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LANE COUNTY S.O. CIVIL  
04.16.18  
PT 44

IN THE CIRCUIT COURT FOR THE STATE OF OREGON  
IN AND FOR THE COUNTY OF LANE

U.S. BANK NATIONAL ASSOCIATION,  
  
Plaintiff,  
  
vs.  
  
BARBARA A. RAUM; THE ESTATE OF  
CONRAD M. RAUM, DECEASED;  
UNKNOWN HEIRS AND DEVISEES OF  
CONRAD M. RAUM, DECEASED; U.S.  
BANK, NATIONAL ASSOCIATION N.D.,  
CAPITAL ONE BANK USA, NATIONAL  
ASSOCIATION; CITIBANK, NATIONAL  
ASSOCIATION; STATE OF OREGON;  
AND PERSONS OR PARTIES UNKNOWN  
CLAIMING ANY RIGHT, TITLE, LIEN, OR  
INTEREST IN THE PROPERTY  
DESCRIBED IN THE COMPLAINT  
HEREIN,  
  
Defendants.

CASE NUMBER: 16-14-13631

WRIT OF EXECUTION IN  
FORECLOSURE

TO: THE SHERIFF OF LANE COUNTY, OREGON:

1.

WHEREAS, on November 16, 2015, in the above-entitled Court, a General Judgment of Foreclosure ("Judgment") was entered and docketed in the above-entitled and numbered proceeding.

2.

NOW, THEREFORE, IN THE NAME OF THE STATE OF OREGON, you are hereby commanded to sell, in the manner prescribed by law for the sale of real property upon (subject to redemption, if applicable), all of the interest which the Defendants BARBARA A. RAUM; THE ESTATE OF CONRAD M. RAUM, DECEASED; UNKNOWN HEIRS AND DEVISEES OF CONRAD M. RAUM, DECEASED; U.S. BANK, NATIONAL ASSOCIATION N.D., CAPITAL ONE BANK USA, NATIONAL ASSOCIATION; CITIBANK, NATIONAL ASSOCIATION;

1 STATE OF OREGON; and PERSONS OR PARTIES UNKNOWN CLAIMING ANY RIGHT,  
2 TITLE, LIEN, OR INTEREST IN THE PROPERTY DESCRIBED IN THE COMPLAINT  
3 HEREIN ("Defendants") had on March 22, 2004, the date of the foreclosed Deed of Trust which was  
4 recorded on March 30, 2004, as Instrument No. 2004-022557 in the official records of the Lane  
5 County Recorder's Office, and/or all of the interest which Defendants had thereafter, in the real  
6 property described in the Judgment to satisfy the Judgment as follows:

7 **Lender's Principal Judgment:**

8 Unpaid Principal Balance:	\$107,809.86
9 Pre-Judgment Interest from January 1, 10 2013 to October 16, 2015, at 5.5%, per 11 annum, (\$16.25 per diem):	\$16,549.97
12 Lender's Fees and Costs:	\$6,985.10
13 Attorney's Fees and Costs	\$4,612.98
14 <b><i>Total Judgment Entered:</i></b>	<b><i>\$135,957.91</i></b>

15 **Additional Pre-Judgment Interest:**

16 Accrued Interest from October 17, 17 2015, the day after the date set forth in 18 the Judgment through November 16, 19 2015, the date of entry of the Judgment, 20 at 5.5% per annum (\$16.25 per diem):	\$487.50
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21 ***Total Judgment Entered Including  
22 Additional Pre-Judgment  
23 Interest:***

24 ***\$136,445.41***

25 3.

26 Additionally, Plaintiff is entitled to the continued accrual of post-judgment interest at the  
27 legal rate of interest of 9% per annum, \$33.64 per diem, from November 17, 2015, to the date the  
28 real property subject to the Judgment is sold by the County Sheriff at its foreclosure auction, plus  
costs of this writ, Sherriff's fees and sale costs, and all other recovered costs pursuant to law.

4.

5. The real property subject to this writ of execution is commonly known as 1720 S 5th Street,  
Cottage Grove, OR 97424 ("Property") and described in Exhibit "1" attached hereto.

