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LINCOLN COUNTY SHERIFF'S OFFICE
NEWPORT, OR

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

WILMINGTON SAVINGS FUND SOCIETY,
FSB dba Christiana Trust not individually but
as trustee for Carlsbad Funding Mortgage
Trust,

Plaintiff,

v.

KENNETH DELBERT MURPHEY; THE
ESTAE OF RAYNA R. MURPHEY,
DECEASED; UNKNOWN HEIRS AND
DEWISEES OF RAYNA R. MURPHEY,
DECEASED; STEVEN MURPHEY; AND
PERSONS OR PARITES UNKNOWN
CLAIMING ANY RIGHT, TITLE, LIEN, OR
INTEREST IN THE PROPERTY
DESCRIBED IN THE COMPLAINT
THEREIN,

Defendant.

Case No. 15CV13084

WRIT OF EXECUTION

TO THE LINCOLN COUNTY SHERIFF:

On August 12, 2016, a General Judgment of Foreclosure and Declaration of Amount Due by Default was entered by the Lincoln 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 by assignment of the judgment is: WILMINGTON SAVINGS FUND SOCIETY, FSB dba Christiana Trust not individually but as trustee for Carlsbad Funding Mortgage Trust, 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 173 NW WILLOW COURT, SILETZ, OR 97380 ("Subject Property"), and legally described as:

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LOT 13, STROME ADDITION, COUNTY OF LINCOLN, STATE OF OREGON.

The total amount due and owing on the Judgment as of March 8, 2018;

Pre- Judgment:	Principal	\$62,407.00
	Interest (\$10.23/day, 12/25/12-10/30/15)	\$10,449.83
	Other amounts owed	\$388.15
	Additional interest thru judgment (\$10.23/day, 1031/15-5/2/16)	\$1,882.43
	Attorney fee	\$2,050.00
	Attorney cost	\$2,084.34
Post-Judgment:	Interest(9.000%, 5/3/16-3/8/18, \$19.80/day)	\$13,194.05
	TOTAL:	\$92,466.92

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

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



COURT ADMINISTRATOR FOR
LINCOLN COUNTY CIRCUIT COURT

Signed: 3/9/2018 10:31 AM

By: *St. Zell.*
Circuit Court Clerk Steven Zalewski

ALDRIDGE PITE, LLP
By: *[Signature]*
Katie Riggs, OSB #095861
of Attorneys for Judgment Creditor

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

BANK OF AMERICA, N.A.,
Plaintiff,

Case No. 15CV13084

v.

ASSIGNMENT OF JUDGMENT

KENNETH DELBERT MURPHEY; THE
ESTAE OF RAYNA R. MURPHEY,
DECEASED; UNKNOWN HEIRS AND
DEWISEES OF RAYNA R. MURPHEY,
DECEASED; STEVEN MURPHEY; AND
PERSONS OR PARITES UNKNOWN
CLAIMING ANY RIGHT, TITLE, LIEN, OR
INTEREST IN THE PROPERTY
DESCRIBED IN THE COMPLAINT
THEREIN,
Defendant.

Pursuant to ORS 18.205, the judgment creditor Bank of America, NA, hereby assigns its
entire interest in the general judgment granted on May 2, 2016 in this matter, to Wilmington
Savings Fund Society, FSB, d/b/a Christiana Trust, not individually but as trustee for Carlsbad
Funding Mortgage Trust

ALDRIDGE PITE, LLP

Dated:

12/8/17

By:

Katie Riggs, OSB #095861

Of Attorneys for the Judgment Creditor

STATE OF Oregon
COUNTY OF Multnomah

The foregoing instrument was acknowledged before me on this 8th day of December, 2017 by
Katie Riggs of Aldridge Pite LLP, corporation, on behalf of the corporation.

WITNESS my hand and official seal.

Signature [Handwritten Signature] (seal)

Notary Public

My Commission Expires: 10/10/2020



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

BANK OF AMERICA, N.A.,
Plaintiff,

Case No. 15CV13084

v.

**ORDER FOR RELIEF FROM JUDGMENT
OF DISMISSAL**

KENNETH DELBERT MURPHEY; THE
ESTAE OF RAYNA R. MURPHEY,
DECEASED; UNKNOWN HEIRS AND
DEVISEES OF RAYNA R. MURPHEY,
DECEASED; STEVEN MURPHEY; AND
PERSONS OR PARITES UNKNOWN
CLAIMING ANY RIGHT, TITLE, LIEN, OR
INTEREST IN THE PROPERTY
DESCRIBED IN THE COMPLAINT
THEREIN,

Defendants.

