

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

LANE COUNTY S.O. CIVIL  
05.25.18 785411

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

DEUTSCHE BANK TRUST COMPANY  
AMERICAS, AS TRUSTEE FOR  
RESIDENTIAL ACCREDIT LOANS, INC.,  
MORTGAGE ASSET-BACKED PASS-  
THROUGH CERTIFICATES, SERIES 2006-  
QS12,  
Plaintiff,  
v.  
SEAN KEYS; AND ALL OTHER PERSONS  
OR PARTIES UNKNOWN CLAIMING ANY  
RIGHT, TITLE, LIEN, OR INTEREST IN  
THE REAL PROPERTY COMMONLY  
KNOWN AS 543 HANOVER STREET,  
EUGENE OR 97402,  
Defendant.

Case No. 17CV32366  
WRIT OF EXECUTION

TO THE LANE COUNTY SHERIFF:

On April 17, 2018, a General Judgment of Foreclosure and Declaration of Amount Due by Default was entered by the LANE 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: DEUTSCHE BANK TRUST COMPANY AMERICAS, AS TRUSTEE FOR RESIDENTIAL ACCREDIT LOANS, INC., MORTGAGE ASSET-BACKED PASS-THROUGH CERTIFICATES, SERIES 2006-QS12 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 543 HANOVER STREET, EUGENE, OR 97402 ("Subject Property"), and legally described as: LOT 7, RAINBOW LAKE, AS PLATTED AND RECORDED MARCH 20,2002, AS RECEPTION

1 NO. 2002-021439, OFFICIAL RECORDS OF LANE COUNTY OREGON.

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

3	Judgment:	Principal	\$169,389.70
4	Pre-Judgment:	Interest(7.500%, \$19.54/day)	\$1,328.72 (2/9/18 through 4/17/18)
5		Attorney Fees	\$4,470.00
6		Costs	\$1,614.07
7		Prevailing Party Fee	\$300.00
8	Post-Judgment:	Interest(9.000%, \$43.74/day)	\$568.62 (4/18/18 through 5/2/18)
9		Attorney Fees	\$305.00

10 **TOTAL: \$178,062.95**

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

16 //  
17 //  
18 //  
19 //  
20 //  
21 //  
22 //  
23 //  
24 //  
25 //  
26 //

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  
5 May 3, 2018  
6 By: Angie Jones  
7 Court Clerk

8 Presented by:

9 ALDRIDGE PITE, LLP

10 By: S Mathenia  
11 { Hunter Zook, OSB #095578  
12 { Katie Riggs, OSB #095861  
13 { Sarah Mathenia, OSB #120681  
14 { Shannon K. Calt, OSB #121855  
15 { Christina Andreoni, OSB #160875  
16 of Attorneys for Judgment Creditor  
17 (858) 750-7600  
18 (503) 222-2260 (facsimile)  
19 [orecourtnotices@aldridgepite.com](mailto:orecourtnotices@aldridgepite.com)



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16

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

DEUTSCHE BANK TRUST COMPANY  
AMERICAS, AS TRUSTEE FOR  
RESIDENTIAL ACCREDIT LOANS, INC.,  
MORTGAGE ASSET-BACKED PASS-  
THROUGH CERTIFICATES, SERIES 2006-  
QS12,  
  
Plaintiff,  
  
v.  
  
SEAN KEYS; and ALL OTHER PERSONS  
OR PARTIES UNKNOWN CLAIMING ANY  
RIGHT, TITLE, LIEN, OR INTEREST IN  
THE REAL PROPERTY COMMONLY  
KNOWN AS 543 HANOVER STREET,  
EUGENE OR 97402,  
  
Defendants.

Case No. 17CV32366  
  
**GENERAL JUDGMENT OF  
FORECLOSURE AND DECLARATION OF  
AMOUNT DUE BY DEFAULT**  
  
ORCP Rule 69  
  
PURSUANT TO SB368, THIS IS A  
JUDGMENT OF FORECLOSURE AND DOES  
NOT CONSTITUTE A MONEY AWARD  
AGAINST ANY DEFENDANT

Based upon the Court’s Order of Default against defendants Sean Keys and All Other  
Persons or Parties Unknown Claiming Any Right, Title, Lien, or Interest in The Real Property  
Commonly Known as 543 Hanover Street, Eugene OR 97402, the records on file herein, and  
pursuant to the Motion for General Judgment and Declaration of Amount Due by Default by  
Plaintiff Deutsche Bank Trust Company Americas, as Trustee for Residential Accredit Loans,  
Inc., Mortgage Asset-Backed Pass-Through Certificates, Series 2006-QS12 (“Plaintiff”),

**IT IS HEREBY ADJUDGED:**

1. Plaintiff’s security interest in the real property located at 543 Hanover Street,  
Eugene, OR 97402 (“Subject Property”), as evidenced by the Deed of Trust recorded August 3,  
2006 in the official records of Lane County as instrument number 2006-056200 (“Deed of

1 Trust”), is a viable first priority lien, superior to the interests of all the Defendants. All rights,  
2 claims, ownerships, liens, titles and demands of all Defendants are subsequent to Plaintiff’s lien  
3 as created by the Note and Deed of Trust. The Subject Property is legally described as follows:  
4

5 LOT 7, RAINBOW LAKE, AS PLATTED AND RECORDED MARCH 20,2002, AS  
6 RECEPTION NO. 2002-021439, OFFICIAL RECORDS OF LANE COUNTY  
7 OREGON.