6.

7. The Judgment Creditor's name and address is:

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U.S. Bank National Association  
4801 Frederica Street  
Owensboro, Kentucky 42301-7441

The Judgment Creditor's name and address for the purpose of this Writ is:

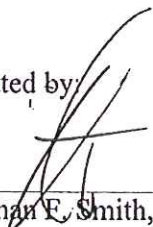
U.S. Bank National Association  
c/o Malcolm & Cisneros, ALC (Attention: Jennifer Yoon)  
2112 Business Center Drive  
Irvine, CA 92612  
949-252-9400

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

MAKE RETURN HEREOF within 60 days after you receive this Writ.

*Nov. 13, 2017*

Submitted by:



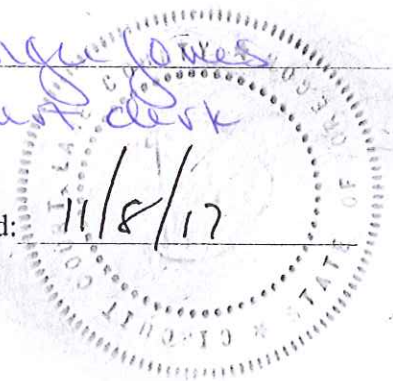
Nathan F. Smith, OSB #120112  
Attorney for Plaintiff  
MALCOLM ♦ CISNEROS, A Law Corporation  
2112 Business Center Drive, Second Floor  
Irvine, California 92612  
Phone: (949) 252-9400  
Fax: (949) 252-1032  
Email: Nathan@mclaw.org



*By: Angela Jones  
court clerk*

Dated:

*11/8/17*



# Exhibit “1”

## LEGAL DESCRIPTION

Lot 2, Block 2 of FIRST ADDITION VINAL-RUTH PLAT, as platted and recorded in Book 45, Page 26, Lane County Oregon Plat Records, in Lane County, Oregon.

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CIRCUIT COURT OF OREGON FOR LANE COUNTY

U.S. BANK, NATIONAL ASSOCIATION,

Plaintiff,

v.

BARBARA A. RAUM; THE ESTATE OF  
CONRAD M. RAUM, DECEASED;  
UNKNOWN HEIRS AND DEVISEES OF  
CONRAD M. RAUM, DECEASED; U.S.  
BANK NATIONAL ASSOCIATION N.D.;  
CAPITAL ONE BANK USA, NATIONAL  
ASSOCIATION; CITIBANK, NATIONAL  
ASSOCIATION; AND PERSONS OR  
PARTIES UNKNOWN CLAIMING ANY  
RIGHT, TITLE, LIEN, OR INTEREST IN THE  
PROPERTY DESCRIBED IN THE  
COMPLAINT HEREIN,

Defendants.

NO. 16-14-13631

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, U.S. BANK, NATIONAL ASSOCIATION, 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

GENERAL JUDGMENT DETERMINING  
AMOUNT OWED AND FORECLOSURE - 1  
60221-0277-JUD-21136411

*Law Offices*  
ROBINSON TAIT, P.S.

710 Second Avenue, Suite 710  
Seattle WA 98104  
(206) 676-9610

1  
2 issues of fact, that the plaintiff is entitled to judgment as a matter of law, and that the judgment  
3 should be entered in favor of the plaintiff forthwith as more particularly hereafter set forth. Therefore,

4 IT IS HEREBY ORDERED AND ADJUDGED THAT:

5 1. Plaintiff, U.S. BANK, NATIONAL ASSOCIATION be awarded judgment in the sum of  
6 \$107,809.86, together with interest at a rate as provided in the Note from January 1, 2013 through  
7 October 16, 2015 in the amount of \$16,549.97 with additional pre-judgment interest at the per diem rate  
8 of \$16.25 as provided in the Note to the date of entry of judgment; plus reasonable attorneys' fees in the  
9 amount of \$2,050.00, plus other recoverable amounts of \$6,985.10 which includes the amounts itemized  
10 in the declaration of the lender in support of motion for judgment plus allowable costs of \$2,562.98 as  
11 itemized in the bill of disbursements and an additional amount for post-judgment sheriff's fees. Said  
12 judgment to bear interest until paid at the statutory rate or at the contract rate, whichever is greater; and  
13  
14

