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IN THE CIRCUIT COURT OF THE STATE OF OREGON
IN AND FOR THE COUNTY OF JOSEPHINE

JPMORGAN CHASE BANK, NATIONAL
ASSOCIATION

Case No. 16CV36807

Plaintiff,

WRIT OF EXECUTION

vs.

MELANIE PARMER; JAMES PARMER;
UNKNOWN HEIRS OF DEBORAH L.
PARMER; STATE OF OREGON;
DISCOVER BANK; PARTIES IN
POSSESSION

Defendants.

TO: JOSEPHINE COUNTY SHERIFF

WHEREAS, on March 22, 2018, in the above-entitled court, a General Judgment of Foreclosure and Sale, with said Judgment containing therein a Declaration of Amount Due and was duly entered and docketed in the above-entitled cause

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 property upon execution (subject to redemption) all of the interest which the defendants had on April 18, 2005, the date of the deed of trust, and also all of the interest which the defendants acquired thereafter, in the real property described in the judgment:

1- WRIT OF EXECUTION
S&S No. 15-117639

SHAPIRO & SUTHERLAND, LLC
1499 SE Tech Center Place, Suite 255, Vancouver, WA 98683
Telephone (360)260-2253 (800)970-5647
Fax (360)260-2285
ksutherland@logs.com

1 A PARCEL OF LAND SITUATED IN SECTION 1, TOWNSHIP 37 SOUTH, RANGE 6
2 WEST OF THE WILLAMETTE MERIDIAN, JOSEPHINE COUNTY, OREGON,
3 DESCRIBED AS FOLLOWS: COMMENCING AT A POINT SOUTH 89 DEGREES 40'
4 EAST 1333 FEET FROM THE WEST QUARTER CORNER OF SECTION 1; THENCE
5 ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST
6 QUARTER OF SAID SECTION, NORTH 89 DEGREES 40' EAST 436 FEET; THENCE
7 NORTH 1 DEGREES 42' WEST 104 FEET TO THE TRUE POINT OF BEGINNING;
8 THENCE CONTINUING NORTH 1 DEGREES 42' WEST 104 FEET; THENCE
9 SOUTHEASTERLY TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF NEW
HOPE ROAD, SAID POINT BEING WHEN MEASURED ALONG THE WESTERLY RIGHT
OF WAY LINE OF THE NEW HOPE ROAD, 208 FEET FROM THE SOUTH LINE OF SAID
SOUTHEAST QUARTER OF THE NORTHWEST QUARTER; THENCE SOUTHERLY
ALONG SAID WESTERLY RIGHT OF WAY LINE OF NEW HOPE ROAD 104 FEET
MORE OR LESS TO A POINT WHICH BEARS EAST FROM THE TRUE POINT OF
BEGINNING; THENCE WEST TO THE TRUE POINT OF BEGINNING.

10 and commonly known as 4180 New Hope Road, Grants Pass, OR 97527 to satisfy the sum of
11 \$179,042.23, as of March 29, 2018, together with additional post judgment interest of 9.00%
12 from that date (\$44.07 per day), and costs of this execution, making due return within 60 days
13 after you receive this writ.
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25 2- WRIT OF EXECUTION
26 S&S No. 15-117639

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ksutherland@logs.com

1 JPMorgan Chase Bank, National Association is the Judgment Creditor, and its address for
2 purpose of this writ only is: C/O Shapiro & Sutherland, LLC, 1499 SE Tech Center Place, Suite
3 255, Vancouver, WA 98683 (360)260-2253. Shapiro & Sutherland, LLC is the attorney for the
4 Judgment Creditor.
5
6
7
8
9

10 B. Shapiro

11 Court Clerk



12 APR 5 2018

13 Submitted by:
14 Attorneys for Plaintiff,
15 SHAPIRO & SUTHERLAND, LLC

16 By: [Signature]

17 James A. Craft #090146 [jcraft@logs.com]
18 Kelly D. Sutherland #87357 [ksutherland@logs.com]
19 Cara J. Richter #094855 [crichter@logs.com]
20 Holger Uhl #950143 [huhl@logs.com]*
21 1499 SE Tech Center Place, Suite 255, Vancouver, WA 98683
22 7632 SW Durham Road, Suite 350, Tigard, OR 97224*
23 (360)260-2253; Fax (360)260-2285

24
25 3- WRIT OF EXECUTION
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IN THE CIRCUIT COURT OF THE STATE OF OREGON
IN AND FOR THE COUNTY OF JOSEPHINE

JPMORGAN CHASE BANK, NATIONAL ASSOCIATION,

Plaintiff,

vs.

