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

CITIFINANCIAL SERVICING LLC,

Plaintiff,

v.

SCOTT GORDON RAMSEY; TAMI LYNN
RAMSEY; FIRST FINANCIAL BANK,
NATIONAL ASSOCIATION; BENEFICIAL
OREGON, INC; ASSOCIATES FINANCIAL
SERVICES COMPANY OF OREGON, INC.;;
OCCUPANTS OF THE PROPERTY,

Defendant.

Case No. 15CV31305

WRIT OF EXECUTION

TO THE KLAMATH COUNTY SHERIFF:

On June 15, 2017, a Third Corrected General Judgment of Foreclosure as to All Defendants was entered by the KLAMATH 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 by assignment of the judgment is WILMINGTON SAVINGS FUND SOCIETY, FSB, AS TRUSTEE OF STANWICH MORTGAGE LOAN TRUST A 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 5006 S ETNA ST, KLAMATH FALLS, OR 97603 ("Subject Property"), and legally described as:

SEE ATTACHED EXHIBIT

1 The total amount due and owing on the Judgment as of May 24, 2018;

2 Judgment Award:

3	Principle	\$50,321.67
4	Prejudgment interest	\$15,523.94 (to 9/14/16)
5	(10.128%, \$13.96/day)	
6	Other amounts due	\$ 10,809.03
7	Prevailing Party Fee	\$ 85.00
8	Interest to judgment	\$3,825.92 (9/14/16 to
9	(10.128%, \$13.96/day)	6/15/17)
10	Post-Judgment: Interest (10.128%,	\$ 7,667.86 (6/16/17 to
11	\$22.35/day)	5/24/18)
12	Attorney Fees	\$0.00
13	Costs	\$0.00

14 **TOTAL: \$88,233.43**

15 In the name of the State of Oregon, you are hereby directed to proceed to notice for sale
16 and sell the Subject Property. After the sale, you are directed to issue a certificate of sale to the
17 purchaser and file a return on the writ of execution, depositing the sale proceeds with the Court.
18 Further, you are directed to execute, after the time for redemption has elapsed, a deed to the
19 holder of the certificate of sale.

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By the signature of the attorney for the judgment creditor, the person that requested issuance of the Writ hereby authorizes the sheriff to continue execution under the Writ and delay making a return on the writ to a date up to 150 days after receipt.



John M Powell, TCA
by Marcus Anderson
June 1, 2018 Clerk

Presented by:

ALDRIDGE PITE, LLP

By: [Signature]

Katie Riggs, OSB #095861
of Attorneys for Judgment Creditor
(858) 750-7600
(503) 222-2260 (facsimile)
orecourtnotices@aldridgepite.com

EXHIBIT "1"

The North 160 feet of Lot 42 of ELMWOOD PARK, Saving and Excepting therefrom the East 20 for roadway purposes, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

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

CITIFINANCIAL SERVICING LLC,

Plaintiff,

vs.

SCOTT GORDON RAMSEY; TAMI LYNN RAMSEY; FIRST FINANCIAL BANK, NATIONAL ASSOCIATION; BENEFICIAL OREGON, INC; ASSOCIATES FINANCIAL SERVICES COMPANY OF OREGON, INC; OCCUPANTS OF THE PROPERTY,

Defendants.

Case No.: 15CV31305

THIRD CORRECTED GENERAL JUDGMENT OF FORECLOSURE AS TO ALL DEFENDANTS

1.

THIS MATTER came before the Court on Plaintiff's motion.

Defendants SCOTT GORDON RAMSEY; TAMI LYNN RAMSEY; FIRST FINANCIAL BANK, NATIONAL ASSOCIATION; BENEFICIAL OREGON, INC; ASSOCIATES FINANCIAL SERVICES COMPANY OF OREGON, INC; and OCCUPANTS OF THE PROPERTY, ("Defaulted Defendants") were duly served with process and failed to appear; the default has been entered against Defaulted Defendants, and it appearing that Defaulted Defendants are not incapacitated, protected persons, respondents as defined in ORS 125.005, minors, or in the military service of the United States; now therefore,

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IT IS HEREBY ADJUDGED that Plaintiff shall have judgment as follows:

1. The real property to which this judgment relates is located and situated in Klamath County, Oregon, and is commonly known as 5006 S Etna St, Klamath Falls, OR 97603 (the "Subject Property"), legally described as shown in the attached *Exhibit 1*, and having APN/Parcel No. R572366.
2. Plaintiff is the owner and holder of the beneficial interest in a deed of trust and original note dated 7/29/1999 and made, delivered, and executed by Scott Gordon Ramsey and Tami Lynn Ramsey in the amount of \$63,911.20 (the "Note"). Thereafter, for valuable consideration and before maturity, the Note was indorsed and delivered to Plaintiff. CitiMortgage, Inc, who provides certain loan servicing activities to Plaintiff, in their duties as servicer of the Loan, and while in possession of the Note, lost the Note. A lost note affidavit detailing the loss of possession of the Note (the "LNA") was executed in accordance with ORS 73.0309 (1) (a)
3. A deed of trust was made, executed, and delivered by Defendants Scott Gordon Ramsey and Tami Lynn Ramsey on or about 7/29/1999 (the "Deed of Trust"). The Deed of Trust was recorded on 8/6/1999 under Volume M99 Page 31873 in the official records of Klamath County, Oregon. The Deed of Trust is a valid and perfected lien against all of the Property for and securing the Amount Due. The lien of the Plaintiff is superior to any interest, lien, or claim of the Defendants and shall remain in effect until issuance of a Sheriff's Deed.
4. The Borrower failed to make the payment that was due for November 5, 2013 and has not cured the default. The amount of debt secured by the Deed of Trust that is now due and owing is comprised of the following amounts (the "Amount Due"):