15 2. Plaintiff's Deed of Trust on real property in Lane County, Oregon, legally described as  
16 follows:

17 LOT 2, BLOCK 2 OF FIRST ADDITION VINAL-RUTH PLAT, AS PLATTED  
18 AND RECORDED IN BOOK 45, PAGE 26, LANE COUNTY OREGON PLAT  
19 RECORDS, IN LANE COUNTY, OREGON.

20 which was recorded on March 30, 2004, under Auditor's File No. 2004-022557, records of Lane  
21 County, Oregon, be adjudged and decreed to be a first and paramount lien upon the above described  
22 real estate and the whole thereof as security for the payment of the judgment herein set forth, and that  
23 said Deed of Trust be foreclosed and the property therein described is hereby ordered sold by the  
24 Sheriff of Lane County in the manner provided for by law, and the proceeds therefrom shall be  
25 applied to the payment of the judgment, interest, attorneys' fees and costs, and such other sums as  
26 plaintiff has advanced prior to judgment, and that such sums shall constitute a first and specific lien  
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2 and charge upon said real estate, prior and superior to any right, title, estate, lien or interest of the  
3 defendant and of any one claiming by, through or under them; and

4         3. Any and all persons acquiring any right, title, estate, lien or interest in or to the  
5 property described above or any part thereof subsequent to March 22, 2004, the date of the Deed of  
6 Trust which is foreclosed herein, be forever barred and estopped from claiming or asserting any right,  
7 title, lien or interest in or to said property or any part thereof, save and except for the right of  
8 redemption as allowed by law; and  
9

10         4. Plaintiff be granted the right to become a bidder and purchaser at the sale and the  
11 purchaser shall be entitled to exclusive possession of the property upon completion of sale according to  
12 law, and to all right, title and interest in any rents and profits generated or arising from the property  
13 during the statutory redemption period; and plaintiff is entitled to such remedies as are available at law to  
14 secure possession, including writ of assistance, if defendants or any of them or any other party or person  
15 shall refuse to surrender possession to the purchaser immediately upon purchaser's demand for  
16 possession; and  
17

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

*(Not a Money Award, see ORS 18.862, 86.797, and 88.010)*

Judgment Creditor: U.S. BANK, NATIONAL ASSOCIATION  
c/o Robinson Tait, P.S.  
710 Second Ave., Suite 710  
Seattle, WA 98104  
(206) 676-9640

Attorney for Judgment Creditor: Craig Peterson  
Robinson Tait, P.S.  
710 Second Ave., Suite 710  
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: \$107,809.86

Simple Interest on the Principal Balance  
from January 1, 2013  
to October 16, 2015: \$16,549.97

Other Amounts Due Under Terms of Loan: \$6,985.10

Attorneys' Fees and Costs:  
Attorneys' Fee: \$2,050.00  
Total Costs: \$2,562.98

Total Attorney Fees and Costs: \$4,612.98

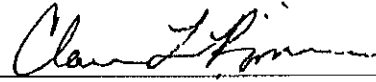
***TOTAL DEBT OWED \$135,957.91***

Pre-Judgment: Additional pre-judgment interest accrues from October 17, 2015, to the date of  
entry of judgment at the per diem rate of \$16.25, in accordance with the Note

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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: 11/16/2015 10:24 AM



Clara L. Riggs, Circuit Court Judge

Submitted by:



- Matt Booth, OSB #082663  
Email: mbooth@robinsontait.com
  - Craig Peterson, OSB #120365  
Email: cpeterson@robinsontait.com
  - Brandon Smith, OSB #124584  
Email: bsmith@robinsontait.com
  - Zhi Pauline Zheng, OSB #144692  
Email: pzheng@robinsontait.com
- Robinson Tait, P.S.  
Attorneys for Plaintiff