MELANIE PARMER; JAMES PARMER;
UNKNOWN HEIRS OF DEBORAH L. PARMER;
STATE OF OREGON; DISCOVER BANK;
PARTIES IN POSSESSION,

Defendants.

Case No. 16CV36807

GENERAL JUDGMENT OF FORECLOSURE AND SALE

Default having been entered against Defendant(s), Parties in Possession, State of Oregon,
Discover Bank, Unknown Heirs of Deborah L. Parmer, Melanie Parmer and James Parmer:

It is hereby

ORDERED AND ADJUDGED:

1 - GENERAL JUDGMENT OF FORECLOSURE AND SALE
S&S No. 15-117639

SHAPIRO & SUTHERLAND, LLC
1499 SE Tech Center Place, Suite 255, Vancouver, WA 98683
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Fax (360)260-2285
ksutherland@logs.com

1 1. The real property to which this judgment relates (hereafter the "Property") is situated in
2 Josephine County, Oregon is commonly known as 4180 New Hope Road, Grants Pass, OR
3 97527 and is legally described as follows:

4 A parcel of land situated in Section 1, Township 37 South, Range 6 West of the
5 Willamette Meridian, Josephine County, Oregon, described as follows: Commencing
6 at a point South 89 degrees 40' East 1333 feet from the West Quarter corner of Section
7 1; thence along the South line of the Southeast Quarter of the Northwest Quarter of
8 said section, North 89 degrees 40' East 436 feet; thence North 1 degrees 42' West 104
9 feet to the true point of beginning; thence continuing North 1 degrees 42' West 104
10 feet; thence Southeasterly to a point on the Westerly right of way line of New Hope
11 Road, said point being when measured along the Westerly right of way line of the
New Hope Road, 208 feet from the South line of said Southeast Quarter of the
Northwest Quarter; thence Southerly along said Westerly right of way line of New
Hope Road 104 feet more or less to a point which bears East from the true point of
beginning; thence West to the true point of beginning.

12 2. The HELOC executed and delivered by Defendant, Deborah L Parmer ("Borrower") on or
13 about April 18, 2005 and recorded on May 12, 2005 as Instrument No. 2005-010718 in the
14 official records of Josephine County, Oregon, is a valid and perfected lien against all of the
15 Property for the amount of Plaintiff's judgment as provided herein.

16 3. The Plaintiff is the holder of the original note dated April 18, 2005 and made by Deborah L
17 Parmer in the amount of \$86,250.00. A copy of the Note was attached to the complaint as
18 Exhibit. Plaintiff is the holder of the Note and the beneficial interest in the HELOC
19 (together the "Loan").

20 4. The interest of each of the Defendant(s) subject to this Judgment and any successor in
21 interest in the Property is foreclosed and terminated excepting only any statutory right of
22 redemption as provided by Oregon law.
23
24

- 1 5. The lien of the Plaintiff is superior to any interest, lien, or claim of the remaining
2 Defendants and shall remain in effect until issuance of a Sheriff's Deed. Upon Motion to
3 the Court and good cause shown, Plaintiff may move to rescind the foreclosure judgment
4 and to reinstate the Loan prior to the Sheriff's sale, returning the parties to their prejudgment
5 interests and priorities.
- 6
- 7 6. The Defendant(s) are not entitled to a homestead exception as against Plaintiff's judgment.
- 8 7. All of the rights, title and interest that Borrower(s) had as of the date of the HELOC or
9 thereafter acquired in the subject Property, is hereby ordered to be sold by the Josephine
10 County Sheriff's Office in accordance with the process for sale upon execution, and the
11 proceeds of sale shall be applied; first to the costs of sale; second to satisfaction of the
12 amounts awarded Plaintiff herein; with the surplus, if any, to the Defendants in the priority
13 as their interest may appear or to the clerk of the court to be distributed to such party of
14 parties as may establish their right thereto.
- 15
- 16 8. Plaintiff or any junior lienholders may become purchaser at the sale of the Property.
- 17 9. The purchaser at the sale is entitled to exclusive and immediate possession of the Property
18 from and after the date of the sale and is entitled to such remedies as are available at law or
19 in equity to secure possession.
- 20
- 21 10. The purchaser at the sale may apply to the Court for a writ of assistance if any Defendant or
22 any person holding possession under or through such Defendant(s) shall refuse to surrender
23 possession to the purchaser immediately on the purchaser's demand for possession.

