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2 Craig Peterson, OSB #120365  
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CIRCUIT COURT OF OREGON FOR UMATILLA COUNTY

DEUTSCHE BANK NATIONAL TRUST  
COMPANY, AS TRUSTEE FOR IXIS REAL  
ESTATE CAPITAL TRUST 2006-HE1 NO. 17CV10394  
MORTGAGE PASS THROUGH  
CERTIFICATES, SERIES 2006-HE1, WRIT OF EXECUTION IN FORECLOSURE

Plaintiff,

v.

BETHANY JENSEN, STEVEN JENSEN, DJ  
REPAIRS, MORTGAGE ELECTRONIC  
REGISTRATION SYSTEMS, INC. ,  
SECURED FUNDING CORPORATION, AND  
PERSONS OR PARTIES UNKNOWN  
CLAIMING ANY RIGHT, TITLE, LIEN, OR  
INTEREST IN THE PROPERTY DESCRIBED  
IN THE COMPLAINT HEREIN,

Defendants.

TO: UMATILLA COUNTY SHERIFF

1  
2 1. WHEREAS, on June 19, 2017, in the above-entitled court, a judgment of foreclosure  
3 was enrolled and docketed in the above-entitled cause, a true copy of which is attached hereto as  
4 **Exhibit "A"** and made a part hereof;

5 2. WHEREAS, pursuant to ORS 18.862, the Judgment Creditor's address is as follows:  
6  
7 Deutsche Bank National Trust Company, as Trustee for Ixis Real Estate Capital Trust  
8 2006-HE1 Mortgage Pass Through Certificates, Series 2006-HE1  
9 c/o Ocwen Loan Servicing  
1661 Worthington Rd., #100  
West Palm Beach, FL 33409

10  
11 For the purpose of this Writ, the Judgment Creditor's address is as follows:

12 Ocwen Loan Servicing  
13 c/o Robinson Tait, P.S.  
14 901 Fifth Avenue, Suite 400  
Seattle, Washington 98164

15 3. WHEREAS, the real property to be sold pursuant to the above referenced judgment is  
16 legally described as

17 THE SOUTHERLY 100 FEET OF THE FOLLOWING DESCRIBED LAND: BEGINNING  
18  
19 AT A POINT 784.4 FEET NORTH OF AND 15.1 FEET EAST OF THE SOUTHWEST CORNER  
20 OF SECTION 6, TOWNSHIP 2 NORTH, RANGE 33; THENCE NORTH 89° 19' WEST, A  
21 DISTANCE OF 147.7 FEET; THENCE NORTH 0° 28' WEST, A DISTANCE OF 147.7 FEET;  
22 THENCE SOUTH 89° 19' EAST, A DISTANCE OF 147.7 FEET; THENCE SOUTH 0° 28' EAST,  
23 A DISTANCE OF 147.7 FEET TO A POINT OF BEGINNING;  
24  
25 EXCEPTING THAT TRACT OF LAND CONVEYED TO WALLACE G. POUND AND  
26 CARMEN M. POUND, HUSBAND AND WIFE, BY WARRANTY DEED RECORDED IN BOOK  
27 219, PAGE 361, DEED RECORDS OF UMATILLA COUNTY, OREGON; ALL BEING EAST OF  
28

1 THE WILLAMETTE MERIDIAN IN THE COUNTY OF UMATILLA AND STATE OF  
2 OREGON.

3 and commonly known as 518 Northeast 37th Street, Pendleton, OR 97801.

4  
5 4. NOW, THEREFORE, IN THE NAME OF THE STATE OF OREGON, you are  
6 hereby commanded to sell the above referenced real property, in the manner prescribed by law for the  
7 sale of real property upon execution (subject to redemption), all of the interest which the defendant(s)  
8 had on December 26, 2005, the date of the Deed of Trust, and also all of the interest which the  
9 defendant(s) had thereafter, in the real property described in the judgment, to satisfy the judgment,  
10 which as of September 22, 2017,  
11

12 **Lenders Principal Judgment:**

13		
14	1. Unpaid Principal Balance	<u>\$96,744.03</u>
15	2. Pre-Judgment Interest from August 1, 2013	
16	to June 5, 2017, the date calculated by the Declarant	
17	in the Declaration in Support of Judgment	<u>\$31,148.77</u>
18	3. Lenders Fees and Costs	<u>\$5,946.06</u>
19	4. Attorney's Fees and Costs	<u>\$3,592.98</u>
20		
21	<i>Total Judgment Award Entered</i>	<u>\$137,431.84</u>

