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

THE BANK OF NEW YORK MELLON FKA
THE BANK OF NEW YORK, AS TRUSTEE
FOR THE CERTIFICATEHOLDERS OF
THE CWABS INC., ASSET-BACKED
CERTIFICATES, SERIES 2006 16,

Plaintiff,
vs.

ESTATE OF BRADLEY T. ELSASSER, an
estate; HENRY ELSASSER, an individual;
AMY ELSASSER, an individual; MELISSA
ELSASSER, an individual; JENNIFER
ELSASSER, an individual; UNKNOWN
HEIRS OF BRADLEY T. ELSASSER, an
individual; and all other persons, parties, or
occupants unknown claiming any legal or
equitable right, title, estate, lien, or interest in
the real property described in the complaint
herein, adverse to Plaintiff's title, or any cloud
on Plaintiff's title to the Property.

Defendants.

CASE NO.: CV15030576
WRIT OF EXECUTION

STATE OF OREGON)
) ss.
County of Clackamas)

TO THE SHERIFF OF CLACKAMAS COUNTY OREGON:

WRIT OF EXECUTION -1-

Zieve, Brodnax & Steele, LLP
Janaya L. Carter, Esq
Amy F. Harrington, Esq.
One World Trade Center
121 Southwest Salmon St., 11th Floor
Portland, OR 97204
714-848-7920
jcarter@zbslaw.com

1 WHEREAS, on May 18, 2018, by consideration of the Clackamas County Circuit Court,
2 there was entered a General Judgment of Foreclosure as to ESTATE OF BRADLEY T.
3 ELSASSER, an estate; HENRY ELSASSER, an individual; AMY ELSASSER, an individual;
4 MELISSA ELSASSER, an individual; JENNIFER ELSASSER, an individual; UNKNOWN
5 HEIRS OF BRADLEY T. ELSASSER, an individual; and all other persons, parties, or occupants
6 unknown claiming any legal or equitable right, title, estate, lien, or interest in the real property
7 described in the complaint herein, adverse to Plaintiff's title, or any cloud on Plaintiff's title to
8 the Property. Said General Judgment of Foreclosure was duly enrolled and docketed in the Court
9 Administrator's Office in said County on May 18, 2018; a true copy of the General Judgment of
10 Foreclosure is attached hereto and made a part hereof.

11 Judgment Creditor: THE BANK OF NEW YORK MELLON FKA THE BANK OF
12 NEW YORK, AS TRUSTEE FOR THE
13 CERTIFICATEHOLDERS OF THE CWABS INC., ASSET-
14 BACKED CERTIFICATES, SERIES 2006 16
15 c/o Shellpoint Mortgage Servicing

16 Judgment Creditor Address: 55 Beattie Place, Suite 100
17 Greenville, SC 29601

18 NOW THEREFORE IN THE NAME OF THE STATE OF OREGON, you are
19 commanded to sell the real property as by said General Judgment of Foreclosure according to
20 law (subject to redemption) all of the interest that the borrower Bradley T. Elsasser had on the
21 10th day of July 2006, the date of the Mortgage, and also all of the interest that borrower had
22 thereafter, in the real property described in the Judgment as:

23 Part of Tract 34, WEBSTER ACRES, in the County of Clackamas and State of Oregon,
24 described as follows:

25 Beginning at the Southwest corner of said Tract 34; thence North along the West line of
26 said Tract 34, 125 feet; thence East parallel with the South line of said Tract 34, 150 feet;
27 thence South 125 feet to a point on the South line of said Tract 34 which is 150 feet East

28 WRIT OF EXECUTION -2-

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1 of the point of beginning; thence West along said South line, 150 feet to the point of
2 beginning.

3 APN: 00466659

4 The street address of the real property to be levied upon is 6725 SE Mabel Avenue
5 Milwaukie, OR 972.

6 The above referenced property shall be sold to satisfy the following sums: The principal
7 balance and interest in the amount of \$405,052.97; plus reasonable attorney fees and costs in the
8 amount of \$5,782.10; plus a prevailing party fee in the amount of \$300.00; plus prejudgment
9 interest from March 1, 2018 through May 18, 2018 in the amount of \$3,886.01 (\$49.19 x 79
10 days); plus post-judgment interest accruing after May 18, 2018 through May 21, 2018, at the rate
11 of 9.0% per annum, of \$306.99 (\$102.33 per diem x 3 days) for a total of \$415,328.07 with
12 interest to continue to accrue at the rate of 9.0% per annum (\$102.33 per diem) until the date of
13 sale; Thus,

