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Court clerk has not verified the figures in this writ. If you have questions regarding this writ, please contact your legal counsel, the issuing attorney, or company. Debtor may contest this writ by filing a claim of exception.

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

U.S. BANK NATIONAL ASSOCIATION,

Plaintiff,

vs.

PATTY JOHNSON AKA PATTY WRIGHT;
U.S. BANK, NATIONAL ASSOCIATION
N.D.; PORTLAND CREDIT INC.;
COUNTRY CLUB ESTATE TOWNHOUSE
CONDOMINIUM OWNERS'
ASSOCIATION; AND PERSONS OR
PARTIES UNKNOWN CLAIMING ANY
RIGHT, TITLE, LIEN OR INTEREST IN
THE PROPERTY DESCRIBED IN THE
COMPLAINT HEREIN,

Defendants.

CASE NUMBER: 15CV31509

WRIT OF EXECUTION IN FORECLOSURE

TO: THE SHERIFF OF MULTNOMAH COUNTY, OREGON:

1.

WHEREAS, on October 26, 2017, in the above-entitled Court, a General Judgment of Foreclosure ("Judgment") was entered and docketed in the above-entitled and numbered proceeding

2.

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 (subject to redemption, if applicable), all of the interest which the Defendants PATTY JOHNSON AKA PATTY WRIGHT; U.S. BANK, NATIONAL ASSOCIATION N.D.; PORTLAND CREDIT INC.;

1 COUNTRY CLUB ESTATE TOWNHOUSE CONDOMINIUM OWNERS' ASSOCIATION;
2 ("Defendants") had on September 27, 2005, the date of the foreclosed Deed of Trust which was
3 recorded on October 4, 2005, as Instrument No. 2005-190497 in the official records of the
4 Multnomah County Recorder's Office, and/or all of the interest which Defendants had thereafter, in
5 the real property described in the Judgment to satisfy the Judgment as follows:

6
7 **Lender's Principal Judgment:**

8 Unpaid Principal Balance:	\$92,360.70
9 Pre-Judgment Interest from July 1, 2013	
10 to October 11, 2017, the date set forth in	
11 the Judgment at 4.625%, per annum,	
12 (\$9.03 per diem):	\$14,091.29
13 Lender's Fees and Costs:	\$6,023.97
14 Attorney's Fees and Costs:	\$2,067.00
15	
16 Total Judgment Entered:	\$114,542.96

17
18 **Additional Pre-Judgment Interest:**

19 Accrued Interest from October 12,	
20 2017, the day after the date set forth in	
21 the Judgment through October 26, 2017,	
22 the date of entry of the Judgment, at	
23 4.62500%, per annum (\$9.03 per diem):	\$126.42

24
25 **Total Judgment Entered Including**
26 **Additional Pre-Judgment**

27 Interest:	\$114,669.38
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1 **Post-Judgment Interest**

2 Accrued Post-Judgment Interest from
3 October 27, 2017, the date after
4 entry of the Judgment, through October
5 9, 2018 the date the Writ
6 was requested at the legal rate of
7 interest at 9%, per annum (\$28.27 per
8 diem): \$9,809.69

9
10 ***Total Amount Owing on the Judgment as of the Date*** \$124,479.07
11 ***the Writ Was Requested:***

12 3.

13 Additionally, Plaintiff is entitled to the continued accrual of post-judgment interest at the
14 legal rate of interest of 9% per annum, \$28.27 per diem, from October 10, 2018 to the date the
15 real property subject to the Judgment is sold by the County Sheriff at its foreclosure auction, plus
16 costs of this Writ, Sherriff's fees and sale costs, and all other recovered costs pursuant to law.

17 4.

18 The real property subject to this writ of execution is commonly known as 1802 NE HOGAN
19 DRIVE, GRESHAM, OR 97030 ("Property") and described in Exhibit "1" attached hereto.

20 5.

