

RCVD DCS00JL03JUL'18 12:23

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

JAN A. PALMER,

Plaintiff,

v.

KELLY ROSE PALMER AND SHANE JAY  
PALMER; and DESCHUTES COUNTY TAX  
COLLECTOR.

Defendants.

) Case No. 18CV05135

) **WRIT OF EXECUTION**  
) **(Foreclosure of Real Property)**

**TO: SHERIFF OF DESCHUTES COUNTY.**

On or about June 16, 2018, a Corrected General Judgment of Foreclosure and Money Award was entered in the register for this case in the above-entitled court, in favor of the Plaintiff Jan A. Palmer, and against the Defendants Kelly Rose Palmer and Shane Jay Palmer, providing a Money Award in the principal amount of \$157,300.00, plus interest at the rate of nine (9) percent per annum, in attorney fees, in costs and disbursements and in prevailing party fee, and continuing to accrue interest at the rate of \$38.79 per diem from June 16, 2018 until paid.

On June 5, 2018, a Supplemental General Judgment and Money Award was entered in the above-entitled court register in favor of the Plaintiff and against above-referenced Defendants in the amount of \$4,611.00, plus interest at the rate of 9% per annum on the principal balance, attorney fees, costs, disbursements and prevailing party fee, and continuing to accrue interest at \$1.14 per diem from June 5, 2018 until paid.

NOW, THEREFORE, IN THE NAME OF THE STATE OF OREGON, you are, hereby commanded to sell, in the manner prescribed by law for the sale of real properties described as 18266 & 18260 Rose Court, Sisters, OR 97759 and particularly described in attached Exhibit "A", to satisfy

1 the sum of \$161,911.00, plus interest at the rate of nine (9) percent per annum and continuing to  
2 accrue interest at \$39.92 per diem until paid, which are the amounts owing on the Money Awards on  
3 the date this Writ is issued, making due return within 60 days after you receive this writ.

4 The mailing address of the judgment creditor is:

5 Jan A. Palmer  
6 PO Box 2407  
7 Redmond, OR 97756

8 The mailing address of the judgment creditor's attorney is:

9 Alan N. Stewart  
10 Merrill O'Sullivan LLP  
11 805 SW Industrial Way, Ste. 5  
12 Bend, OR 97702

13 The last known mailing address of the judgment debtors are:

14 Shane Jay Palmer  
15 8583 San Ridge Road  
16 Terrebonne, OR 97760

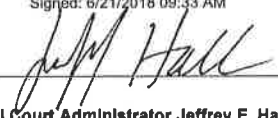
17 Kelly Rose Palmer  
18 18260 Rose Court  
19 Sisters, OR 97759

20 The proceeds of the sale shall be applied first toward the costs of sale, including payment of any  
21 outstanding property taxes owed to Deschutes County, then toward the satisfaction of the debt of  
22 the judgment creditor at the following address:

23 Jan A. Palmer  
24 c/o Alan N. Stewart  
25 Merrill O'Sullivan LLP  
805 SW Industrial Way, Ste. 5  
Bend, OR 97702

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Signed: 6/21/2018 09:33 AM



Trial Court Administrator Jeffrey E. Hall



*Submitted By:*  
*Alan N. Stewart*  
*Merrill O'Sullivan LLP*  
*805 SW Industrial Way, Ste. 5*  
*Bend, OR 97702*

MERRILL O'SULLIVAN, LLP  
805 SW INDUSTRIAL WAY, SUITE 5  
BEND, OR 97702  
(541) 389-1770

# Exhibit A

## DESCRIPTION SHEET

Michael Harris  
Minor Partition MP-86-24

### Parcel 1

A portion of the S $\frac{1}{2}$  S $\frac{1}{2}$  Section 28, T.14S., R.11E., W.M., Deschutes County Oregon, described as follows:

Commencing at the South  $\frac{1}{2}$  corner of said Section 28; thence S 89° 46' 15" E, along the South line of said Section 28, a distance of 888.58 feet; thence North, 352.90 feet to the true point of beginning:

thence N 26° 26' 06" W, 167.71 feet;  
thence N 46° 46' 17" E, 343.11 feet;  
thence N 18° 26' 06" E, 47.43 feet;  
thence N 64° 58' 59" E, 82.76 feet;  
thence S 41° 25' 25" E, 113.36 feet;  
thence S 05° 42' 38" E, 50.25 feet;  
thence S 46° 16' 23" W, 477.41 feet to the true point of beginning.

