider this Stipulated Judgment; (2) that they were
23 advised to and have sought and received the advice of their attorney prior to signing this
24 Stipulated Judgment, or had the opportunity to consult with an attorney and chose not to do so;
25 (3) that they understand that they are waiving legal rights by signing this Stipulated Judgment;
(4) that they have reviewed this Stipulated Judgment, that this Stipulated Judgment is written in a
manner that is understandable to them, and that they indeed understand the entirety of this
Stipulated Judgment and the effect(s) of signing this Stipulated Judgment; and (5) that they sign

1 IT IS SO STIPULATED.

2 Presented By:
3 ALDRIDGE PITE, LLP

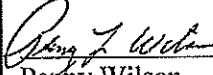
4

Date: _____

5 Shannon K. Calt, OSB #121855
6 111 SW Columbia Street, Suite 950
7 Portland, OR 97201
8 Telephone: (858) 750-7600
9 *Of Attorneys for Plaintiff Nationstar Mortgage LLC*

9 Approved as to Form:

10

11  _____ Date 1 March 18
12 Penny Wilson
13 9623 SE Glenwood
14 Portland, OR 97266
15 *Power of Attorney for Defendant Marc S. Wilson*

15

_____ Date _____
16 Charles Allen Kovas, OSB # 071391
17 Warren Allen LLP
18 850 NE 122nd Avenue
19 Portland, OR 97230
20 503-255-8795
21 *Of Attorneys for Defendant Nicholas T. Wilson*

20

21 By signing above the Parties hereby acknowledge the following: (1) that they were provided a
22 reasonable period of time to review and consider this Stipulated Judgment; (2) that they were
23 advised to and have sought and received the advice of their attorney prior to signing this
24 Stipulated Judgment, or had the opportunity to consult with an attorney and chose not to do so;
25 (3) that they understand that they are waiving legal rights by signing this Stipulated Judgment;
26 (4) that they have reviewed this Stipulated Judgment, that this Stipulated Judgment is written in a
manner that is understandable to them, and that they indeed understand the entirety of this
Stipulated Judgment and the effect(s) of signing this Stipulated Judgment; and (5) that they sign

26 Page 5 – GENERAL JUDGMENT OF FORECLOSURE AND DECLARATION OF AMOUNT DUE BY
STIPULATION AND DEFAULT

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

1 this Stipulated Judgment of their own free act and deed, without any coercion or duress, and that
2 they hereby release the rights and claims set forth above in exchange for the consideration set
3 forth in this Stipulated Judgment

3 **CERTIFICATE OF READINESS**

4 This proposed Order or Judgment is ready for judicial signature because:

- 5 1. Each party affected by this order or judgment has stipulated to the order or judgment,
6 as shown by each party's signature on the document being submitted.
- 7 2. Each party affected by this order or judgment has approved the order or judgment, as
8 shown by each party's signature on the document being submitted or by written
9 confirmation of approval sent to me.
- 10 3. I have served a copy of this order or judgment on all parties entitled to service and:
11 a. No objection has been served on me;
12 b. I received objections that I could not resolve with a party despite reasonable
13 efforts to do so. I have filed a copy of the objections I received and indicated
14 which objections remain unresolved.
15 c. After conferring about objections, [**role and name of objecting party**]
16 agreed to independently file any remaining objection.
- 17 4. Service is not required pursuant to subsection (3) of this rule, or by statute, rule, or
18 otherwise.
- 19 5. This is a proposed judgment that includes an award of punitive damages and notice
20 has been served on the Director of the Crime Victims' Assistance Section as required by
21 subsection (5) of this rule.
- 22 6. Other:

20 Presented By:
21 ALDRIDGE PITE, LLP

22 Date: 3/7/18

23 Shannon K. Calt, OSB #121855
24 111 SW Columbia Street, Suite 950
25 Portland, OR 97201
(858) 750-7600; (503) 222-2260 (Facsimile)
scalt@aldridgepite.com
Of Attorneys for Plaintiff Nationstar Mortgage LLC

-- Page 6 – GENERAL JUDGMENT OF FORECLOSURE AND DECLARATION OF AMOUNT DUE BY
STIPULATION AND DEFAULT

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