21 The Judgment Creditor's name and address is:

22 U.S. BANK NATIONAL ASSOCIATION

23 4801 Frederica Street

24 Owensboro, Kentucky 42301-7441

1 The Judgment Creditor's name and address for the purpose of this Writ is:

2 U.S. BANK NATIONAL ASSOCIATION

3 c/o Malcolm & Cisneros, ALC (Attention: Nathan F. Smith)

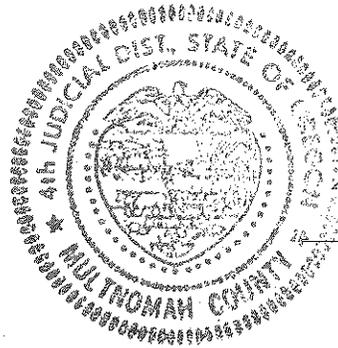
4 2112 Business Center Drive

5 Irvine, CA 92612

6 949-252-9400

7 THEREFORE, in the name of the State of Oregon, you are hereby commanded to seize and
8 sell the Property, in the manner prescribed by law; or so much thereof as may be necessary to satisfy
9 the Judgment, interest, fees, and costs.

10 MAKE RETURN HEREOF within 60 days after you receive this Writ.



11/14/18

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Submitted by:

Dated: October 9, 2018

19 Nathan F. Smith, OSB #120112
20 Attorney for Plaintiff
21 MALCOLM ♦ CISNEROS, A Law Corporation
22 2112 Business Center Drive, Second Floor
23 Irvine, California 92612
24 Phone: (949) 252-9400
25 Fax: (949) 252-1032
26 Email: nathan@mclaw.org
27
28

EXHIBIT A

LEGAL DESCRIPTION:

THE FOLLOWING DESCRIBED REAL PROPERTY IN THE STATE OF OREGON AND COUNTY OF MULTNOMAH: UNIT 97, OF COUNTRY CLUB ESTATE TOWNHOUSE CONDOMINIUM, AS SET FORTH IN CONDOMINIUM DECLARATION, RECORDED OCTOBER 2, 1979, IN BOOK 1387, PAGE 1969, IN THE CITY OF GRESHAM, COUNTY OF MULTNOMAH, AND STATE OF OREGON, TOGETHER WITH THOSE LIMITED COMMON ELEMENTS APPURTENANT TO SAID UNIT AS SET FORTH IN SAID DECLARATION, AND TOGETHER WITH AN UNDIVIDED FRACTIONAL OWNERSHIP OF THE GENERAL COMMON ELEMENTS OF SAID CONDOMINIUM AS SET FORTH IN THE SAID DECLARATION AND IN ANY SUBSEQUENT AMENDMENTS AS APPURTENANT TO SAID UNIT.

ALSO KNOWN AS: 1802 NE HOGAN DRIVE, GRESHAM, OREGON 97030

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

U.S. BANK NATIONAL ASSOCIATION,

CASE NUMBER: 15CV31509

Plaintiff,
vs.

**GENERAL JUDGMENT OF
FORECLOSURE AGAINST:**

PATTY JOHNSON AKA PATTY WRIGHT;
U.S. BANK, NATIONAL ASSOCIATION
N.D.; PORTLAND CREDIT INC.;
COUNTRY CLUB ESTATE TOWNHOUSE
CONDOMINIUM OWNERS'
ASSOCIATION; AND PERSONS OR
PARTIES UNKNOWN CLAIMING ANY
RIGHT, TITLE, LIEN OR INTERST IN THE
PROEPRTY DESCRIBED IN THE
COMPLAINT HEREIN,

1. PATTY JOHNSON AKA PATTY WRIGHT
2. U.S. BANK, NATIONAL ASSOCIATION N.D.
3. PORTLAND CREDIT INC.
4. COUNTRY CLUB ESTATE TOWNHOUSE CONDOMINIUM OWNERS' ASSOCIATION

Defendants.

1.

