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IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR HARNEY COUNTY

UMPQUA BANK, SUCCESSOR IN INTEREST
BY MERGER TO STERLING SAVINGS BNK,
its successors in interest and/or assigns;

Plaintiff,

v.

UNKNOWN HEIRS OF GEORGE B. BRAY;
TONYA A. JONES; THOMAS G. BRAY;
KATRINA A. LADD; PAULETTE M.
MCMASTERS; STATE OF OREGON; AND
OCCUPANTS OF THE PREMISES;

Defendants.

Case No. 17CV32298

GENERAL JUDGMENT
OF FORECLOSURE

It appearing that Defendants were served with Summons and Complaint herein in the manner prescribed by law and have failed to file an appearance within the time allowed by law; and it further appearing that Defendant Occupants of the Premises was dismissed by previous Order of this Court; and it further appearing that Defendants Unknown Heirs of George B. Bray, Tonya A. Jones; Thomas G. Bray, Katrina A. Ladd, Paulette M. McMasters, and State of Oregon

1 were defaulted by previous Orders of this Court; and that the Court finds that there is no just
2 reason for delay in the entry of the general judgment; now, therefore,

3 JUDGMENT is hereby entered in favor of Plaintiff and against Defendants Unknown
4 Heirs of George B. Bray, Tonya A. Jones; Thomas G. Bray, Katrina A. Ladd, Paulette M.
5 McMasters, and State of Oregon, jointly and severally, as follows:

6 IT IS ADJUDGED:

7 1. That the debt owing to Plaintiff under the Promissory Note and Trust Deed
8 executed by George B. Bray is an amount equal to the sum of the following (“Debt Amount”):

- 9 a. The principal amount of \$31,045.32, plus accrued interest to January 19,
10 2018, of \$4,075.41, plus accrued late charges of \$322.50, plus escrow advances/shortfall of
11 \$3,207.91, plus accruing interest at the rate of 7.49% per annum (\$6.37 per diem) per the terms
12 of the Note from January 20, 2018, until date of entry of judgment, plus property management
13 and inspection fees of \$377.00, plus property appraisal fees of \$850.00, plus fees and advances
14 of \$6,196.76; plus additional fees, expenses and advances; plus
- 15 b. Plaintiff’s reasonable pre-judgment attorney fees of \$8,731.00; plus
- 16 c. Plaintiff’s costs and disbursements of \$2,807.26; plus
- 17 d. Plaintiff’s post-judgment collection fees and costs of \$4,277.50; plus
- 18 e. Interest on the sum of the amounts in subparagraphs a. through d., above, at
19 the rate of 9% per annum from the date of judgment until paid.

20 2. The lien of the Trust Deed executed in favor of Plaintiff, recorded in the official
21 records of Harney County, Oregon, on September 15, 2008, Recording No. 20081629, is a valid
22 and subsisting lien against all of the Real Property located at 781 S. McGowan St., Burns, OR
23 97720, and described as:

24 Land in FAIRVIEW ADDITION, City of Burns, Harney County Oregon,
25 according to the official plat thereof as follows: In Block 32: Lot 9 and the
26 South one-half of Lot 10.

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3. The lien of the aforesaid Trust Deed is superior to any interest, lien or claim of Defendants, or any of them, in the Real Property and secures the Debt Amount.

4. The lien of the Trust Deed is hereby foreclosed, and the Real Property shall be sold by the sheriff of Harney County, Oregon, in the manner prescribed by law.

5. Any proceeds received by any receiver appointed herein during the pendency of this action and the proceeds of the sale prayed for in the preceding paragraph shall be applied first toward the costs of sale and expenses incurred by any such receiver for the receiver's compensation and for the necessary care and preservation of the property in the receiver's possession; then toward satisfaction of the Debt Amount and any supplemental judgment, and any surplus to the party or parties who may have established their right to the surplus.

6. Each Defendant and all persons claiming through or under them either as purchasers, encumbrancers, or otherwise are forever foreclosed of all interest or claim in the Real Property except any statutory right of redemption that such Defendants may have in the Real Property or any statutory right to excess proceeds.

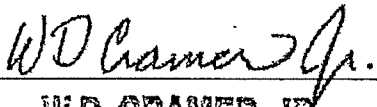
7. Plaintiff or any other party may become the purchaser at the sale, and the purchaser shall be entitled to exclusive possession of the Real Property from the date of sale and the purchaser shall be entitled to such remedies as are available to secure possession, including requesting a writ of assistance, if Defendants or any other person shall refuse to surrender possession.

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The clerk of the court is hereby directed to enter this judgment as a general judgment and shall note it in the court's register.

Signed 1/23/2018 06:16 PM



W.D. CRAMER, JR.
Circuit Court Judge

SUBMITTED BY:
Nancy K. Cary, OSB No. 902254
ncary@hershnerhunter.com
HERSHNER HUNTER, LLP
Of Attorneys for Plaintiff
Trial Attorney

CERTIFICATE OF READINESS (UTCRC 5.100)

The foregoing **GENERAL JUDGMENT OF FORECLOSURE** 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 the 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 objection has been served on me.
 - b. I received objections that I could not resolve with the opposing party despite reasonable efforts to do so. I have filed a copy of the objections I received and indicated which objections remain unresolved.
 - c. After conferring about objections, Defendant agreed to independently file any remaining objection.
- 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 UTCRC 5.100(3), 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 UTCRC 5.100(4).

DATED: January 23, 2018.

HERSHNER HUNTER, LLP

By /s/Nancy K. Cary
Nancy K. Cary, OSB 902254
ncary@hershnerhunter.com
Of Attorneys for Plaintiff