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

U.S. BANK NATIONAL ASSOCIATION, AS
TRUSTEE FOR GSAA HOME EQUITY
TRUST 2007-1, ASSET-BACKED
CERTIFICATES, SERIES 2007-1,

Plaintiff,

v.

THE UNKNOWN HEIRS AND DEVISEES
OF CHARLES V BEASLEY JR; THE
UNKNOWN HEIRS AND DEVISEES OF
MARGARET BEASLEY AKA MARGARET
L CLINE, AKA MARGARET L SEIVERT,
AKA MARGARET L CLILNE; MORTGAGE
ELECTRONIC REGISTRATION SYSTEMS
INC.; GREENPOINT MORTGAGE
FUNDING, INC; LIVINGSTON
FINANCIAL, LLC; MIDLAND FUNDING,
LLC; ANDREA JO FUJII; JAMES MICHAEL
MOEN; STEPHANIE KAE MOEN; JASON
THOMAS CLINE; MIRANDA CLINE;
DENISE RENEE CLINE; OCCUPANTS OF
THE PROPERTY,

Defendants.

Case No.: 16CV11970

WRIT OF EXECUTION IN
FORECLOSURE

TO THE LANE COUNTY SHERIFF:

A Judgment of Foreclosure was entered and docketed in this case on March 8, 2018. A true copy of the Judgment is attached hereto. The Judgment was entered in favor of the Plaintiff:

1 U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR GSAA HOME EQUITY
TRUST 2007-1, ASSET-BACKED CERTIFICATES, SERIES 2007-1

2 c/o
3 McCarthy & Holthus, LLP
920 SW 3rd Ave, 1st Floor
Portland, OR 97204

4 With the adjudicated amount due of \$256,102.40, plus post-judgment interest at the statutory rate
5 of 9.0% per annum from March 8, 2018 to April 20, 2018 in the amount of \$2,715.39, and
6 continuing to accrue at \$63.15 *per diem*, currently totaling \$258,817.79.

7 **NOW, THEREFORE, IN THE NAME OF THE STATE OF OREGON**, you are
8 hereby commanded to sell, in the manner prescribed by law for the sale of real property on
9 execution (subject to redemption of 180 days), all of the interest that the Defendant had on or
10 about November 16, 2006, the date of the Deed of Trust, and also the interest that the Defendant
11 had thereafter, in the real property described as:

12 **LOT 13, BLOCK 3, SECOND ADDITION TO NORMAN PARK, JUNCTION
13 CITY, OREGON, AS PLATTED AND RECORDED IN BOOK 64, PAGE 25,
14 LANE COUNTY OREGON PLAT RECORDS, IN LANE COUNTY, OREGON.**

15 APN/Parcel # 1069465 and commonly known as: 455 Crona Street, Junction City, OR
16 97448.

17 Sale of the property is to satisfy the sum listed above, plus the costs incurred in
18 performing this Writ. Pursuant to ORS 18.872, you are authorized to continue execution under
19 the writ and delay making a return on the writ to no later than 150 days from receipt of the writ.
20 You are to make the return within 60 days after you receive this Writ. Should the sale be
21 continued, the writ may be automatically extended for 30 days.

22 APR 20 2018

23 By: Angie Jones
24 court clerk



1 Dated: April 18, 2018 and submitted by:

2 **McCarthy & Holthus, LLP**

3 s/ Bryan Kidder

4 Bryan Kidder, OSB No. 140459

5 920 SW 3rd Ave, 1st Floor

6 Portland, OR 97204

7 Phone: (971) 201-3200

8 Fax: (971) 201-3202

9 bkidder@mccarthyholthus.com

10 Of Attorneys for Plaintiff

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

U.S. BANK NATIONAL ASSOCIATION,
AS TRUSTEE FOR GSAA HOME
EQUITY TRUST 2007-1, ASSET-
BACKED CERTIFICATES, SERIES 2007-
1,

Plaintiff,

v.

THE UNKNOWN HEIRS AND
DEWISEES OF CHARLES V BEASLEY
JR; THE UNKNOWN HEIRS AND
DEWISEES OF MARGARET BEASLEY
AKA MARGARET L CLINE, AKA
MARGARET L SEIVERT, AKA
MARGARET L CLILNE; MORTGAGE
ELECTRONIC REGISTRATION
SYSTEMS INC.; GREENPOINT
MORTGAGE FUNDING, INC;
LIVINGSTON FINANCIAL, LLC;
MIDLAND FUNDING, LLC; ANDREA
JO FUJII; JAMES MICHAEL MOEN;
STEPHANIE KAE MOEN; JASON
THOMAS CLINE; MIRANDA CLINE;
DENISE RENEE CLINE; OCCUPANTS
OF THE PROPERTY,

Defendants.

Case No.: 16CV11970

GENERAL JUDGMENT OF
FORECLOSURE

1.

THIS MATTER came before the Court on Plaintiff's motion. All Defendants ("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.

