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

RELIANCE FIRST CAPITAL, LLC,  
Plaintiff,

v.

THE ESTATE OF LORA LEE MARTIN;  
THE UNKNOWN HEIRS AND ASSIGNS  
OF LORA LEE MARTIN; THE UNKNOWN  
DEVISEES OF LORA LEE MARTIN;  
ARMAND COLLINS AND ALL OTHER  
PERSONS OR PARTIES UNKNOWN  
CLAIMING ANY RIGHT, TITLE, LIEN, OR  
INTEREST IN THE REAL PROPERTY  
COMMONLY KNOWN AS 3903 HWY 201,  
ONTARIO, OR 97914,

Defendant.

Case No. 17CV37021

**WRIT OF EXECUTION**

TO THE MALHEUR COUNTY SHERIFF:

On February 1, 2018, a General Judgment of Foreclosure and Declaration of Amount Due by Default was entered by the MALHEUR 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: RELIANCE FIRST CAPITAL, 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 3903 HWY 201, ONTARIO, OR 97914 ("Subject Property"), and legally described as:

SEE EXHIBIT 'A' ATTACHED HERETO AND MADE A PART HEREOF

The total amount due and owing on the Judgment as of February 12, 2018;

|   |                |                                 |                                   |
|---|----------------|---------------------------------|-----------------------------------|
| 1 | Judgment:      | Principal                       | \$100,075.73                      |
| 2 | Pre-Judgment:  | Interest(4.12500%, \$10.49/day) | \$220.29 (1/12/18 through 2/1/18) |
| 3 |                | Attorney Fees                   | \$2,990.00                        |
| 4 |                | Costs                           | \$1,907.80                        |
| 5 |                | Prevailing Party Fee            | \$300.00                          |
| 6 | Post-Judgment: | Interest(4.12500%, \$10.49/day) | \$115.39 (2/2/18 through 2/12/18) |
| 7 |                | Attorney Fees                   | \$260.00                          |

8           **TOTAL: \$105,869.21**

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.

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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  
MALHEUR COUNTY CIRCUIT COURT

By: Sharon Ahlman  
Dated 2/27/18

8 Presented by:  
ALDRIDGE PITE, LLP

9 Christina Andreoni  
10 By: \_\_\_\_\_  
11 { } Hunter Zook, OSB #095578  
12 { } Katie Riggs, OSB #095861  
13 { } Sarah Mathenia, OSB #120681  
14 { } Shannon K. Calt, OSB #121855  
15 {x} Christina Andreoni, OSB #160875  
16 *of Attorneys for Judgment Creditor*  
17 (858) 750-7600  
18 (503) 222-2260 (facsimile)  
19 orecourtnotices@aldridgepite.com

Untitled

Exhibit A

Land in Malheur County, Oregon, as follows:

In Twp. 18 S., R. 47 E., W.M.:

Sec 18: A parcel of land in the E 1/2 SE 1/4 described as follows:

Beginning at a point S. 89 degrees 58' W., 56.2 feet and 30 feet North of the Southeast corner of said Section 18;

Thence S. 89 degrees 58' E., 197.4 feet;

Thence S. 00 degrees 44' W., 111.1 feet to the Point of Beginning.

EXCEPTING THEREFROM that portion conveyed to the State of Oregon, Department of Transportation, by Deed recorded July 23, 1990, Instrument No. 90-4612, Deed Records.

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

RELIANCE FIRST CAPITAL, LLC,  
  
Plaintiff,  
  
v.  
  
THE ESTATE OF LORA LEE MARTIN;  
THE UNKNOWN HEIRS AND ASSIGNS  
OF LORA LEE MARTIN; THE UNKNOWN  
DEVISEES OF LORA LEE MARTIN;  
ARMAND COLLINS and ALL OTHER  
PERSONS OR PARTIES UNKNOWN  
CLAIMING ANY RIGHT, TITLE, LIEN, OR  
INTEREST IN THE REAL PROPERTY  
COMMONLY KNOWN AS 3903 HWY 201,  
ONTARIO, OR 97914,  
  
Defendants.

Case No. 17CV37021  
  
**GENERAL JUDGMENT OF  
FORECLOSURE AND DECLARATION OF  
AMOUNT DUE BY DEFAULT**  
  
ORCP Rule 69  
  
PURSUANT TO SB368, THIS IS A  
JUDGMENT OF FORECLOSURE AND DOES  
NOT CONSTITUTE A MONEY AWARD  
AGAINST ANY DEFENDANT

16 Based upon the Court's Order of Default against Defendants THE ESTATE OF LORA  
17 LEE MARTIN; THE UNKNOWN HEIRS AND ASSIGNS OF LORA LEE MARTIN; THE  
18 UNKNOWN DEVISEES OF LORA LEE MARTIN; ARMAND COLLINS; and ALL OTHER  
19 PERSONS OR PARTIES UNKNOWN CLAIMING ANY RIGHT, TITLE, LIEN, OR  
20 INTEREST IN THE REAL PROPERTY COMMONLY KNOWN AS 3903 HWY 201,  
21 ONTARIO, OR 97914, the records on file herein, and pursuant to the Motion for General  
22 Judgment and Declaration of Amount Due by Default by Plaintiff RELIANCE FIRST  
23 CAPITAL, LLC,

**IT IS HEREBY ADJUDGED:**

24  
25 1. Plaintiff's security interest in the real property located at 3903 HWY 201,  
26 ONTARIO, OR 97914 ("Subject Property"), as evidenced by the Deed of Trust recorded