- a) Unpaid principal balance: \$50,321.67
- b) Prejudgment interest accruing from 8/5/2013 through 9/14/2016 and continuing until the entry of judgment at the current Note rate of 10.1280%: \$15,523.94
- c) Additional amounts due under the terms

1 of the loan: \$10,809.03

2 d) Prevailing party fee (ORS 20.190 \$85.00
3 (1)(a)):

4 **Total: \$76,739.64**

5 Pursuant to ORS 82.010 (2), post-judgment interest shall accrue on the Amount Due from the
6 date of entry of this judgment through the sale of the Subject Property at the rate of
7 10.1280% per annum.

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9 5. The interest of the Defendants and any successor in interest in the Subject Property is
10 foreclosed and terminated excepting only any statutory right of redemption as provided by
11 Oregon law.

12 6. The Defendants are not entitled to a homestead exception as against Plaintiff's judgment.

13 7. All right, title and interest in the Subject Property that Defendants Scott Gordon Ramsey and
14 Tami Lynn Ramsey had as of the date of the Deed of Trust or thereafter acquired is hereby
15 ordered to be sold by the Klamath County Sheriff's Office in accordance with the process for
16 sale upon execution, and the proceeds of sale shall be applied:

17 a. First, to the costs of sale not incurred by Plaintiff;

18 b. Second, to the Amount Due, plus post-judgment interest accruing from the date of
19 entry of judgment through the date of the sale and any incurred costs of sale;

20 c. Third, the surplus, if any, to the Defendants in the priority as their interest may
21 appear, described *infra*, or to the clerk of the court to be distributed by the Court to
22 such party or parties as they may establish their right thereto.

23 8. Plaintiff may become purchaser at the sale of the Subject Property and, pursuant to ORS
24 18.936 (2), may credit bid up to the Amount Due, plus post-judgment interest accruing from
25 the date of entry of judgment through the date of the sale and any incurred costs of sale.

26 9. The purchaser at the sale is entitled to exclusive and immediate possession of the Subject
27 Property from and after the date of the sale and is entitled to such remedies as are available at
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1 law or in equity to secure possession. The purchaser at the sale may apply to the Court for a
2 writ of assistance if any Defendant, other party, or other person shall refuse to surrender
3 possession to the purchaser immediately upon the purchaser's demand for possession.

4 10. In the event the proceeds of sale are insufficient to pay the Amount Due, Plaintiff shall not be
5 entitled to any further or other judgment, including a judgment for the deficiency.

6 11. If, before the sale, the Amount Due is brought into court and paid to the clerk, the execution,
7 if issued, shall be recalled and the effect of the judgment as to the Amount Due shall be
8 terminated.

9 12. Pursuant to ORS 18.950 (4), the apparent priority of liens subsequent and inferior to the
10 Deed of Trust are as follows:

11 (a) Defendant FIRST FINANCIAL BANK, NATIONAL ASSOCIATION, the Successor
12 to Irwin Union Bank and Trust Company, may claim an interest in the Subject
13 Property by virtue of a trust deed, recorded March 21, 2000, in the official records of
14 Klamath County, Oregon, under Volume: M00; Page 9314, securing a promissory
15 note in the amount of \$11,000.00;

16 (b) Defendant BENEFICIAL OREGON, INC may clam an interest in Subject Property
17 by virtue of a trust deed, recorded May 15, 2000, in the official records of Klamath
18 County, Oregon, under Volume M00; Page 17459, securing a promissory note in the
19 amount of \$17,7789.43; and,

20 (c) Defendant ASSOCIATES FINANCIAL SERVICES COMPANY OF OREGON,
21 INC may claim an interest in Subject Property by virtue of a trust deed, recorded
22 December 4, 2000, in the official records of Klamath County, Oregon, under Volume
23 M00; Page 43591, securing a promissory note in the amount of \$11,379.17.

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1 (d) Defendant TAMI LYNN RAMSEY may claim some additional interest in Subject
2 Property by virtue of a Quit Claim Deed executed by SCOTT GORDON RAMSEY,
3 recorded in the official property records of Klamath County, Oregon on July 21,
4 2014, as Instrument No. 2014-007607.

Signed: 6/15/2017 10:37 AM

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9 **Circuit Court Judge Marci W. Adkisson**

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13 I hereby certify that the requirements of UTCR 5.100 have been satisfied.

14 This proposed Corrected Judgment of Foreclosure is ready for judicial signature because:

15 The relief sought is against an opposing party who has been found in default.

16 Dated: June 14, 2017 and submitted by:

17 **McCarthy & Holthus, LLP**

18 s/ Brady Godbout

19 John Thomas OSB No. 024691
20 Robert Hakari OSB No. 114082
21 Andreanna Smith OSB No. 131336
22 x Brady Godbout OSB No. 132708
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