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17CV49691

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

ROBERT D. McMILLIN and MARION J.  
McMILLIN, as Trustees of the McMILLIN  
FAMILY TRUST, UDT August 20, 1996,

Plaintiffs,

v.

MARTIN E. THOMPSON, PORTFOLIO  
RECOVERY ASSOCIATION LLC, OREGON  
EMPLOYMENT DEPARTMENT and OREGON  
DEPARTMENT OF REVENUE,

Defendants.

CASE NO. 17CV49691

**WRIT OF EXECUTION IN  
FORECLOSURE**

TO: SHERIFF OF HARNEY COUNTY, OREGON.

1.

WHEREAS, in the above-entitled court on March 26, 2018 an Amended General  
Judgment of Foreclosure and Sale against defendants was entered and docketed in an amount  
described therein and on March 26, 2018, a Notice of Entry of Judgment was entered and  
docketed in the above-entitled matter.

2.

NOW, THEREFORE, IN THE NAME OF THE STATE OF OREGON, you are hereby  
commanded to sell the real property described in paragraph 4 in the manner prescribed by law  
for the sale of real property upon execution (subject to redemption), all of the interest which the

1 plaintiffs have on March 12, 2018, or thereafter in the Judgment being foreclosed and all interest  
2 which the plaintiffs have thereafter in the real property described in the Judgment to satisfy the  
3 money aware as follows:

4 **Attorney Fees and Costs:**

5  
6 Attorney Fees \$ 2,615.00

7 **Costs:**

8 Title Report \$ 200.00  
9 Filing Fee – complaint 560.00  
10 Process service fees 80.00  
11 \$ 840.00

12 Prevailing Party Fee 300.00

13 **Total Fees and Costs \$ 3,755.00**

14 **Lender's Principal and Interest:**

15 Principal Balance (as of 7/07/2014) \$ 105,000.00

16 Accrued interest from March 1, 2017 to 5,250.00  
17 present, at 5% per annum;

18  
19 Post Judgment interest thereafter on the  
20 Total Amount Due at the rate of 9% per  
annum, pursuant to ORS 82.010

21 **Total Lender's Principal & Interest \$ 110,250.00**

22 ***Current Total Amount Owing on the Money Award* \$ 114,005.00**

23  
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25 3.

26 In addition to this amount, plaintiffs are entitled to the continued accrual of post-  
27 judgment interest at the legal rate of interest 9% per annum, \$28.11 per diem, from March 26,

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2018 to the date the real property subject to the Judgment is sold by the Harney County Sheriff at its foreclosure auction, plus costs of this writ, sheriff's fees and sale costs, and all other recoverable costs pursuant to law.

4.

The real property description is as follows:

**Parcel 1**

T23 S., R31 E.W.M. SEC 07CD TL2400  
LAND IN ORIGINAL TOWN OF BURNS, HARNEY COUNTY, OREGON AS  
FOLLOWS:  
IN BLOCK 21: THE EAST 35 FEET OF LOT 1 AND THE NORTH 7 FEET OF THE  
EAST 35 FEET OF LOT 2

**Parcel 2**

T23 S., R31 E.W.M. SEC 07CE TL 2500  
LAND IN ORIGINAL TOWN OF BURNS, HARNEY COUNTY, OREGON AS  
FOLLOWS:  
IN BLOCK 21: THE EAST 15 FEET OF THE WEST 65 FEET OF LOT 1 AND THE  
NORTH 15 FEET OF THE EAST 15 FEET OF THE WEST 65 FEET OF LOT 2.

and more commonly known as 53 W. Washington Street, Burns, Oregon 97720.

5.

The Judgment Creditors' name and address:

Robert D. McMillin and Marion J. McMillin, Trustees  
Of the McMillin Family Trust, UDT August 20, 1996  
c/o Edward P. Fitch  
Fitch Law Group, P.C.  
210 SW 5<sup>th</sup> St., Ste. #2  
Redmond OR 97756


6.

The real property to be sold is not the debtor's residence or homestead. Therefore, no additional order is required for sale of the real property.

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7.

THEREFORE, in the name of the State of Oregon, you are hereby commanded to seize and sell the above-described Property, in the manner prescribed by law; or so much thereof as may be necessary to satisfy the Judgment and Money Award, interest, fees and costs.

  
~~Kasibelcher~~ 4/mhx  
Kasi Belcher

Submitted by:  
Edward P. Fitch, OSB #782026  
Tel: 541-316-1588  
Email: [ed@fitchlawgroup.com](mailto:ed@fitchlawgroup.com)  
Attorney for Plaintiffs