22 **Additional Pre Judgment Interest**

23	1. Accrued Interest from June 5, 2017	
24	to June 19, 2017 the date of entry	
25	of Judgment	<u>\$337.50</u>
26		
27	<i>Total Judgment Award</i>	<u>\$137,769.34</u>

28 **Post Judgment Interest**

1	1. Accrued Post Judgment Interest at a rate of 9% per annum or at \$33.97, from June 20,	
2	2017, the day after the entry of judgment, through September 22, 2017,	
3	the date the writ is being requested	<u>\$3,227.15</u>



# EXHIBIT A

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CIRCUIT COURT OF OREGON FOR UMATILLA COUNTY

DEUTSCHE BANK NATIONAL TRUST  
COMPANY, AS TRUSTEE FOR IXIS REAL  
ESTATE CAPITAL TRUST 2006-HE1  
MORTGAGE PASS THROUGH  
CERTIFICATES, SERIES 2006-HE1,

Plaintiff,

v.

BETHANY JENSEN; STEVEN JENSEN;  
MORTGAGE ELECTRONIC  
REGISTRATION SYSTEMS, INC.;  
SECURED FUNDING CORPORATION;  
AND PERSONS OR PARTIES UNKNOWN  
CLAIMING ANY RIGHT, TITLE, LIEN, OR  
INTEREST IN THE PROPERTY  
DESCRIBED IN THE COMPLAINT  
HEREIN,

Defendants.

NO. 17CV10394

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, DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR IXIS REAL  
ESTATE CAPITAL TRUST 2006-HE1 MORTGAGE PASS THROUGH CERTIFICATES, SERIES  
2006-HE1, 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

GENERAL JUDGMENT DETERMINING  
AMOUNT OWED AND FORECLOSURE - 1  
60128-31484-JUD-OR1742295

*Law Offices*  
ROBINSON TAIT, P.S.

901 Fifth Avenue, Suite 400  
Seattle WA 98164  
(206) 676-9610

1  
2 being unnecessary under Civil Rule 69D, the court finds that the allegations contained in the  
3 plaintiff's Complaint are true, that there are no material issues of fact, that the plaintiff is entitled to  
4 judgment as a matter of law, and that the judgment should be entered in favor of the plaintiff  
5 forthwith as more particularly hereafter set forth. Therefore,

6  
7 IT IS HEREBY ORDERED AND ADJUDGED THAT:

8 1. Plaintiff, DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR  
9 IXIS REAL ESTATE CAPITAL TRUST 2006-HE1 MORTGAGE PASS THROUGH  
10 CERTIFICATES, SERIES 2006-HE1 be awarded judgment in the sum of \$96,744.03, together with  
11 interest at a rate as provided in the Note from August 1, 2013 through June 5, 2017 in the amount of  
12 \$31,148.77 with additional pre-judgment interest at the per diem rate of \$22.50 as provided in the Note  
13 to the date of entry of judgment; plus reasonable attorneys' fees in the amount of \$2,050.00, plus other  
14 recoverable amounts of \$5,946.06 which includes the amounts itemized in the declaration of the lender  
15 in support of motion for judgment plus allowable costs of \$1,542.98 as itemized in the bill of  
16 disbursements and an additional amount for post-judgment sheriff's fees. Said judgment to bear interest  
17 until paid at the statutory rate or at the contract rate, whichever is greater; and  
18

19  
20 2. Plaintiff's Deed of Trust on real property in Umatilla County, Oregon, legally  
21 described as follows:

22 LEGAL DESCRIPTION ATTACHED HERETO AS **EXHIBIT A**

23 which was recorded on December 30, 2005, under Auditor's File No. 2005-4940062, records of  
24 Umatilla County, Oregon, be adjudged and decreed to be a first and paramount lien upon the above  
25 described real estate and the whole thereof as security for the payment of the judgment herein set  
26 forth, and that said Deed of Trust be foreclosed and the property therein described is hereby ordered  
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1  
2 sold by the Sheriff of Umatilla County in the manner provided for by law, and the proceeds therefrom  
3 shall be applied to the payment of the judgment, interest, attorneys' fees and costs, and such other  
4 sums as plaintiff has advanced prior to judgment, and that such sums shall constitute a first and  
5 specific lien and charge upon said real estate, prior and superior to any right, title, estate, lien or  
6 interest of the defendant and of any one claiming by, through or under them; and  
7

