

[Handwritten Signature]
CERTIFIED TRUE COPY

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

)	Case No. 17CV37287
DAN LEACH and BOHUMILA LEACH)	
Plaintiffs,)	
)	
vs.)	SUPPLEMENTAL JUDGMENT
)	
JON CARLYN PERRY)	
Defendant.)	

On February 1, 2018 a general judgment in this case was entered and required defendant to specifically perform a sales contract for real property within thirty (30) days by paying certain described sums to the clerk of the court. The judgment also provides that if defendant fails to pay these sums to the clerk as required, that plaintiffs are entitled to have the property sold in accordance with ORS 18.901-18.954, but without the rights of redemption specified in ORS 18.960-18.982.

Based upon the plaintiffs' declaration and the record in the case, the court finds that the payments required by the general judgment have not been made and that plaintiffs are entitled to a money judgment against defendant in the amount of \$276,834.24 with interest thereon at the rate of 9% per annum from August 25, 2017 until paid, plus plaintiffs' reasonable attorney fees, costs and expenses of foreclosure.

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IT IS THEREFORE ADJUDGED that plaintiffs are awarded supplemental judgment in their favor and against defendant as follows.

1. Plaintiffs are entitled to a money judgment against defendant in the amount of \$276,834.24 with interest thereon at the rate of 9% per annum from August 25, 2017 until paid, plus plaintiffs' reasonable attorney fees, costs and disbursements.

2. The real property at 81575 Layton Road, Seaside Oregon more fully described on the attached Exhibit A, shall be sold by the Sheriff of Clatsop County in accordance with ORS 18.901-18.954, but without the rights of redemption specified in ORS 18.960-18.982 and that the proceeds of sale be applied first to the expenses of the sale and the remainder credited to plaintiffs' judgment. If the proceeds of sale are not sufficient to satisfy plaintiffs' judgment, that execution against defendant issue to enforce the payment of the deficiency

MONEY AWARD

- 1. JUDGMENT CREDITORS:
Dan and Bohumila Leach
77547 Hwy 53, Nehalem, OR 97131
- 2. JUDGMENT CREDITORS' ATTORNEY
Blair Henningsgaard
POB 100, Astoria, OR 97103
- 3. JUDGMENT DEBTOR:
Jon Carlyn Perry
4909 Hwy 101 N.
Gronmark Lane
Gearhart, OR 97138

Date of birth: April 3, 1973
- 4. JUDGMENT DEBTORS' ATTORNEY
None
- 5. PERSONS OR PUBLIC BODIES ENTITLED TO A PORTION OF THE JUDGMENT: None.

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- 6. THE AMOUNT OF THE MONEY AWARD IS: \$276,834.24.
- 7. ATTORNEY FEES: \$5,175.50
- 8. COSTS AND DISBURSEMENTS: \$1037.00
- 9. PREJUDGMENT INTEREST \$13,174.28 plus \$68.26 per day from March 6, 2018 until entrance of this supplemental judgment.
- 10. POSTJUDGMENT INTEREST: 9% per annum on the sum of items 6, 7, 8 & 9 from the date of this judgment until paid.

Signed: 3/22/2018 10:26 AM


Circuit Court Judge Cindee S. Matyas

SUBMITTED BY:
Blair Henningsgaard, OSB 78240
Attorney for Plaintiffs
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EXHIBIT A

Ranchette No. 32, Hamlet, in Clatsop County, Oregon, described as follows:
Commencing at the Northeast corner of Government Lot 11, Section 5, Township 4 North, Range 8 West, Willamette Meridian, Clatsop County, Oregon; thence South 0° 52' 43" East along the East line of Government Lot 11, 670.00 feet; thence North 89° 25' 10" West 399.50 feet; thence along the arc of a 350.00 foot radius curve to the left through a central angle of 10° 56' 34" 105.04 feet (chord bears North 17° 01' 44" West 104.88 feet); thence South 89° 25' 10" East 93.69 feet; thence North 0° 52' 43" West 570.00 feet to the North line of the said Government Lot 11; thence South 89° 25' 10" East along said North line 335.00 feet to the point of beginning.

SUBJECT TO:

1. The rights of the public in navigable waterways, easements, restrictions and covenants of record.

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CERTIFICATE OF COMPLIANCE WITH UTCR 5.100

The proposed judgment submitted with this certificate 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 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, _____ [role and name of opposing party] 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 subsection (3) of UTCR 5.100, 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 UTCR 5.100.

DATED: March 21, 2018.



 Blair J. Henningsgaard, OSB 78240
 Attorney for Plaintiffs

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