Containing 1.778 acres more or less.

TOGETHER WITH a 60' wide road right-of-way as shown on Major Partition MJP-78-55 in the Deschutes County Clerk's Office; and

TOGETHER WITH a 30' wide private road easement as shown on Minor Partition MP-86-24 in the Deschutes County Clerk's Office.

14 11 28 900

## DESCRIPTION SHEET

Michael Harris  
Minor Partition MP-86-24

### Parcel 2

A portion of the S $\frac{1}{2}$  S $\frac{1}{2}$  Section 28, T.14S., R.11E., W.M., Deschutes County Oregon, described as follows:

Commencing at the South  $\frac{1}{2}$  corner of said Section 28; thence S 89° 46' 15" E, along the South line of said Section 28, a distance of 888.58 feet; thence North, 352.90 feet; thence N 26° 26' 06" W, 167.71 feet to the true point of beginning;

thence continuing N 26° 26' 06" W, 223.61 feet;  
thence N 63° 26' 06" E, 391.31 feet;  
thence S 56° 18' 36" E, 108.17 feet;  
thence S 64° 58' 59" W, 82.76 feet;  
thence S 18° 26' 06" W, 47.43 feet;  
thence S 46° 46' 17" W, 343.11 feet to the true point beginning.

Containing 1.518 acres more or less.

TOGETHER WITH a 60' wide road right-of-way as shown on Major Partition MJP-78-55 in the Deschutes County Clerk's Office; and

TOGETHER WITH a 30' wide private road easement as shown on Minor Partition MP-86-24 in the Deschutes County Clerk's Office.

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<sup>3</sup>  
Parcel  $\frac{1}{4}$  of Partition Plat No. 1996-50, located in the South Half of the Southeast Quarter (S $\frac{1}{2}$  SE $\frac{1}{4}$ ) of Section 28, Township 14 South, Range 11 East of the Willamette Meridian, Deschutes County, Oregon.

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

Signed: 6/16/2018 07:28 PM

JAN A. PALMER,

Plaintiff,

v.

KELLY ROSE PALMER AND SHANE JAY PALMER; and DESCHUTES COUNTY TAX COLLECTOR.

Defendants.

Case No. 18CV05135

Corrected

**AMENDED GENERAL JUDGMENT OF FORECLOSURE AND MONEY AWARD AGAINST DEFENDANTS KELLY ROSE PALMER AND SHANE JAY PALMER**



Plaintiff's Motion for Order of Default against Defendants was submitted to the Court and an Order granting the Motion has been entered herein.

NOW, BASED THEREON AND THE RECORDS AND FILES HEREIN, IT IS HEREBY ORDERED AND ADJUDGED that Plaintiff shall have a general judgment against Defendants Kelly Rose Palmer and Shane Jay Palmer (hereinafter "Defendants") in the property described in the Amended Complaint and legally described in Exhibit A attached to this Amended General Judgment as follows:

1. Plaintiff shall have judgment against Defendants as follows:

(a) \$157,000.00, together with interest at the rate of 9% per annum until paid;

and

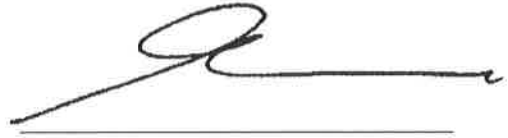
(b) Foreclosure report fees, necessary costs, disbursements and Plaintiff USDA's reasonable attorney fees. The costs, disbursements and attorney fees shall be determined by the court pursuant to the provisions of ORCP 68 and shall be awarded by way of a Supplemental Judgment.