THIS MATTER, coming on regularly before the Court, and it appearing from the record herein that Plaintiff, U.S. BANK NATIONAL ASSOCIATION ("Plaintiff"), filed its Complaint for Foreclosure of Deed of Trust; that Defendants PATTY JOHNSON AKA PATTY WRIGHT, U.S. BANK, NATIONAL ASSOCIATION N.D., PORTLAND CREDIT INC., AND COUNTRY CLUB ESTATE TOWNHOUSE CONDOMINIUM OWNERS' ASSOCIATION ("Defendants") were duly

1 served with the Summons and Complaint as required by law; that Defendants failed to appear, that
2 an orders of defaults have been entered against them on Plaintiff's Complaint, and that Plaintiff is
3 entitled to entry of a General Judgment foreclosing Plaintiff's deed of trust against the property
4 commonly known as 1802 NE HOGAN DRIVE, GRESHAM, OR 97030 ("Property") and
5 extinguishing any and all interest of the Defendants in the Property.

6 2.

7 The Court being fully advised; it is hereby
8 ORDERED AND ADJUDGED that:

9 3.

10 Plaintiff is the holder of that certain promissory note ("Note"), dated September 27, 2005, in
11 the amount of \$101,000.00, and executed by PATTY JOHNSON AKA PATTY WRIGHT.

12 4.

13 The Note is secured by that certain deed of trust ("Deed of Trust") dated September 27, 2005
14 and executed by PATTY JOHNSON AKA PATTY WRIGHT. The Deed of Trust was recorded on
15 October 4, 2005 under the recording number 2005-190497 of the Official Records of Multnomah
16 County, Oregon, against the Property, which is legally described as: See Exhibit "1" attached hereto.
17 ("Property") and constitutes a valid lien against the Property.

18 5.

19 The terms of the Note and Deed of Trust are in breach, therefore, Plaintiff has now declared
20 all sums due and owing under the Note and Deed of Trust as immediately due and payable.

21 6.

22 The Deed of Trust is a valid first priority lien encumbering the Property, is superior to any
23 interest, lien, or claim of the Defendants and any other party in the Property, which are hereby
24 foreclosed and terminated, excepting only any statutory right of redemption to which the Defendants
25 may be entitled under Oregon law.

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7.

A judgment of foreclosure in the amount of \$114,542.96 shall be granted in favor of Plaintiff, and its successors and/or assigns, as further described below in the Declaration of Amount Owed – Not a Money Award (“Amount Owed”).

8.

The Property is hereby ordered to be sold by law and the proceeds of sale applied toward the satisfaction of Plaintiff’s Amount Owed herein; and the surplus, if any to the Clerk of the Court to be disbursed to such party or parties as may establish their right thereto.

9.

Plaintiff is entitled to recover its reasonable attorney’s fees and all reasonable and necessary costs and expenses incurred to enforcing the Note and Deed of Trust.

10.

Any increased interest or any such additional amounts as Plaintiff may advance for taxes, assessments, municipal charges, and such other items as may constitute liens on the Property, together with insurance and repairs necessary to prevent the impairment of the Property, together with interest thereon from the date of payment may also be added to the Amount Owed and paid from the proceeds from the sale of the Property.

11.

Defendants and all parties claiming an interest in the Property as purchasers, encumbrancers, or otherwise, are forever barred and foreclosed of all interests, liens, or claims in the Property and every portion thereof, excepting only any statutory right of redemption provided by the laws of the State of Oregon.

12.

Defendant PATTY JOHNSON AKA PATTY WRIGHT is not entitled to a homestead exemption in the Property.

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13.

Plaintiff may become purchaser at the Sheriff's Sale of the Property and may bid up to the aggregate amount of its Amount Owed, plus any additional interest and reasonable costs until sale.

14.

The purchaser of the Property at the Sheriff's Sale is entitled to exclusive and immediate possession of the Property from and after the date of the sale, and is entitled to such remedies as are available at law to secure possession of the Property, and may apply to the Clerk of the Court for a writ of assistance, if Defendants, any of them, or any other party or person shall refuse to surrender possession of the Property to the purchaser immediately on the purchaser's demand for possession.

15.

This Court shall retain jurisdiction to enforce all provisions of this General Judgment and to enter such additional order, judgment, or decree necessary for the purchaser at the foreclosure sale to obtain possession of the Property.