8         3. Any and all persons acquiring any right, title, estate, lien or interest in or to the  
9 property described above or any part thereof subsequent to December 26, 2005, the date of the Deed  
10 of Trust which is foreclosed herein, be forever barred and estopped from claiming or asserting any  
11 right, title, lien or interest in or to said property or any part thereof, save and except for the right of  
12 redemption as allowed by law; and  
13

14         4. Plaintiff be granted the right to become a bidder and purchaser at the sale and the  
15 purchaser shall be entitled to exclusive possession of the property upon completion of sale according to  
16 law, and to all right, title and interest in any rents and profits generated or arising from the property  
17 during the statutory redemption period; and plaintiff is entitled to such remedies as are available at law to  
18 secure possession, including writ of assistance, if defendants or any of them or any other party or person  
19 shall refuse to surrender possession to the purchaser immediately upon purchaser's demand for  
20 possession; and  
21

22         5. Pursuant to ORS 18.950, if any proceeds from the execution sale remain after the  
23 payment of costs under ORS 18.950(3) and satisfaction of the judgment, the court administrator shall  
24 pay the remaining proceeds as directed by the court in the order of distribution.  
25  
26  
27

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

GENERAL JUDGMENT DETERMINING  
AMOUNT OWED AND FORECLOSURE - 3  
60128-31484-JUD-OR1742295

*Law Offices*  
**ROBINSON TAIT, P.S.**

901 Fifth Avenue, Suite 400  
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(206) 676-9640



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Judgment Creditor: DEUTSCHE BANK NATIONAL TRUST  
COMPANY, AS TRUSTEE FOR IXIS REAL  
ESTATE CAPITAL TRUST 2006-HE1  
MORTGAGE PASS THROUGH  
CERTIFICATES, SERIES 2006-HE1  
c/o Robinson Tait, P.S.  
901 Fifth Avenue, Suite 400  
Seattle, WA 98164  
(206) 676-9640

Attorney for Judgment Creditor: Craig Peterson  
Robinson Tait, P.S.  
901 Fifth Avenue, Suite 400  
Seattle, WA 98164  
(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: \$96,744.03

Simple Interest on the Principal Balance  
from August 1, 2013 to June 5, 2017: \$31,148.77

Other Amounts Due Under Terms of Loan: \$5,946.06

Attorneys' Fees and Costs:  
Attorneys' Fee: \$2,050.00  
Total Costs: \$1,542.98

Total Attorney Fees and Costs: \$3,592.98

*TOTAL DEBT OWED* \$137,431.84

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1  
2 Pre-Judgment: Additional pre-judgment interest accrues from June 6, 2017, to the date of  
3 entry of judgment at the per diem rate of \$22.50, in accordance with the Note.

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

Signed: 6/19/2017 11:58 AM

7  
8 

9 Submitted by: **Christopher R. Brauer, Circuit Court Judge**

10

11 *cc-6*

12  Craig Peterson, OSB #120365  
13 Email: cpeterson@robinsontait.com  
14  Jaimie Fender, OSB #120832  
15 Email: jfender@robinsontait.com  
16  Kimberly Hood, OSB #123008  
17 Email: KHood@robinsontait.com  
18 Robinson Tait, P.S.  
19 Attorneys for Plaintiff  
20 Tel: (206) 676-9640  
21 Fax: (206) 676-9659



22 VERIFIED TO BE A TRUE AND  
23 CORRECT COPY OF THE ORIGINAL

24 *Sept. 29th, 2017*

25 CLERK OF COURT ADMINISTRATOR

26 *Robinson*  
27 *Court Clerk*

# Exhibit A

The Southerly 100 feet of the following described land: Beginning at a point 784.4 feet North of and 15.1 feet East of the Southwest corner of Section 6, Township 2 North, Range 33; thence North  $89^{\circ} 19'$  West, a distance of 147.7 feet; thence North  $0^{\circ} 28'$  West, a distance of 147.7 feet; thence South  $89^{\circ} 19'$  East, a distance of 147.7 feet; thence South  $0^{\circ} 28'$  East, a distance of 147.7 feet to a point of beginning;

Excepting that tract of land conveyed to Wallace G. Pound and Carmen M. Pound, husband and wife, by Warranty Deed recorded in Book 219, Page 361, Deed Records of Umatilla County, Oregon; all being East of the Willamette Meridian in the County of Umatilla and State of Oregon.