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

11 3. Plaintiff has submitted a Declaration of Amount Due and is owed the total amount  
12 due under the Note and Deed of Trust and any future advances and/or fees that may be made or  
13 incurred pursuant to the terms of the Note and Deed of Trust up to the date of the execution sale.  
14 This amount is to be satisfied by sale of the Subject Property as directed under this Judgment;

15 4. Plaintiff is owed reasonable attorney fees plus the remaining flat rate fees for an  
16 uncontested execution on the Judgment, pursuant to the Note and Deed of Trust and ORCP Rule  
17 68(C), which amount may be added to the outstanding obligation due and owing under the Note  
18 and Deed of Trust and recovered from the proceeds of the sheriff’s sale. Pursuant to the Deed of  
19 Trust, these fees continue to accrue to the date of the execution sale. This amount to be satisfied  
20 by sale of the Subject Property as directed under this Judgment;

21 5. Plaintiff is owed costs of suit pursuant to the Note and Deed of Trust, ORCP Rule  
22 68(A)(2) and ORS 20.115(4), which may be added to the outstanding obligation due and owing  
23 under the Note and Deed of Trust and recovered from the proceeds of the sheriff’s sale. Pursuant  
24 to the Deed of Trust, these costs continue to accrue to the date of the execution sale. This  
25 amount to be satisfied by sale of the Subject Property as directed under this Judgment;

26 6. Plaintiff is owed the prevailing party fee of \$300.00, this amount to be satisfied by

1 sale of the Subject Property as directed under this Judgment.

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

11 8. Plaintiff or any other party to this action may become a purchaser at the  
12 foreclosure sale, and such purchaser shall be immediately let into possession of the subject  
13 property, until redemption of the property, if any. The purchaser at the foreclosure sale or any  
14 successor in interest may apply to this Court for a writ of assistance to gain possession of the  
15 subject property if Defendants or any other party or person refuses to surrender possession;

16 DECLARATION OF AMOUNT DUE BY DEFAULT

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

19 1. The total amount of the unpaid principal balance, interest, and other amounts  
20 owed is \$169,389.70.

21 2. Simple interest at the variable rate currently at 7.500% (\$19.54 *per diem*) after  
22 February 8, 2018, through the date of judgment

23 3. Attorney fees of \$4,470.00, plus \$305.00, through the date of sale.

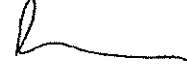
24 4. Costs of \$1,614.07, plus costs accrued through the date of sale.

25 5. Prevailing party fee: \$300.00.  
26

1           6.     Post-judgment interest thereafter on the total amount above, #1-5, at the contract  
2 rate of interest or 9.000% per annum, whichever is greater, through the date of sale.

3           **IT IS SO ADJUDGED**

Signed: 4/17/2018 08:57 AM



R. Curtis Conover, Circuit Court Judge

7           **CERTIFICATE OF READINESS**

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

- 9           1.    Each party affected by this order or judgment has stipulated to the order or judgment,  
10           as shown by each party's signature on the document being submitted.
- 11           2.    Each party affected by this order or judgment has approved the order or judgment, as  
12           shown by each party's signature on the document being submitted or by written  
13           confirmation of approval sent to me.
- 14           3.    I have served a copy of this order or judgment on all parties entitled to service and:  
15           a.    No objection has been served on me;  
16           b.    I received objections that I could not resolve with a party despite reasonable  
17           efforts to do so. I have filed a copy of the objections I received and indicated  
18           which objections remain unresolved.  
19           c.    After conferring about objections, [ **role and name of objecting party** ]  
20           agreed to independently file any remaining objection.
- 21           4.    Service is not required pursuant to subsection (3) of this rule, or by statute, rule, or  
22           otherwise.
- 23           5.    This is a proposed judgment that includes an award of punitive damages and notice  
24           has been served on the Director of the Crime Victims' Assistance Section as required by  
25           subsection (5) of this rule.
- 26           6.    Other: \_\_\_\_\_

22           Presented By:  
23           ALDRIDGE PITE, LLP

24           /s/ Sarah M. Mathenia  
25           Sarah Mathenia, OSB #120681  
26           of Attorneys for Plaintiff  
              (858) 750-7600 (503) 222-2260 (facsimile)  
              orecourtnotices@aldridgepite.com

Date: April 11, 2018

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

Aldridge Pite, LLP  
111 SW Columbia Street, Suite 950  
Portland, OR 97201  
(858) 750-7600