MERRILL O'SULLIVAN, LLP  
805 SW INDUSTRIAL WAY, SUITE 5  
BEND, OR 97702  
(541) 389-1770



- 1 License No. (final four digits): Unknown
- 2
- 3 4. Judgment Debtor's Attorneys: None
- 4 5. Principal Amount: \$157,000.00
- 5 6. Attorney Fees: Attorney fees incurred herein to be
- 6 determined pursuant to ORCP 68 and a Supplemental
- 7 Judgment
- 8 7. Costs and Disbursements: Costs incurred herein to be determined
- 9 pursuant to ORCP 68 and a Supplemental Judgment
- 10 8. Prevailing Party Fee: \$300.00
- 11 9. Post-Judgment Interest: At the rate of 9% per annum on the principal
- 12 balance, attorney fees, costs, disbursements and
- 13 prevailing party fee until paid.
- 14 10. The name of any person or public body, other than the judgment
- 15 creditor's attorney, that is known by the judgment creditor to be
- 16 entitled to any portion of the money award.

Signed: 6/16/2018 07:28 PM



**Circuit Court Judge Stephen P. Forte**

19 *Submitted by:*  
 20 *Alan N. Stewart, OSB #121451*  
 21 *Merrill O'Sullivan LLP*  
 22 *Of Attorneys for Plaintiff*

MERRILL O'SULLIVAN, LLP  
 805 SW INDUSTRIAL WAY, SUITE 5  
 BEND, OR 97702  
 (541) 389-1770

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Michael Harris  
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thence S 18° 26' 06" W, 47.43 feet;  
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14 11 28 601

<sup>3</sup>  
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14 11 28 603



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

JAN A. PALMER,

Plaintiff,

v.

KELLY ROSE PALMER AND SHANE JAY PALMER; and DESCHUTES COUNTY TAX COLLECTOR.

Defendants.

) Case No. 18CV05135

) CERTIFICATE OF  
) READINESS UNDER UTCR  
) 5.100

I certify this proposed judgment/order is ready for judicial signature because (*check all that apply*):

Service is not required under UTCR 5.100 (1)(c) because the other party has been found in **default** or an order of default is being requested with this proposed judgment/order; because this judgment/order is submitted **ex parte** as allowed by statute or rule; or this judgment/order is being submitted in **open court** with all parties present.

Each party affected by this judgment/order has **stipulated** to or **approved** the judgment/order, as shown by the signatures on the judgment/order, or by written confirmation sent to me.

I have **served** (complete service section below) a copy of this judgment/order and the *Notice of Proposed Judgment/order* to all parties entitled to service. **And:**

No objection has been served on me within the 7-day time frame.

I received objections that I could not resolve with the other party despite reasonable efforts to do so. I have filed with the court a copy of the objections I received and indicated which objections remain unresolved.

After conferring about objections, the other party agreed to file any remaining objection with the court.

**Certificate of Service under UTCR 5.100** (if applicable)

I certify that on (*date*) \_\_\_\_\_; I had served a true and complete copy of this proposed *Judgment/order* in the United States mail to (*name*) at (*address*) \_\_\_\_\_

**Certificate of Document Preparation.** You are required to truthfully complete this certificate regarding the document you are filing with the court. Check all boxes and complete all blanks that apply:

I selected this document for myself and I completed it without paid assistance.

I paid or will pay money to Alan N. Stewart for assistance in preparing

this form.

Date: June 11, 2018

/s/ Alan N. Stewart

Plaintiff  Defendant, Signature

Alan N. Stewart, OSB 121451

Contact Address 805 SW Industrial Way, Ste. #5 Bend, OR 97702, 541-389-1770

Page 1 of 1 – CERTIFICATE OF READINESS

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

JAN A. PALMER,

Plaintiff,

v.

KELLY ROSE PALMER AND SHANE JAY PALMER; and DESCHUTES COUNTY TAX COLLECTOR.