14 THE TOTAL AMOUNT OF EXECUTION REQUESTED HEREON, STATED AS OF
15 THE DATE OF SUBMISSION (May 21, 2018) IS AS FOLLOWS:

16	Principal Balance and Interest:	\$405,052.97
17	Attorney Fees and Costs:	\$5,782.10
18	Prevailing Party Fee:	\$300.00
19	Pre-Judgment Interest from	
20	03/01/18 – 05/18/18 at 7.875%	
21	(\$49.19 per diem)	\$3,886.01
22	Post-Judgment Interest from	
23	05/19/18– 05/21/18 at 9.0%	
24	(\$102.33 per diem)	\$306.99

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26 WRIT OF EXECUTION -3-

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1 Total due as of May 21, 2018: \$415,328.07, with interest to continue to accrue at
2 9.0% (\$102.33 per diem) until the date of sale.

3
4 The proceeds of sale shall be applied, delivered, and distributed according to ORS
5 18.950.

6 Dated: May 25, 2018

7 By: *Janaya L. Carter*



8 Submitted by:

9 *Janaya L. Carter*
10 Janaya L. Carter, OSB No. 032830

11 Court Administrator relies on the information
12 provided by the person seeking issuance of
13 this writ of execution and is not liable for any
14 errors or omissions in the information

15 COURT CLERK HAS NOT VERIFIED FIGURES IN THIS WRIT.
16 IF YOU HAVE ANY QUESTIONS REGARDING THIS WRIT,
17 PLEASE CONTACT YOUR LEGAL COUNSEL, THE ISSUING
18 ATTORNEY OR THE ISSUING COMPANY. DEBTOR MAY CONTEST
19 THIS WRIT BY FILING A CLAIM OF EXEMPTION.

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25 WRIT OF EXECUTION -4-

26 **Zieve, Brodnax & Steele, LLP**
27 Janaya L. Carter, Esq.
28 Amy F. Harrington, Esq.
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**IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF CLACKAMAS**

THE BANK OF NEW YORK MELLON FKA
THE BANK OF NEW YORK, AS TRUSTEE
FOR THE CERTIFICATEHOLDERS OF
THE CWABS INC., ASSET-BACKED
CERTIFICATES, SERIES 2006 16,

Plaintiff,

vs.

ESTATE OF BRADLEY T. ELSASSER, an
estate; HENRY ELSASSER, an individual;
AMY ELSASSER, an individual; MELISSA
ELSASSER, an individual; JENNIFER
ELSASSER, an individual; UNKNOWN
HEIRS OF BRADLEY T. ELSASSER, an
individual; and all other persons, parties, or
occupants unknown claiming any legal or
equitable right, title, estate, lien, or interest in
the real property described in the complaint
herein, adverse to Plaintiff's title, or any cloud
on Plaintiff's title to the Property.

Defendants.

CASE NO. CV15030576

**GENERAL JUDGMENT OF
FORECLOSURE BY DEFAULT
(WITHOUT MONEY AWARD -
JUDGMENT DOES NOT
CREATE A LIEN)**

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///
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1 Based upon the Motion for a General Judgment of Foreclosure filed by plaintiff, The
2 Bank of New York Mellon FKA The Bank of New York, as Trustee for the Certificateholders of
3 the CWABS Inc., Asset-Backed Certificates, Series 2006 16 ("Plaintiff") and against defendants
4 Estate of Bradley T. Elsasser ("Estate"); Henry Elsasser ("Henry"); Amy Elsasser ("Amy");
5 Melissa Elsasser ("Melissa"); Jennifer Elsasser ("Jennifer" together with Estate, Henry, Amy,
6 and Melissa, collectively "Defendants"), and that Plaintiff has filed a Statement for Attorney
7 Fees, Costs, and Disbursements,

8 **IT IS HEREBY ORDERED AND ADJUDGED:**

9 **1.**

10 Plaintiff is awarded judgment against Defendants and all persons claiming through or
11 under Defendants, as purchasers, encumbrances, or otherwise, are forever foreclosed of all
12 interest, lien or claim in the real property described above and every portion thereof excepting
13 only any satisfactory right of redemption as Defendants, or any of them, may have therein.