For good cause appearing,

IT IS HEREBY ORDERED THAT Plaintiff's Motion for Relief from Judgment of
Dismissal is:

GRANTED. The Order to Vacate the Judgment entered on August 12, 2016 is
vacated and the General Judgment entered on May 2, 2016 is reinstated.

DENIED.

Signed: 8/28/2017 12:32 PM



Circuit Court Judge David V. Cramer

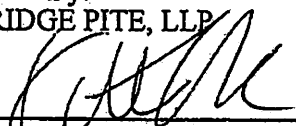
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CERTIFICATE OF READINESS

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.

Presented By:
ALDRIDGE PITE, LLP



Date: 8/22/17

Katie L. Riggs, OSB # 095861
(858) 750-7600
(619) 326-2430 (Facsimile)
kriggs@aldridgepite.com
Of Attorneys for Plaintiff

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CIRCUIT COURT OF OREGON FOR LINCOLN COUNTY

BANK OF AMERICA, N.A.,

Plaintiff,

v.

KENNETH DELBERT MURPHEY; THE
ESTAE OF RAYNA R. MURPHEY,
DECEASED; UNKNOWN HEIRS AND
DEVISEES OF RAYNA R. MURPHEY,
DECEASED; STEVEN MURPHEY; AND
PERSONS OR PARTIES UNKNOWN
CLAIMING ANY RIGHT, TITLE, LIEN, OR
INTEREST IN THE PROPERTY DESCRIBED
IN THE COMPLAINT HEREIN,

Defendants.

NO. 15CV13084

GENERAL JUDGMENT DETERMINING
AMOUNT OWED AND FORECLOSURE

(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, and after considering the pleadings and affidavits on file herein, findings of fact and conclusion of law being unnecessary under Civil Rule 69D, 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
60364-01809-JUD-ORJudgment_Decree_Foreclosure_-_OR

Law Offices
ROBINSON TAIT, P.S.

710 Second Avenue, Suite 710
Seattle WA 98104
(2 0 6) 6 7 6 - 9 6 4 0

1 IT IS HEREBY ORDERED AND ADJUDGED THAT:
2

3 1. Plaintiff, BANK OF AMERICA, N.A., be awarded judgment in the sum of \$62,407.00,
4 together with interest at a rate as provided in the Note from December 25, 2012 through October 30,
5 2015 in the amount of \$10,449.83 with additional pre-judgment interest at the per diem rate of \$10.2306
6 as provided in the Note to the date of entry of judgment; plus reasonable attorneys' fees in the amount of
7 \$2,050.00, plus other recoverable amounts of \$388.15 which includes the amounts itemized in the
8 declaration of the lender in support of motion for judgment plus allowable costs of \$2,084.34 as itemized
9 in the bill of disbursements and an additional amount for post-judgment sheriff's fees. Said judgment to
10 bear interest until paid at the statutory rate or at the contract rate, whichever is greater; and
11

12 2. Plaintiff's Deed of Trust on real property in Lincoln County, Oregon, legally
13 described as follows:
14

15 LOT 13, STROME ADDITION, COUNTY OF LINCOLN, STATE OF OREGON.
16 which was recorded on September 20, 2004, under Auditor's File No. 2004-14318, records of
17 Lincoln County, Oregon, be adjudged and decreed to be a first and paramount lien upon the above
18 described real estate and the whole thereof as security for the payment of the judgment herein set
19 forth, and that said Deed of Trust be foreclosed and the property therein described is hereby ordered
20 sold by the Sheriff of Lincoln County in the manner provided for by law, and the proceeds therefrom
21 shall be applied to the payment of the judgment, interest, attorneys' fees and costs, and such other
22 sums as plaintiff has advanced prior to judgment, and that such sums shall constitute a first and
23 specific lien and charge upon said real estate, prior and superior to any right, title, estate, lien or
24 interest of the defendant and of any one claiming by, through or under them; and
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2 3. Any and all persons acquiring any right, title, estate, lien or interest in or to the
3 property described above or any part thereof subsequent to September 9, 2004, the date of the Deed
4 of Trust which is foreclosed herein, be forever barred and estopped from claiming or asserting any
5 right, title, lien or interest in or to said property or any part thereof, save and except for the right of
6 redemption as allowed by law; and

