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*LANE COUNTY S.O. CIVIL  
05.25.18 187544*

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

PROF-2013-S3 LEGAL TITLE TRUST IV,  
BY U.S. BANK NATIONAL  
ASSOCIATION, AS LEGAL TITLE  
TRUSTEE,

Case No. 17CV12561

**WRIT OF EXECUTION**

Plaintiff,

v.

THE ESTATE OF BILLIE-JUNE E.  
VAUGHAN; THE UNKNOWN HEIRS AND  
ASSIGNS OF BILLIE-JUNE E. VAUGHAN;  
THE UNKNOWN DEVISEES OF BILLIE-  
JUNE E. VAUGHAN; CATHERINE ADLER;  
MIDLAND FUNDING, LLC; CITY OF  
EUGENE; AND ALL OTHER PERSONS OR  
PARTIES UNKNOWN CLAIMING ANY  
RIGHT, TITLE, LIEN, OR INTEREST IN  
THE REAL PROPERTY COMMONLY  
KNOWN AS 4224 DOVE LN, EUGENE, OR  
97402,

Defendant.

TO THE LANE COUNTY SHERIFF:

On March 15, 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: PROF-2013-S3 LEGAL TITLE TRUST IV, BY U.S. BANK NATIONAL ASSOCIATION, AS LEGAL TITLE TRUSTEE 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 4224 DOVE LN,

1 EUGENE, OR 97402 ("Subject Property"), and legally described as:

2 LOT 25 AND THE EAST 2.00 FEET OF LOT 26, LEXINGTON PARK FIRST  
3 ADDITION, AS PLATTED AND RECORDED IN FILE 72, SLIDE 14, LANE COUNTY  
4 OREGON PLAT RECORDS, IN LANE COUNTY, OREGON.

5 The total amount due and owing on the Judgment as of May 8, 2018;

|                   |                               |                                     |
|-------------------|-------------------------------|-------------------------------------|
| 6 Judgment:       | Principal                     | \$173,721.36                        |
| 7 Pre-Judgment:   | Interest(4.250%, \$16.49/day) | \$445.23 (2/17/18 through 3/15/18)  |
| 8                 | Attorney Fees                 | \$4,645.00                          |
| 9                 | Costs                         | \$2,447.18                          |
| 10                | Prevailing Party Fee          | \$300.00                            |
| 11 Post-Judgment: | Interest(9.000%, \$44.84/day) | \$2,421.36 (3/16/18 through 5/8/18) |
| 12                | Attorney Fees                 | \$305.00                            |

13 **TOTAL: \$184,285.13**

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

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Page 2 – WRIT OF EXECUTION

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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.

COURT ADMINISTRATOR FOR  
LANE COUNTY CIRCUIT COURT

May 14, 2018

By: Angie Jones  
court clerk

Presented by:  
ALDRIDGE PITE, LLP

By: Christina Andreoni

{ Hunter Zook, OSB #095578  
{ Katie Riggs, OSB #095861  
{ Sarah Mathenia, OSB #120681  
{ Shannon K. Calt, OSB #121855  
{ Christina Andreoni, OSB #160875  
*of Attorneys for Judgment Creditor*  
(858) 750-7600  
(503) 222-2260 (facsimile)  
[orecourtnotices@aldridgepite.com](mailto:orecourtnotices@aldridgepite.com)



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

PROF-2013-S3 LEGAL TITLE TRUST IV,  
BY U.S. BANK NATIONAL  
ASSOCIATION, AS LEGAL TITLE  
TRUSTEE,

Plaintiff,

v.

THE ESTATE OF BILLIE-JUNE E.  
VAUGHAN; THE UNKNOWN HEIRS AND  
ASSIGNS OF BILLIE-JUNE E. VAUGHAN;  
THE UNKNOWN DEVISEES OF BILLIE-  
JUNE E. VAUGHAN; CATHERINE ADLER;  
MIDLAND FUNDING, LLC; CITY OF  
EUGENE; and ALL OTHER PERSONS OR  
PARTIES UNKNOWN CLAIMING ANY  
RIGHT, TITLE, LIEN, OR INTEREST IN  
THE REAL PROPERTY COMMONLY  
KNOWN AS 4224 DOVE LN, EUGENE, OR  
97402,

Defendants.

