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IN THE CIRCUIT COURT OF THE STATE OF OREGON

IN AND FOR THE COUNTY OF UNION

JPMORGAN CHASE BANK, NATIONAL ASSOCIATION,

Plaintiff,

vs.

CHELSEA A. WEBB, INDIVIDUALLY AND AS MOTHER/GUARDIAN OF MOLLIE LOREEN GEORGE, A MINOR; UNKNOWN HEIRS OF ANTHONY A. GEORGE; OREGON AFFORDABLE HOUSING ASSISTANCE CORPORATION; STATE OF OREGON; PARTIES IN POSSESSION,

Defendants.

Case No. 17CV34734

GENERAL JUDGMENT OF FORECLOSURE AND SALE

Defaults being granted contemporaneously against Defendant(s), Chelsea A. Webb a/k/a Chelsea Gilstrap, Individually and as mother/guardian of Mollie Loreen George, a minor, Unknown Heirs of Anthony George, Oregon Affordable Housing Assistance Corporation and State of Oregon.:

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1 - GENERAL JUDGMENT OF FORECLOSURE AND SALE
S&S No. 17-119975

SHAPIRO & SUTHERLAND, LLC
1499 SE Tech Center Place, Suite 235, Vancouver, WA 98683
Telephone (360)260-2253 (800)970-5647
Fax (360)260-2285
ksutherland@logs.com

1 It is hereby

2 ORDERED AND ADJUDGED:

- 3 1. The real property to which this judgment relates (hereafter the "Property") is situated in
4 Union County, Oregon is commonly known as 460 E. Fulton Street, Union, OR 97883 and
5 is legally described as follows:
6

7 Previously described as:

8 Beginning at a point 60 feet south of the southeast corner of Block 24 of the original
9 town of Union, according to the recorded plat thereof; thence South 150 feet; thence
10 West 100 feet; thence North 150 feet; thence East 100 feet to the point of the
11 beginning.

12 SITUATE IN the southeast quarter of northwest quarter of Section 19, Township 4
13 South, Range 40 East of the Willamette Meridian in the City and County of Union,
14 State of Oregon.

15 Tax Lot: 105

16 Now described as due to Tax Lot Line Adjustment:

17 A tract of land situated in the Southeast quarter of the Northwest quarter of Section 19,
18 Township 4 South, Range 40 East of the Willamette Meridian, more particularly
19 described as follows, with reference to Map of Survey Number 007-2010, as filed in
20 the office of the Union County Surveyor.

21 Beginning at a point on the East line of that tract described in Boundary Line
22 Agreement filed as Microfilm Document Number 103490, deed records of Union
23 County, from which the Center 1/4 of said section 19 bears South 15°21'24" East a
24 distance of 1044.61 feet,

25 Thence: North 0°19'15" West, along said East line, a distance of 150.00 feet, to the
26 South right of way line of Fulton Street,

27 Thence: South 89°43'56" West, along said South line, a distance of 122.69 feet,

28 Thence: South 0°01'03" East a distance of 150.00 feet,

Thence: North 89°43'56" East, a distance of 123.48 feet, to the Point of Beginning of
this description.

Containing 18,462 sq. ft.

Subject to easements of record or as they exist.

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- 1 2. The Deed of Trust executed and delivered by Defendant, Anthony A. George ("Borrower")
2 on or about April 19, 2010 and recorded on April 23, 2010 as Document No. 20101450 in
3 the official records of Union County, Oregon, is a valid and perfected lien against all of the
4 Property for the amount of Plaintiff's judgment as provided herein.
5
6 3. The Plaintiff is the holder of the original note dated April 19, 2010 and made by Anthony A.
7 George in the amount of \$86,734.00. A copy of the Note was attached to the complaint as
8 Exhibit. Plaintiff is the holder of the Note and the beneficial interest in the Deed of Trust
9 (together the "Loan").
10
11 4. The interest of each of the Defendant(s) subject to this Judgment and any successor in
12 interest in the Property is foreclosed and terminated excepting only any statutory right of
13 redemption as provided by Oregon law.
14
15 5. The lien of the Plaintiff is superior to any interest, lien, or claim of the remaining
16 Defendants and shall remain in effect until issuance of a Sheriff's Deed. Upon Motion to
17 the Court and good cause shown, Plaintiff may move to rescind the foreclosure judgment
18 and to reinstate the Loan prior to the Sheriff's sale, returning the parties to their prejudgment
19 interests and priorities.
20
21 6. The Defendant(s) are not entitled to a homestead exception as against Plaintiff's judgment.

