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In the Circuit Court of the State of Oregon
For the County of Klamath

Enterprise Irrigation District,

Plaintiff,

v.

Wells Fargo Bank, N.A.; United States of America, Secretary of Housing and Urban Development; State of Oregon, Department of Justice; and the Heirs and Devisees of Bob L. Bell, deceased, who are known as Sherry Bell Rich and Lynette Bell Scott,

Defendants.

Case No. 16CV41305

Writ of Execution

TO: THE SHERIFF OF KLAMATH COUNTY, OREGON, GREETINGS:

On April 23, 2018, plaintiff recovered a General Judgment of Foreclosure in the above-entitled matter against certain real property located in Klamath County, Oregon, described as follows:

The Southerly 70 feet of Lots 24 and 25 in Block 6 of PLEASANT VIEW TRACTS, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

EXCEPTING THEREFROM the West 5 feet thereof for the widening of Gary Street by instrument recorded June 25, 1965 in Volume 362, Page 460, Deed Records of Klamath County, Oregon.

Said parcel is also described as Klamath County Tax Assessor's Account No. R-3909-002BB-00300 and Account R515348, and more commonly referred to as 1731 Gary Street, Klamath Falls, Oregon 97603.

in the amount of \$1,062.19 for irrigation charges, interest, and lien fees, together with interest thereon at the rate of 1 1/3 percent per month or portion thereof from April 23, 2018 until paid; and on May 7, 2018, plaintiff was awarded a Supplemental Judgment

1 for plaintiff's costs, disbursements, and attorney's fees, which total \$9,147.99, plus
2 interest thereon at the rate of 9 percent per annum from May 7, 2018, until paid. True
3 copies of the General Judgment of Foreclosure and the Supplemental Judgment are
4 attached hereto and made a part hereof.

5 The name and mailing address of the Judgment creditor is:

6 Enterprise Irrigation District
7 c/o Blain Law, LLC
8 Mika N. Blain
9 Attorney at Law
422 Main Street, Suite 201
Klamath Falls OR 97601

10 The amount owed on the General Judgment as of May 10, 2018 and the amount
11 of interest accruing on the Money Award each day from May 10, 2018 are:

12 a. General Judgment of Foreclosure:

- | | | |
|----|--|-------------|
| 13 | 1. Principal amount of General Judgment: | \$ 1,062.19 |
| 14 | 2. Monthly interest accrues on the 1 st day of each month
for the entire month beginning on 5.1.18 at the daily rate of: | \$.46 |

15 b. Supplemental Judgment:

- | | | |
|----|---|------------|
| 16 | 1. Principal amount of Supplemental Judgment: | \$9,147.99 |
| 17 | 2. Interest accrued from 5.7.18 to 5.10.18: | \$ 9.02 |
| 18 | 3. Daily interest after 5.10.18: | \$ 2.25 |

19 WHEREAS, said Judgments remain unsatisfied, in the name of the state of
20 Oregon you are commanded to sell the real property described above in the manner
21 required by ORS 545.502, as follows:

22 A. The sale shall be held in the same manner as other
23 foreclosure sales after giving notice thereof for two
24 consecutive weeks prior to the day of sale, by publication of
25 notice once each week in a newspaper published in Klamath
County and by posting notice in three public and
conspicuous places within the county at least two weeks
prior to the date of sale;

26 B. The plaintiff may be a bidder and purchaser at the sale;

27 C. The property sold is subject to statutory redemption
procedures;

28 and

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D. Prior to the Sheriff's sale, the former owner, assessment payer, or holder of legal or equitable title or lien on any tract of land included in the sale may pay the amount of the plaintiff's lien and foreclosure costs set forth above to the Sheriff, and the plaintiff shall thereafter issue satisfaction of the lien.

Dated this 11 day of May 2018.



KLAMATH COUNTY CIRCUIT COURT
ADMINISTRATOR

By: Marcela Flores
Deputy

County of KLAMATH
 STATE OF OREGON
 I hereby certify that the within is a true and correct copy and the whole of the original.
 Clerk of Court
 By [Signature]
 Date 5/11/18

In the Circuit Court of the State of Oregon

For the County of Klamath

Enterprise Irrigation District,

Plaintiff,

v.

Wells Fargo Bank, N.A.; United States of America, Secretary of Housing and Urban Development; State of Oregon, Department of Justice; and the Heirs and Devisees of Bob L. Bell, deceased, who are known as Sherry Bell Rich and Lynette Bell Scott,

Defendants.

Case No. 16CV41305

Supplemental Judgment for Attorneys' Fees, Costs, and Disbursements

(PPJG)

THIS MATTER came before the Court on May 3, 2018, upon the Declarations of Attorney's Fees, Costs, and Disbursements filed by William M. Ganong, plaintiff's original attorney until he withdrew on November 15, 2017, and Mika N. Blain of Blain Law, LLC, plaintiff's current attorney. The Court, having considered plaintiff's attorneys' Declarations, awards plaintiff a Supplement Judgment for Attorneys' Fees, Costs, and Disbursements in the sum of \$9,147.99, plus interest thereon at the rate of 9 percent per annum from the date of this Supplemental Judgment until paid, against the parcel of property more particularly described as follows:

The Southerly 70 feet of Lots 24 and 25 in Block 6 of PLEASANT VIEW TRACTS, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

EXCEPTING THEREFROM the West 5 feet thereof for the widening of Gary Street by instrument recorded June 25, 1965 in Volume 362, Page 460, Deed Records of Klamath County, Oregon.