14 **2.**

15 Writ of execution upon this General Judgment of Foreclosure shall issue.

16 **3.**

17 The Deed of Trust executed by Borrower and recorded on July 14, 2006, in the
18 Clackamas County Recorder's Office as Instrument number 2006-064477, is a valid mortgage
19 lien for the amount of Plaintiff's judgment set forth in paragraph 1 against all the real property,
20 located in Clackamas County, Oregon commonly referred to as 6725 SE Mabel Avenue
21 Milwaukie, OR 97267, with a legal description as follows:

22 Part of Tract 34, WEBSTER ACRES, in the County of Clackamas and State of Oregon,
23 described as follows:

24 Beginning at the Southwest corner of said Tract 34; thence North along the West line of
25 said Tract 34, 125 feet; thence East parallel with the South line of said Tract 34, 150 feet;

1 shall refuse to surrender possession to the purchaser immediately on the purchaser's demand for
2 possession.

3 **SECURED DEBT**

4
5 1. Judgment Creditor: The Bank of New York Mellon FKA The Bank of
6 New York, as Trustee for the Certificateholders of
7 the CWABS Inc., Asset-Backed Certificates, Series
8 2006 16
9 c/o Zieve, Brodnax, & Steele, LLP
One World Trade Center
121 Southwest Salmon St., 11th Floor
Portland, OR 97204
714-848-7920

10
11 2. Judgment Creditor's Attorney: Amy F. Harrington
12 Janaya L. Carter
13 Zieve, Brodnax, & Steele, LLP
14 One World Trade Center
121 Southwest Salmon St., 11th Floor
Portland, OR 97204
714-848-7920

15 3. Person or public body entitled to any portion of money award herein: None

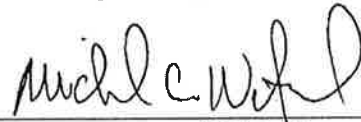
16 4. Total Amount of Secured Debt:

LENDERS' PRINCIPAL AND INTEREST	
Principal Balance	\$ 276,241.43
Accrued interest on the principal balance through 2/28/18	\$ 90,876.61
Accrued fees on the principal balance through 2/28/18	\$ 36,499.93
Additional pre-judgment interest to accrue from 2/28/18 to the date this judgment is entered, at the note rate of 7.875% (\$49.19 per diem)	
Post-judgment interest to accrue on the sum of: (1) the judgment amount in section d, and (2) the additional pre-judgment interest accruing from 2/28/18 to the date of judgment. This post-judgment interest shall accrue at the statutory rate of 9.0%, from the date judgment is entered until the date of sale.	

Total Principal and Interest Through 2/28/18 at the rate of 7.875% per annum (\$49.19 per diem).	\$ 405,052.97
ATTORNEYS' FEES AND COSTS	
Attorney Fees	\$ 3,030.00
<i>Prior Attorney Costs</i>	\$ 2,229.10
Attorney Costs	\$ 523.00
Total Attorney Fees and Costs	\$ 5,782.10
Prevailing Party Fee	\$ 300.00
TOTAL SECURED DEBT (JUDGMENT)	\$ 411,135.07

Interest will continue to accrue on the judgment amount at the rate of Said Judgment is meant to be for the purposes of foreclosure *only*, and is not intended to be a monetary judgment against the Borrower.

Signed: 5/17/2018 03:00 PM



Circuit Court Judge Michael C. Wetzel

UTCR 5.100(2) CERTIFICATE OF READINESS

This proposed order or judgment is ready for judicial signature because:

1. Each party affected by this order of judgment has stipulated to the order or judgment, as shown by each party's signature on the document being submitted.
2. Each party affected by this order of 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 of judgment on each party entitled to service and:
 - a. No objection has been served on me.

1 b. I received objections that I could not resolve with a party despite reasonable
2 efforts to do so. I have filed a copy of the objections I have received and
3 indicated which objections remained unresolved.

4 c. After conferring about objections [role and name of objecting party] agreed to
5 independently file any remaining objection.

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

7 5. An order of default is being requested with this proposed judgment.

8 6. Service is not required pursuant to subsection 3 of this rule, or by statute, rule, or
9 otherwise.

10 7. This is a proposed judgment that includes an award of punitive damages and notice as
11 been served on the Director of the Crime Victims' Assistance Section as required by
12 subsection (5) of the rule.

13 8. Other: _____
14
15

16 Submitted By:

17 /s/ Janaya L. Carter 5/4/18

18 Amy F. Harrington, OSB No. 123363

19 Janaya L. Carter, OSB No. 032830

20 Attorneys for Plaintiff
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