24 //

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26 3 - GENERAL JUDGMENT OF FORECLOSURE AND
27 SALE
28 S&S No. 15-117639

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1 11. Under the terms of the Loan there is now due and owing to Plaintiff the following amounts:

2	Principal	\$132,892.80	
3	Prejudgment interest at 5.75% through		\$34,894.54
4	January 16, 2018		
5	(accruing thereafter until entry of judgment		
6	at \$20.87 per diem)		
7	Late Charges	\$0.00	
8	Other Costs and fees (recoverable)	3,428.95	
	Escrow Balance	\$3,428.95	
	Subtotal		\$129,463.85
	Total plus Prejudgment Interest		\$171,216.29

9 12. Attorney Fees and Costs are awarded to Plaintiff as follows:

10	Costs		\$2,860.90
11	Title Search Cost	\$409.00	
12	Skip Trace Costs	\$50.00	
13	Filing Fee	\$531.00	
14	Court Costs	\$50.00	
15	Lis Pendens Recording Fee	\$56.00	
16	Service by Publication	\$752.40	
17	Service Costs	\$687.50	
	Death Certificate Fee	\$50.00	
	Prevailing Party Fee	\$275.00	
	Attorney fees		\$3,300.00
	Total		\$6,160.90

18
19 13. Post judgment interest on the aggregate of all amounts declared due above shall accrue from
20 the date of judgment at the legal rate of 9% per annum pursuant to ORS 82.010.

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25 4 - GENERAL JUDGMENT OF FORECLOSURE AND
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28

1 14. This Judgment shall not create a personal lien or liability against Borrower except as is
2 customary or necessary to execute on such Judgment and for purposes of redemption. In no
3 event should it be construed as establishing personal liability for any persons whose debt has
4 been extinguished in bankruptcy or by an In Rem order granting relief from stay, but only to
5 foreclose the deed of trust mortgage. In the event the proceeds of sale are insufficient to pay
6 the amounts due to Plaintiff, no general execution shall be issued and Plaintiff shall not be
7 entitled to any further judgment, including a judgment for deficiency.
8

9 15. Execution may issue against the subject property for the aggregate amount found due
10 Plaintiff herein as detailed in Paragraphs 11 through 13 together (together "Amounts Due").
11 Plaintiff may credit bid up to the Amounts Due plus such additional amounts as provided by
12 ORS 18.936 or other applicable law.
13

14 16. If before sale such amount, including sheriff's fees for the execution, is tendered to the
15 Court and paid to the clerk, the execution, if issued, shall be recalled and the effect of the
16 judgment as to the amounts due shall be terminated.

17 17. The Clerk of the Court is hereby ordered to issue a Writ of Execution in Foreclosure for the
18 sale of the Property. Plaintiff may credit bid the amounts determined in Paragraphs 11
19 through 13 plus such additional amounts as provided in Paragraph 16 for purposes of ORS
20 18.936.
21

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25 5 - GENERAL JUDGMENT OF FORECLOSURE AND
26 SALE
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18. This Court shall retain jurisdiction to enter such additional order, judgment or decree necessary to enforce this judgment, the writ of execution or for the purchaser at the foreclosure sale to obtain possession.

Signed: 3/21/2018 10:30 AM


Circuit Court Judge Lindi L. Baker

Certificate of Readiness under UTCR 5 100

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

- 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.
- 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 each party 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. UTCR 8/1/16 5.5 (including out-of-cycle amendment of 5.100)

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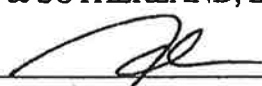
6 - GENERAL JUDGMENT OF FORECLOSURE AND SALE
S&S No. 15-117639

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1 5. This is a proposed judgment that includes an award of punitive damages and notice has
2 been served on the Director of the Crime Victims' Assistance Section as required by subsection
3 (5) of this rule.

4 6. Other: _____

5 Submitted by:
6 Attorneys for Plaintiff,
7 SHAPIRO & SUTHERLAND, LLC

8 By:  3-14-18

- 9 James A. Craft #090146 [jcraft@logs.com]
 - 10 Kelly D. Sutherland #87357 [ksutherland@logs.com]
 - 11 Cara Richter #094855 [crichter@logs.com]
 - 12 Holger Uhl #950143 [huhl@logs.com]*
- 13 1499 SE Tech Center Place, Suite 255, Vancouver, WA 98683
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25 7 - GENERAL JUDGMENT OF FORECLOSURE AND
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