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

FEDERAL NATIONAL MORTGAGE
ASSOCIATION ("FANNIE MAE"),
Plaintiff,

Case No. 17CV21902

WRIT OF EXECUTION

v.

DIANE ELAINE REED; PINE RIDGE
HOMEOWNERS ASSOCIATION; BANK
OF AMERICA, N.A.; AND ALL OTHER
PERSONS OR PARTIES UNKNOWN
CLAIMING ANY RIGHT, TITLE, LIEN, OR
INTEREST IN THE REAL PROPERTY
COMMONLY KNOWN AS 35130
PONDEROSA LOOP, MANZANITA, OR
97130,

Defendant.

TO THE TILLAMOOK COUNTY SHERIFF:

On November 28, 2017, a General Judgment of Foreclosure and Declaration of Amount Due by Default was entered by the TILLAMOOK 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: FEDERAL NATIONAL MORTGAGE ASSOCIATION ("FANNIE MAE") 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 35130 PONDEROSA LOOP, MANZANITA, OR 97130 ("Subject Property"), and legally described as:

LOT 63, PINE RIDGE UNIT 1, IN TILLAMOOK COUNTY, OREGON, ACCORDING TO THE OFFICAL PLAT THEREOF, IN CABINET B, PAGE 0490 ,PLAT RECORDS.

1 The total amount due and owing on the Judgment as of March 2, 2018;

2	Judgment:	Principal	\$192,886.37
3	Pre-Judgment:	Interest(4.87500%, \$23.99/day)	\$863.64 (10/24/17 through 11/28/17)
4		Attorney Fees	\$3,170.00
5		Costs	\$2,148.00
6		Prevailing Party Fee	\$300.00
7	Post-Judgment:	Interest(4.87500%, \$23.99/day)	\$2,255.06 (11/29/17 through 3/2/18)
8		Attorney Fees	\$305.00

9 **TOTAL: \$201,928.07**

10 In the name of the State of Oregon, you are hereby directed to proceed to notice for sale
11 and sell the Subject Property. After the sale, you are directed to issue a certificate of sale to the
12 purchaser and file a return on the writ of execution, depositing the sale proceeds with the Court.
13 Further, you are directed to execute, after the time for redemption has elapsed, a deed to the
14 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.

4 COURT ADMINISTRATOR FOR
5 TILLAMOOK COUNTY CIRCUIT
6 COURT

3-16-18

7 By: Mari Grawlee

8 Presented by:
9 ALDRIDGE PITE, LLP

10 By: Christina Andreoni

- 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
- of Attorneys for Judgment Creditor*
(858) 750-7600
(503) 222-2260 (facsimile)
orecourtnotices@aldridgepite.com

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IT IS HEREBY ADJUDGED:

1. Plaintiff's security interest in the real property located at 35130 Ponderosa Loop, Manzanita, OR 97130 ("Subject Property"), as evidenced by the Deed of Trust recorded in the official records of County as Instrument Number 2014-002117 ("Deed of Trust"), is a viable first priority lien, superior to the interests of all the Defendants. All rights, claims, ownerships, liens, titles and demands of all Defendants are subsequent to Plaintiff's lien as created by the Note and Deed of Trust.

2. Stipulating Defendant has a valid and subsisting lien junior to that of Plaintiff.

3. The Subject Property is legally described as follows: LOT 63, PINE RIDGE UNIT 1, IN TILLAMOOK COUNTY, OREGON, ACCORDING TO THE OFFICAL PLAT THEREOF, IN CABINET B, PAGE 0490, PLAT RECORDS.