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25 3 - GENERAL JUDGMENT OF FORECLOSURE AND
26 SALE
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- 1 7. All of the rights, title and interest that Borrower(s) had as of the date of the Deed of Trust or
 2 thereafter acquired in the subject Property, is hereby ordered to be sold by the Union County
 3 Sheriff's Office in accordance with the process for sale upon execution, and the proceeds of
 4 sale shall be applied; first to the costs of sale; second to satisfaction of the amounts awarded
 5 Plaintiff herein; with the surplus, if any, to the Defendants in the priority as their interest
 6 may appear or to the clerk of the court to be distributed to such party of parties as may
 7 establish their right thereto.
 8
 9 8. Plaintiff or any junior lienholders may become purchaser at the sale of the Property.
 10
 11 9. The purchaser at the sale is entitled to exclusive and immediate possession of the Property
 12 from and after the date of the sale and is entitled to such remedies as are available at law or
 13 in equity to secure possession.
 14
 15 10. The purchaser at the sale may apply to the Court for a writ of assistance if any Defendant or
 16 any person holding possession under or through such Defendant(s) shall refuse to surrender
 17 possession to the purchaser immediately on the purchaser's demand for possession.
 18
 19 11. Under the terms of the Loan there is now due and owing to Plaintiff the following amounts:

Principal		\$77,404.75	
Prejudgment interest at 5.125% through December 31, 2017 (accruing thereafter until entry of judgment at \$10.87 per diem)			\$5,619.86
Late Charges		\$94.67	
Other Costs and fees (recoverable)		\$3,121.12	
	Escrow Balance	\$2,756.12	
	Property Inspections	\$365.00	
	Subtotal		\$80,620.54
	Total plus Prejudgment Interest		\$86,240.40

26 4 - GENERAL JUDGMENT OF FORECLOSURE AND
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12. Attorney Fees and Costs are awarded to Plaintiff as follows:

Costs			\$2,212.40
	Title Search Cost	\$384.00	
	Filing Fee	\$531.00	
	Lis Pendens Recording Fee	\$55.00	
	Service by Publication	\$637.40	
	Service Costs	\$330.00	
	Prevailing Party Fee	\$275.00	
Attorney fees			\$2,050.00
Total			\$4,262.40

13. Post judgment interest on the aggregate of all amounts declared due above shall accrue from the date of judgment at the legal rate of 9% per annum pursuant to ORS 82.010.

14. This Judgment shall not create a personal lien or liability against Borrower except as is customary or necessary to execute on such Judgment and for purposes of redemption. In no event should it be construed as establishing personal liability for any persons whose debt has been extinguished in bankruptcy or by an In Rem order granting relief from stay, but only to foreclose the deed of trust mortgage. In the event the proceeds of sale are insufficient to pay the amounts due to Plaintiff, no general execution shall be issued and Plaintiff shall not be entitled to any further judgment, including a judgment for deficiency.

15. Execution may issue against the subject property for the aggregate amount found due Plaintiff herein as detailed in Paragraphs 11 through 13 together (together "Amounts Due"). Plaintiff may credit bid up to the Amounts Due plus such additional amounts as provided by ORS 18.936 or other applicable law.

1 16. If before sale such amount, including sheriff's fees for the execution, is tendered to the
2 Court and paid to the clerk, the execution, if issued, shall be recalled and the effect of the
3 judgment as to the amounts due shall be terminated.

4 17. The Clerk of the Court is hereby ordered to issue a Writ of Execution in Foreclosure for the
5 sale of the Property. Plaintiff may credit bid the amounts determined in Paragraphs 11
6 through 13 plus such additional amounts as provided in Paragraph 16 for purposes of ORS
7 18.936.

8 18. This Court shall retain jurisdiction to enter such additional order, judgment or decree
9 necessary to enforce this judgment, the writ of execution or for the purchaser at the
10 foreclosure sale to obtain possession.
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Signed: 3/19/2018 03:36 PM

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Circuit Court Judge Thomas B Powers

19 **Certificate of Readiness under UTCR 5 100**

20 This proposed order or judgment is ready for judicial signature because:

- 21
22 1. Each party affected by this order or judgment has stipulated to the order or judgment, as
23 shown by each party's signature on the document being submitted.
24 2. Each party affected by this order or judgment has approved the order or judgment, as
25 shown by each party's signature on the document being submitted or by written confirmation of
26 approval sent to me.

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- 1 3. I have served a copy of this order or judgment on each party entitled to service and:
2 a. No objection has been served on me.
3 b. I received objections that I could not resolve with a party despite reasonable efforts to do
4 so. I have filed a copy of the objections I received and indicated which objections remain
5 unresolved.
6 c. After conferring about objections, [role and name of objecting party] agreed to
7 independently file any remaining objection.
8 4. Service is not required pursuant to subsection (3) of this rule, or by statute, rule, or
9 otherwise. UTCR 8/1/16 5.5 (including out-of-cycle amendment of 5.100)
10 5. This is a proposed judgment that includes an award of punitive damages and notice has
11 been served on the Director of the Crime Victims' Assistance Section as required by subsection
12 (5) of this rule.
13 6. Other: _____

10 Submitted by:
11 Attorneys for Plaintiff,
12 SHAPIRO & SUTHERLAND, LLC

13 By: 

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