7
8 4. Plaintiff be granted the right to become a bidder and purchaser at the sale and the
9 purchaser shall be entitled to exclusive possession of the property upon completion of sale according to
10 law, and to all right, title and interest in any rents and profits generated or arising from the property
11 during the statutory redemption period; and plaintiff is entitled to such remedies as are available at law to
12 secure possession, including writ of assistance, if defendants or any of them or any other party or person
13 shall refuse to surrender possession to the purchaser immediately upon purchaser's demand for
14 possession; and

15
16 5. Pursuant to ORS 18.950, if any proceeds from the execution sale remain after the
17 payment of costs under ORS 18.950(3) and satisfaction of the judgment, the court administrator shall
18 pay the remaining proceeds as directed by the court in the order of distribution.
19
20

21 **DECLARATION DETERMINING AMOUNT OF DEBT**
22 *(Not a Money Award, see ORS 18.862, 86.797, and 88.010)*

23 Judgment Creditor: BANK OF AMERICA, N.A.,
24 c/o Robinson Tait, P.S.
25 710 Second Ave., Suite 710
26 Seattle, WA 98104
(206) 676-9640

27 Attorney for Judgment Creditor: Craig Peterson
28 Robinson Tait, P.S.
710 Second Ave., Suite 710

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Seattle, WA 98104
(206) 676-9640

The name of any person or public body,
other than the Judgment Creditor's
Attorney, who is entitled to any
portion of the judgment: None

Principal Balance: \$62,407.00

Simple Interest on the Principal Balance
from December 25, 2012
to October 30, 2015: \$10,449.83

Other Amounts Due Under Terms of Loan: \$388.15

Attorneys' Fees and Costs:
Attorneys' Fee: \$2,050.00
Total Costs: \$2,084.34

Total Attorney Fees and Costs: \$4,134.34

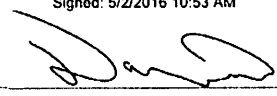
TOTAL DEBT OWED \$77,379.32

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Pre-Judgment: Additional pre-judgment interest accrues from October 31, 2015, to the date of entry of judgment at the per diem rate of \$10.2306, in accordance with the Note

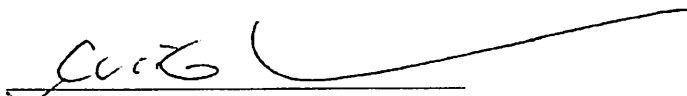
Post-Judgment: Interest Accrues on the total of the amounts listed above in accordance with the contract rate in the Note, or at the statutory rate of 9% per annum, whichever is greater.

Signed: 5/2/2016 10:53 AM



Circuit Court Judge David V. Cramer

Submitted by:



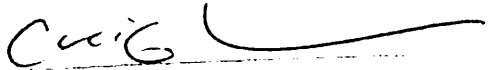
Craig Peterson, OSB #120365
Email: cpeterson@robinsontait.com
 Brandon Smith, OSB #124584
Email: bsmith@robinsontait.com
 Jaimie Fender, OSB #120832
Email: jfender@robinsontait.com
 Kimberly Hood, OSB # 123008
Email: KHood@robinsontait.com
 Michael Althouse, OSB # 150793
Email: malthouse@robinsontait.com
Robinson Tait, P.S.
Attorneys for Plaintiff
Tel: (206) 676-9640
Fax: (206) 676-9659

CERTIFICATE OF READINESS- UTCR 5.100

This proposed order or judgment is ready for judicial signature because

1. Each opposing party affected by this order or judgment has stipulated to or approved its terms, as shown by each party's signature on the proposed order or judgment being submitted.
2. Each opposing party affected by this order has approved the form of the document, as shown by written communication to me.
3. I have served a copy on all parties entitled to service and:
 - No objection has been served on me within that time frame.
 - I received objections that I could not resolve with the objecting 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.
 - After conferring about objections [role and name of opposing party] agreed to independently file any remaining objection.
4. The relief sought is against a 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 (1)(c) of UTCR 5:100, 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 (1)(d) of UTCR 5.100.

Date: 4-28-16



Attorney, OSB

120325