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

- a. The real property to which this judgment relates is located and situated in Lane County, Oregon, and is commonly known as 455 Crona Street, Junction City, OR 97448 (the "Subject Property"), legally described as shown in the attached *Exhibit 1*, and having APN/Parcel No. 1069465.
- b. Plaintiff is entitled to enforce the note dated November 16, 2006 and made, delivered, and executed by CHARLES V. BEASLEY, JR. to GREENPOINT MORTGAGE FUNDING, INC. in the amount of \$144,000.00 (the "Note"). The Note was transferred to Plaintiff by delivery of possession and by indorsement set forth on the Note.
- c. A deed of trust was made, executed, and delivered by CHARLES V. BEASLEY, JR. on or about November 16, 2006 (the "Deed of Trust"). The Deed of Trust was recorded on November 27, 2006 as Instrument No. 2006-085012 in the official records of Lane 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.
- d. The Borrower failed to make the payment that was due for October 1, 2009 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: \$143,940.00
- b) Prejudgment interest accruing from 9/1/2009 through 2/20/2018 and continuing until the entry of judgment at the current Note rate of 7.5000%: \$55,084.07
- c) Additional amounts due under the terms of the loan: \$50,155.29
- d) Attorney fees and costs: \$6,838.04

1 e) Prevailing party fee (ORS 20.190 (1)(b)): \$85.00

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3 **Total: \$256,102.40**

4 Pursuant to ORS 82.010 (2), post-judgment interest shall accrue on the Amount Due from the
5 date of entry of this judgment through the sale of the Subject Property at the rate of 9.00%
6 per annum.

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

10 f. The Defendant is not entitled to a homestead exception as against Plaintiff's judgment.

11 g. All right, title and interest in the Subject Property that CHARLES V. BEASLEY, JR. had as
12 of the date of the Deed of Trust or thereafter acquired is hereby ordered to be sold by the
13 Lane County Sheriff's Office in accordance with the process for sale upon execution, and the
14 proceeds of sale shall be applied:

- 15 1) First, to the costs of sale not incurred by Plaintiff;
16 2) Second, to the Amount Due, plus post-judgment interest accruing from the date of
17 entry of judgment through the date of the sale and any incurred costs of sale;
18 3) Third, the surplus, if any, to the Defendants in the priority as their interest may
19 appear, described *infra*, or to the clerk of the court to be distributed by the Court to
20 such party or parties as they may establish their right thereto.

21 h. Plaintiff may become purchaser at the sale of the Subject Property and, pursuant to ORS
22 18.936 (2), may credit bid up to the Amount Due, plus post-judgment interest accruing from
23 the date of entry of judgment through the date of the sale and any incurred costs of sale.

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

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

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

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

10 1. Defendants, MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC. and
11 GREENPOINT MORTGAGE FUNDING, INC., may claim a junior interest in Subject
12 Property by virtue of a deed of trust dated on November 27, 2006 as Instrument No.
13 2006-085013 in the official records of Lane County, Oregon

14 2. Defendant, LIVINGSTON FINANCIAL, LLC, may claim a junior interest in Subject
15 Property by virtue of a judgment entered on January 29, 2010 as Case No. 120921418 in
16 the official records of Lane County, Oregon

17 3. Defendant, MIDLAND FUNDING, LLC, may claim a junior interest in Subject Property
18 by virtue of a judgment entered on January 9, 2012 as Case No. 121121257 in the official
19 records of Lane County, Oregon

20 4. Defendant THE UNKNOWN HEIRS AND DEVISEES OF MARGARET BEASLEY
21 AKA MARGARET L CLINE, AKA MARGARET L SEIVERT, AKA MARGARET L
22 CLILNE, the deceased spouse of CHARLES V BEASLEY JR, may claim some interest
23 in the Subject Property by virtue of intestate succession, devise, or operation of law.

24 5. Defendant, ANDREA JO FUJI, may claim an interest in the Subject Property by virtue
25 succession, devise, or other transfer of the interest held by Margaret Beasley.

26 6. Defendant, JAMES MICHAEL MOEN, may claim an interest in the Subject Property by
27 virtue succession, devise, or other transfer of the interest held by Margaret Beasley.

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- 7. Defendant STEPHANIE KAE MOEN may claim an interest in the Subject Property by virtue succession, devise, or other transfer of the interest held by Margaret Beasley.
- 8. Defendant MIRANDA CLINE may claim an interest in the Subject Property by virtue succession, devise, or other transfer of the interest held by Margaret Beasley.
- 9. Defendant DENISE RENEE CLINE may claim an interest in the Subject Property by virtue succession, devise, or other transfer of the interest held by Margaret Beasley

Signed 3/7/2018 03:49 PM



Charles D. Carlson, Circuit Court Judge

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

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

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

Dated: February 21, 2018 and submitted by:

McCarthy & Holthus, LLP

s/ Bryan Kidder

Bryan Kidder, OSB No. 140459
 920 SW 3rd Ave, 1st Floor
 Portland, OR 97204
 Phone: (971) 201-3200
 Fax: (971) 201-3202
 bkidder@mccarthyholthus.com
 Of Attorneys for Plaintiff

EXHIBIT "1"

LEGAL DESCRIPTION

Lot 13, Block 3, SECOND ADDITION TO NORMAN PARK, Junction City, Oregon, as platted and recorded in Book 64, Page 25, Lane County Oregon Plat Records, in Lane County, Oregon.