Case No. 17CV12561

**GENERAL JUDGMENT OF  
FORECLOSURE AND DECLARATION OF  
AMOUNT DUE BY STIPULATION AND  
DEFAULT**

PURSUANT TO SB368, THIS IS A  
JUDGMENT OF FORECLOSURE AND DOES  
NOT CONSTITUTE A MONEY AWARD  
AGAINST ANY DEFENDANT

Based upon the stipulation of Defendant CITY OF EUGENE ("Stipulating Defendant"),  
the Court's Orders of Default against Defendants THE ESTATE OF BILLIE-JUNE E.  
VAUGHAN; THE UNKNOWN HEIRS AND ASSIGNS OF BILLIE-JUNE E. VAUGHAN;  
THE UNKNOWN DEVISEES OF BILLIE-JUNE E. VAUGHAN; CATHERINE ADLER;  
MIDLAND FUNDING, LLC; and ALL OTHER PERSONS OR PARTIES UNKNOWN  
CLAIMING ANY RIGHT, TITLE, LIEN, OR INTEREST IN THE REAL PROPERTY  
COMMONLY KNOWN AS 4224 DOVE LN, EUGENE, OR 97402 ("Defendants"), the records  
on file herein, and pursuant to the Motion for General Judgment and Declaration of Amount Due

1 by Default and Stipulation by Plaintiff PROF-2013-S3 LEGAL TITLE TRUST IV, BY U.S.  
2 BANK NATIONAL ASSOCIATION, AS LEGAL TITLE TRUSTEE ("Plaintiff"),

3 **IT IS HEREBY ADJUDGED:**

4 1. Plaintiff's security interest in the real property located at 4224 Dove Ln, Eugene,  
5 OR 97402 ("Subject Property"), as evidenced by the Deed of Trust recorded in the official  
6 records of County as Instrument Number 2013-019672 ("Deed of Trust"), is a viable first  
7 priority lien, superior to the interests of all the Defendants. All rights, claims, ownerships, liens,  
8 titles and demands of all Defendants are subsequent to Plaintiff's lien as created by the Note and  
9 Deed of Trust.

10 2. Stipulating Defendant has a valid and subsisting lien junior to that of Plaintiff by  
11 way of a judgment lien. This lien was recorded on August 4, 2016 in the amount of \$1,289.33  
12 plus interest and may be found in the official records of Lane County as Account No. MA-2016-  
13 000007660.

14 3. The Subject Property is legally described as follows: LOT 25 AND THE EAST  
15 2.00 FEET OF LOT 26, LEXINGTON PARK FIRST ADDITION, AS PLATTED AND  
16 RECORDED IN FILE 72, SLIDE 14, LANE COUNTY OREGON PLAT RECORDS, IN LANE  
17 COUNTY, OREGON.

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

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

25 6. Plaintiff is owed reasonable attorney fees plus the remaining flat rate fees for an

1 uncontested execution on the Judgment, pursuant to the Note and Deed of Trust and ORCP Rule  
2 68(C), which amount may be added to the outstanding obligation due and owing under the Note  
3 and Deed of Trust and recovered from the proceeds of the sheriff's sale. Pursuant to the Deed of  
4 Trust, these fees continue to accrue to the date of the execution sale. This amount to be satisfied  
5 by sale of the Subject Property as directed under this Judgment;

6 7. Plaintiff is owed costs of suit pursuant to the Note and Deed of Trust, ORCP Rule  
7 68(A)(2) and ORS 20.115(4), which may be added to the outstanding obligation due and owing  
8 under the Note and Deed of Trust and recovered from the proceeds of the sheriff's sale. Pursuant  
9 to the Deed of Trust, these costs continue to accrue to the date of the execution sale. This  
10 amount to be satisfied by sale of the Subject Property as directed under this Judgment;

11 8. Plaintiff is owed the prevailing party fee of \$300.00. This amount is to be satisfied  
12 by sale of the Subject Property, as directed under this Judgment.