Defendants.

) Case No. 18CV05135

) **SUPPLEMENTAL JUDGMENT AND MONEY AWARD FOR COSTS AND DISBURSEMENTS**

Plaintiff has submitted a statement for costs and disbursements pursuant to ORCP 68.

Since there is no objection period necessary to the statement as all Defendants are found in Default, the Court finds that Plaintiff's costs and disbursements are reasonably necessary; therefore

IT IS ORDERED AND ADJUDGED that Plaintiff is hereby awarded a money judgment against Defendants Kelly Rose Palmer and Shane Jay Palmer for Plaintiff's attorney fees, costs and disbursements. If the proceeds of the sale of this property as authorized by the General Judgment and Money Award entered herewith in this matter are not sufficient to satisfy Plaintiff's Supplemental Judgment and Money Award herein, Plaintiff shall not have a judgment against Defendants Kelly Rose Palmer and Shane Jay Palmer for the deficiency.

**MONEY AWARD**

1. Judgment Creditor:

Jan A. Palmer  
PO Box 2407  
Redmond, OR 97756

MERRILL O'SULLIVAN, LLP  
805 SW INDUSTRIAL WAY, SUITE 5  
BEND, OR 97702  
(541) 389-1770

- 1 2. Judgment Creditor's Attorney: Alan N. Stewart  
2 Merrill O'Sullivan LLP  
3 805 SW Industrial Way, Ste. 5  
4 Bend, OR 97702
- 5 3. Judgment Debtor(s): Shane Jay Palmer  
6 8583 San Ridge Road  
7 Terrebonne, OR 97760
- 8 Kelly Rose Palmer  
9 18260 Rose Court  
10 Sisters, OR 97759
- 11 Year of Birth: Unknown  
12 Tax ID No. or final  
13 four digits of SSN: Unknown  
14 License No. (final four  
15 digits): Unknown
- 16 4. Judgment Debtor's Attorneys: None
- 17 5. Attorney Fees: \$3,000.00
- 18 7. Costs and Disbursements: \$1,611.00
- 19 8. Post-Judgment Interest: At the rate of 9% per annum on the principal  
20 balance, attorney fees, costs, disbursements and  
21 prevailing party fee until paid.
- 22 9. The name of any person or public  
23 body, other than the judgment  
24 creditor's attorney, that is known  
25 by the judgment creditor to be  
entitled to any portion of the  
money award. None.

Signed: 6/5/2018 01:43 PM



Circuit Court Judge Beth M. Bagley

Submitted by:  
Alan N. Stewart, OSB #121451  
Merrill O'Sullivan LLP  
Of Attorneys for Plaintiff

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

JAN A. PALMER,

Plaintiff,

v.

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- Each party affected by this judgment/order has **stipulated** to or **approved** the judgment/order, as shown by the signatures on the judgment/order, or by written confirmation sent to me.
- I have **served** (complete service section below) a copy of this judgment/order and the *Notice of Proposed Judgment/order* to all parties entitled to service. **And:**
  - No objection has been served on me within the 7-day time frame.
  - I received objections that I could not resolve with the other party despite reasonable efforts to do so. I have filed with the court a copy of the objections I received and indicated which objections remain unresolved.
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I certify that on (date) \_\_\_\_\_: I had served a true and complete copy of this proposed *Judgment/order* in the United States mail to (name) at (address) \_\_\_\_\_

**Certificate of Document Preparation.** You are required to truthfully complete this certificate regarding the document you are filing with the court. Check all boxes and complete all blanks that apply:

- I selected this document for myself and I completed it without paid assistance.
- I paid or will pay money to Alan N. Stewart for assistance in preparing

this form.

Date: May 29, 2018

/s/ Alan N. Stewart

Plaintiff     Defendant, Signature

Alan N. Stewart, OSB 121451

Contact Address 805 SW Industrial Way, Ste. #5 Bend, OR 97702, 541-389-1770