1 Said parcel is also described as Klamath County Tax Assessor's Account
2 No. R-3909-002BB-00300 and Account R515348, and more commonly
3 referred to as 1731 Gary Street, Klamath Falls, Oregon 97603.
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Signed: 5/7/2018 12:57 PM

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11 **Circuit Court Judge Marci W. Adkisson**
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21 **Certificate of UTCR 5.100 Compliance and Certificate of Service**

22 I certify that I have complied with UTCR 5.100, and the submission of this
23 Supplemental Judgment is ready for judicial signature because the relief sought is
24 against opposing parties who have been found in default. Service is not required
pursuant to subsection (93) of this rule, or by statute, or otherwise.

25 /s/ Mika N. Blain

26 Mika N. Blain, OSB 130280
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1 for plaintiff's irrigation charges, lien fees, interest, and costs of suit to this date as
2 follows:

- | | | |
|----|--|-----------|
| 3 | | |
| 4 | a. Remainder of 2014 assessment and interest accrued through April 30, 2018 | \$ 123.06 |
| 5 | b. 2015 annual charge (\$83), late payment notice fee (\$25), and interest accrued through April 30, 2018 | \$ 160.94 |
| 6 | c. Administrative fee for preparing, recording, and releasing lien | \$ 300.00 |
| 7 | | |
| 8 | d. 2016 annual charge (\$105), late fee (\$25), certified mailing fees incurred by EID (\$10), and interest accrued through April 30, 2018 | \$ 181.44 |
| 9 | e. 2017 annual charge (\$105), late fee (\$25), certified mailing fees incurred by EID (\$10), and interest accrued through April 30, 2018 | \$ 160.04 |
| 10 | | |
| 11 | f. 2018 annual charge (\$110), late fee (\$25), and interest accrued through April 30, 2018 | \$ 136.71 |
| 12 | g. Cost of foreclosure to be determined pursuant to ORCP 68 | |
| 13 | h. The figures from a., b., c., d, e, and f, above, earn interest at the rate of 1.33% per month from May 1, 2018 until paid | |
| 14 | | |

15 3. Plaintiff's said lien and General Judgment are declared to be superior to the
16 interests of the defendants and all persons claiming by or through defendants in said
17 real property.

18
19 4. Plaintiff's said General Judgment is hereby foreclosed against said parcel,
20 and the Sheriff of Klamath County, Oregon is hereby ordered to hold the sale of the
21 parcel described above as provided in ORS 545.502 in the same manner as other
22 foreclosure sales.

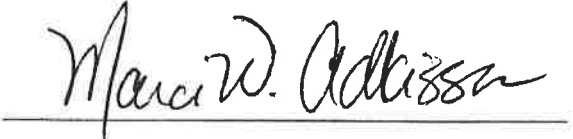
23 5. The proceeds of said sale shall be applied first to the cost of the Sheriff's
24 Sale, then to satisfy plaintiff's General Judgment and Supplemental Judgment against
25 the parcel, and then any excess shall be paid to the defendants as may be hereafter
26 ordered.
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6. The defendants, and all persons claiming through or under defendants, either as purchasers, encumbrancers, or otherwise, are hereby foreclosed of all interest or claim in the subject real property except any statutory right of redemption that defendants may have in the real property.

7. The plaintiff or any other party to this action may become a purchaser at said sale, action may become a purchaser at said sale, and the purchaser shall be entitled to exclusive possession of the real property from the date of sale.

Signed: 4/23/2018 01:32 PM



Circuit Court Judge Marci W. Adkisson

Certificate of UTCR 5.100 Compliance

I certify that I have complied with UTCR 5.100, and the submission of this Order is ready for judicial signature because the relief sought is against opposing parties who have been found in default. Service is not required pursuant to subsection 93 of this rule, or by statute, or otherwise, but as a courtesy, all named defendants have been provided with a copy of this pleading, see Certificate of Service below.

/s/ Mika N. Blain
Mika N. Blain, OSB 130280

1 **Certificate of Service**

2 I certify that on April 19, 2018, I served this document on the following
3 defendants, by mailing U.S. First Class Mail to each said participant a true copy thereof,
4 contained in a sealed envelope, with postage paid, addressed to each said participant
at the following addresses:

5 Lynette Bell Scott
6 703 Upham Street
7 Klamath Falls OR 97601

8 Sherry Bell Rich
9 1731 Gary Street
10 Klamath Falls OR 97603

11 The Associate General Counsel for Litigation
12 Office of Litigation – Room 10258
13 U.S. Department of Housing and Urban Development
14 451 Seventh Street, S.W.
15 Washington, D.C. 20410

16 United States of America, Department of Housing and Urban Development
17 Jeff Sessions, United States Attorney General
18 U. S. Department of Justice
19 950 Pennsylvania Avenue, NW
20 Washington DC 20530-0001

21 Wells Fargo Bank, N.A.
22 c/o Secretary of State – Corporation Division
23 Statutory Agent for Wells Fargo Bank, N.A.
24 255 Capitol Street NE, Suite 151
25 Salem OR 97310

26 Wells Fargo Bank
27 2809 South Sixth Street
28 Klamath Falls OR 97603

Billy J. Williams, United States Attorney- District of Oregon
U. S. Department of Justice
1000 S W Third Avenue, Suite 600
Portland OR 97204

State of Oregon, Department of Justice
Michael W. Grant, Assistant Attorney General
1162 Court Street NE
Salem OR 97301-4096

/s/ Mika N. Blain
Mika N. Blain, OSB #130280