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

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

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

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

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

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

18 10. Plaintiff or any other party to this action may become a purchaser at the
19 foreclosure sale, and such purchaser shall be immediately let into possession of the subject
20 property, until redemption of the property, if any. The purchaser at the foreclosure sale or any
21 successor in interest may apply to this Court for a writ of assistance to gain possession of the
22 subject property if Defendants or any other party or person refuses to surrender possession;

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Page 3 – GENERAL JUDGMENT AND DECLARATION OF AMOUNT DUE BY DEFAULT AND
STIPULATION

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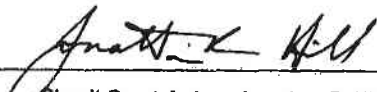
DECLARATION OF AMOUNT DUE BY DEFAULT

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

1. The amount of the judgment is \$192,886.37.
2. Simple interest at the variable rate currently at 4.87500% (\$23.99 *per diem*) after October 23, 2017, through the date of sale.
3. Attorney fees of \$3,170.00, plus \$305.00, through the date of sale.
4. Costs of \$2,148.00, plus costs accrued through the date of sale.
5. Prevailing party fee: \$300.00.

IT IS SO ADJUDGED

Signed: 11/27/2017 02:16 PM


Circuit Court Judge Jonathan R. Hill

<Stipulations on next page>

Page 4 – GENERAL JUDGMENT AND DECLARATION OF AMOUNT DUE BY DEFAULT AND STIPULATION

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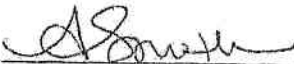
1 IT IS SO STIPULATED:
2

3 Submitted and stipulated to by:
4 ALDRIDGE PITE, LLP



5 Date: 11/21/2017

6 { } Hunter Zook, OSB #095578
7 { } Katie Riggs, OSB #095861
8 { } Sarah Mathenia, OSB #120681
9 { } Shannon K. Calt, OSB #121855
10 {X} Christina Andreoni, OSB #160875
11 111 SW Columbia Street, Suite 950
12 Portland, OR 97201
13 (858) 750-7600
14 *Of Attorneys for Plaintiff Federal National Mortgage Association ("Fannie Mae")*



12 Date: 11/21/2017

13 Andreanna C. Smith, OSB #131336
14 McCarthy Holthus
15 920 SW 3rd Ave, 1st Floor
16 Portland, OR 97204
17 *Of Attorneys for Defendant Bank of America, N.A.*

17 By signing above the Parties hereby acknowledge the following: (1) that they were provided a
18 reasonable period of time to review and consider this Stipulated Judgment; (2) that they were
19 advised to and have sought and received the advice of their attorney prior to signing this
20 Stipulated Judgment, or had the opportunity to consult with an attorney and chose not to do so;
21 (3) that they understand that they are waiving legal rights by signing this Stipulated Judgment;
22 (4) that they have reviewed this Stipulated Judgment, that this Stipulated Judgment is written in a
23 manner that is understandable to them, and that they indeed understand the entirety of this
24 Stipulated Judgment and the effect(s) of signing this Stipulated Judgment; and (5) that they sign
25 this Stipulated Judgment of their own free act and deed, without any coercion or duress, and that
they hereby release the rights and claims set forth above in exchange for the consideration set
forth in this Stipulated Judgment.

25 ///

-- Page 5 – GENERAL JUDGMENT AND DECLARATION OF AMOUNT DUE BY DEFAULT AND
STIPULATION

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CERTIFICATE OF READINESS

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

- 1. Each opposing party affected by this Order or Judgment has stipulated to the Order or Judgment, as shown by each opposing party's signature on the document being submitted.
- 2. Each opposing party affected by this Order or Judgment has approved the Order or Judgment, as shown by signature on the document being submitted or by written confirmation of approval sent to me.
- 3. I have served a copy of this Order or Judgment on all parties entitled to service and:
 - 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: 11/21/17

- { } Hunter Zook, OSB #095578
- { } Katie Riggs, OSB #095861
- { } Sarah Mathenia, OSB #120681
- { } Shannon K. Calt, OSB #121855
- {X} Christina Andreoni, OSB #160875
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Page 6 - GENERAL JUDGMENT AND DECLARATION OF AMOUNT DUE BY DEFAULT AND STIPULATION

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