13 9. The proceeds of the sale, if any, shall be applied first toward the costs of the sale;  
14 then toward the satisfaction of Plaintiff's Judgment of Foreclosure awarded herein; and the  
15 surplus, if any, to the clerk of the court to be distributed to such party or parties as may establish  
16 their right thereto. The Defendants and all persons claiming through or under Defendants,  
17 whether lien claimants, judgment creditors, claimants arising under junior mortgages or deeds of  
18 trust, purchasers, encumbrances or otherwise, shall be barred and foreclosed from all rights,  
19 claims, interest or equity of redemption in the Subject Property and every part of the Subject  
20 Property when the time for redemption has elapsed;

21 10. Plaintiff or any other party to this action may become a purchaser at the  
22 foreclosure sale, and such purchaser shall be immediately let into possession of the subject  
23 property, until redemption of the property, if any. The purchaser at the foreclosure sale or any  
24 successor in interest may apply to this Court for a writ of assistance to gain possession of the  
25 subject property if Defendants or any other party or person refuses to surrender possession;

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**DECLARATION OF AMOUNT DUE BY DEFAULT**  
**(PURSUANT TO SB 368, THIS IS A JUDGMENT OF FORECLOSURE AND DOES**  
**NOT CONSTITUTE A MONEY AWARD AGAINST ANY DEFENDANT)**

1. The amount of the judgment is \$173,721.36.
2. Simple interest at the variable rate currently at 4.25000% (\$16.49 *per diem*) after February 16, 2018, through the date of judgment.
3. Attorney fees of \$4,645.00, plus \$305.00, through the date of sale.
4. Costs of \$2,447.18, plus costs accrued through the date of sale.
5. Prevailing party fee: \$300.00.
6. Post-judgment interest thereafter on the total amounts Numbers 1 – 5, above, at the contract rate of interest or 9.000% per annum, whichever is greater, through the date of sale.

**IT IS SO ADJUDGED**

Signed: 3/15/2018 09:53 AM

  
**Suzanne B. Chaffi, Circuit Court Judge**

<Stipulations on next page>

1 IT IS SO STIPULATED:

2 Submitted and stipulated by:  
3 ALDRIDGE PITE, LLP

4 /s/ Christina Andreoni Date 2/26/18

5 Christina M. Andreoni, OSB #160875  
6 111 SW Columbia Street, Suite 950  
7 Portland, OR 97201  
8 (858) 750-7600  
9 candreoni@aldridgepite.com  
10 *Of Attorneys for Plaintiff PROF-2013-S3 Legal Title Trust IV,*  
11 *By U.S. Bank National Association, As Legal Title Trustee*

10 Ben Miller Date 2-27-18

11 Ben Miller, OSB # 074690  
12 Eugene City Attorney's Office  
13 125 East 8th Avenue  
14 Eugene, OR 97401  
15 (541) 682-8439  
16 ben.j.miller@ci.eugene.or.us  
17 *Of Attorneys for Defendant City of Eugene*

18 By signing above the Parties hereby acknowledge the following: (1) that they were provided a  
19 reasonable period of time to review and consider this Stipulated Judgment; (2) that they were  
20 advised to and have sought and received the advice of their attorney prior to signing this  
21 Stipulated Judgment, or had the opportunity to consult with an attorney and chose not to do so;  
22 (3) that they understand that they are waiving legal rights by signing this Stipulated Judgment;  
23 (4) that they have reviewed this Stipulated Judgment, that this Stipulated Judgment is written in a  
24 manner that is understandable to them, and that they indeed understand the entirety of this  
25 Stipulated Judgment and the effect(s) of signing this Stipulated Judgment; and (5) that they sign  
26 this Stipulated Judgment of their own free act and deed, without any coercion or duress, and that  
27 they hereby release the rights and claims set forth above in exchange for the consideration set  
28 forth in this Stipulated Judgment

22 **CERTIFICATE OF READINESS**

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

- 25 1.  Each party affected by this order or judgment has stipulated to the order or judgment,  
as shown by each party's signature on the document being submitted.

Page 5 – GENERAL JUDGMENT AND DECLARATION OF AMOUNT DUE BY STIPULATION AND  
DEFAULT

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



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- 2.  Each party affected by this order or judgment has approved the order or judgment, as shown by each party's 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 a 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 objecting party] agreed to independently file any remaining objection.
- 4.  Service is not required pursuant to subsection (3) of this rule, or by statute, rule, or otherwise.
- 5.  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 (5) of this rule.
- 6.  Other:

Presented By:  
ALDRIDGE PITE, LLP

/s/ Christina Andreoni

Date: 2/26/18

Christina M. Andreoni, OSB #160875  
111 SW Columbia Street, Suite 950  
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candreoni@aldridgepite.com  
orecourtnotices@aldridgepite.com

*Of Attorneys for Plaintiff PROF-2013-S3 Legal Title Trust IV,  
By U.S. Bank National Association, As Legal Title Trustee*