1 October 24, 2016 in the official records of MALHEUR County as instrument number 2016-3925  
2 ("Deed of Trust"), is a viable first priority lien, superior to the interests of all the Defendants. All  
3 rights, claims, ownerships, liens, titles and demands of all Defendants are subsequent to  
4 Plaintiff's lien as created by the Note and Deed of Trust. The Subject Property is legally  
5 described as follows:

6 THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF MALHEUR,  
7 STATE OF OREGON, AND IS DESCRIBED AS FOLLOWS:

8 LAND IN MALHEUR COUNTY, OREGON, AS FOLLOWS:

9 INTWP. 18 S., R. 47 E., W.M.:

10 SEC. 18: A PARCEL OF LAND IN THE E1/2 SE1/4 SE1/4 DESCRIBED AS FOLLOWS:

11 BEGINNING AT A POINT S. 89 DEGREES 58' W., 56.2 FEET AND 30 FEET NORTH OF THE  
12 SOUTHEAST CORNER OF SAID SECTION 18;

13 THENCE S. 89 DEGREES 58' W., 196.1 FEET;

14 THENCE NORTH 111.0 FEET;

15 THENCE N. 89 DEGREES 58' E., 197.4 FEET;

16 THENCE S. 00 DEGREES 44' W., 111.1 FEET TO THE POINT OF BEGINNING.

17 EXCEPTIN'G THEREFROM THAT PORTION CONVEYED TO THE STATE OF OREGON,  
18 DEPARTMENT OF TRANSPORTATION, BY DEED RECORDED JULY 23, 1990, INSTRUMENT  
19 NO. 90-4612, DEED RECORDS.

20 Parcel ID: 7751

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

24 3. Plaintiff has submitted a Declaration of Amount Due and is owed the total amount  
25 due under the Note and Deed of Trust and any future advances and/or fees that may be made or  
26 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;

Page 2 – GENERAL JUDGMENT AND DECLARATION OF AMOUNT DUE BY DEFAULT

1           4.       Plaintiff is owed reasonable attorney fees plus the remaining flat rate fees for an  
2 uncontested execution on the Judgment, pursuant to the Note and Deed of Trust and ORCP Rule  
3 68(C), which amount may be added to the outstanding obligation due and owing under the Note  
4 and Deed of Trust and recovered from the proceeds of the sheriff's sale. Pursuant to the Deed of  
5 Trust, these fees continue to accrue to the date of the execution sale. This amount to be satisfied  
6 by sale of the Subject Property as directed under this Judgment;

7           5.       Plaintiff is owed costs of suit pursuant to the Note and Deed of Trust, ORCP Rule  
8 68(A)(2) and ORS 20.115(4), which may be added to the outstanding obligation due and owing  
9 under the Note and Deed of Trust and recovered from the proceeds of the sheriff's sale. Pursuant  
10 to the Deed of Trust, these costs continue to accrue to the date of the execution sale. This  
11 amount to be satisfied by sale of the Subject Property as directed under this Judgment;

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

14           7.       The Sheriff shall make a return on the writ of execution to the court administrator  
15 along with the proceeds of the sale, if any. The proceeds of the sale, if any, shall be applied first  
16 toward the costs of the sale; then toward the satisfaction of Plaintiff's Judgment of Foreclosure  
17 awarded herein; and the surplus, if any, to the clerk of the court to be distributed to such party or  
18 parties as may establish their right thereto. The Defendants and all persons claiming through or  
19 under Defendants, whether lien claimants, judgment creditors, claimants arising under junior  
20 mortgages or deeds of trust, purchasers, encumbrances or otherwise, shall be barred and  
21 foreclosed from all rights, claims, interest or equity of redemption in the Subject Property and  
22 every part of the Subject Property when the time for redemption has elapsed;

23           8.       Plaintiff or any other party to this action may become a purchaser at the  
24 foreclosure sale, and such purchaser shall be immediately let into possession of the subject  
25 property, until redemption of the property, if any. The purchaser at the foreclosure sale or any  
26 successor in interest may apply to this Court for a writ of assistance to gain possession of the

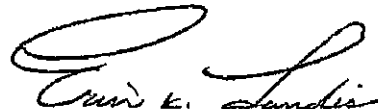
1 subject property if Defendants or any other party or person refuses to surrender possession;

2 DECLARATION OF AMOUNT DUE BY DEFAULT

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

- 5 1. The amount of the judgment is \$100,075.73.
- 6 2. Simple interest at the variable rate currently at 4.12500% (\$10.49 *per diem*) from  
7 January 12, 2018, through the date of sale.
- 8 3. Attorney fees of \$2,990.00, plus \$260.00, through the date of sale.
- 9 4. Costs of \$1,907.80, plus costs accrued through the date of sale.
- 10 5. Prevailing party fee: \$300.00.

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12 **IT IS SO ADJUDGED**

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17 **Erin K. Landis, Circuit Court Judge**  
18 Signed: 2/1/2018 11:58 AM

19 CERTIFICATE OF READINESS

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

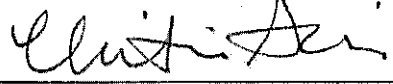
- 21 1.  Each opposing party affected by this Order or Judgment has stipulated to the Order  
22 or Judgment, as shown by each opposing party's signature on the document being  
23 submitted.
- 24 2.  Each opposing party affected by this Order or Judgment has approved the Order or  
25 Judgment, as shown by signature on the document being submitted or by written  
26 confirmation of approval sent to me.
3.  I have served a copy of this Order or Judgment on all parties entitled to service and:



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- 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: 1/21/18

- { } Hunter Zook, OSB #095578
  - { } Katie Riggs, OSB #095861
  - { } Sarah Mathenia, OSB #120681
  - { } Shannon K. Calt, OSB #121855
  - { } Christina Andreoni, OSB #160875
- Of Attorneys for Plaintiff*  
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