16.

Under the Note, there is now due and owing to Plaintiff, the following amounts, to be hereinafter described as the Amount Owed.

17.

This suit does not constitute an attempt to collect the debt against Defendants PATTY JOHNSON AKA PATTY WRIGHT, U.S. BANK, NATIONAL ASSOCIATION N.D., PORTLAND CREDIT INC., AND COUNTRY CLUB ESTATE TOWNHOUSE CONDOMINIUM OWNERS' ASSOCIATION. Rather, it is a suit to execute upon the Property as security for the Amount Owed.

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5. Post-Judgment Interest:

Simple interest to accrue on \$114,542.96 plus Pre-Judgment Interest from the day after the General Judgment is entered to the date upon which the Writ of Execution in Foreclosure is levied at the legal rate of interest or 9% per annum, whichever is greater.

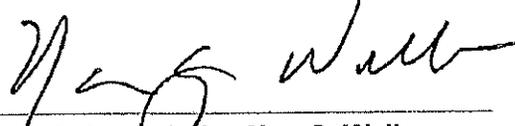
6. Periodic accrual:

N/A

7. Attorney's Fees and Costs:

An award of \$2,067.00 in attorney's fees and costs is made.

Signed: 10/26/2017 10:20 AM


Circuit Court Judge Nan G. Waller
proxy signed by LD

Submitted by:



Dated: 10/25/17

Nathan E. Smith, OSB #120112
Attorney for Plaintiff
MALCOLM ♦ CISNEROS, A Law Corporation
2112 Business Center Drive, Second Floor
Irvine, California 92612
Phone: (949) 252-9400
Fax: (949) 252-1032
Email: nathan@mclaw.org

EXHIBIT 1

EXHIBIT A

LEGAL DESCRIPTION:

THE FOLLOWING DESCRIBED REAL PROPERTY IN THE STATE OF OREGON AND COUNTY OF MULTNOMAH: UNIT 97, OF COUNTRY CLUB ESTATE TOWNHOUSE CONDOMINIUM, AS SET FORTH IN CONDOMINIUM DECLARATION, RECORDED OCTOBER 2, 1979, IN BOOK 1387, PAGE 1969, IN THE CITY OF GRESHAM, COUNTY OF MULTNOMAH, AND STATE OF OREGON, TOGETHER WITH THOSE LIMITED COMMON ELEMENTS APPURTENANT TO SAID UNIT AS SET FORTH IN SAID DECLARATION, AND TOGETHER WITH AN UNDIVIDED FRACTIONAL OWNERSHIP OF THE GENERAL COMMON ELEMENTS OF SAID CONDOMINIUM AS SET FORTH IN THE SAID DECLARATION AND IN ANY SUBSEQUENT AMENDMENTS AS APPURTENANT TO SAID UNIT.

ALSO KNOWN AS: 1802 NE HOGAN DRIVE, GRESHAM, OREGON 97030

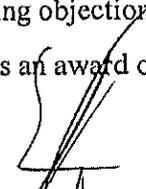
CERTIFICATE OF READINESS

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

- Service is not required pursuant to subsection (3) of UTCR 5.100, or by statute, rule or otherwise.
- The relief sought is against an opposing party who has been found in default.
- An order of default is being requested with this proposed judgment.
- Each opposing party affected by this order or judgment has stipulated to the order or judgment, as shown by each opposing party's signature on the document being submitted.
- Each opposing party affected by this order or judgment has approved the order or judgment, as shown by signature on the document being submitted or by written confirmation of approval sent to me.
- I have served a copy of this order or judgment on all parties entitled to service and:
 - No objection has been served on me.
 - I received objections that I could not resolve with the opposing party despite reasonable efforts to do so. I have filed a copy of the objections I received and indicated which objections remain unresolved.
 - After conferring about objections, [role and name of opposing party] agreed to independently file any remaining objection.
- This is a proposed judgment that includes an award of punitive damages.

DATED: 10/25, 2017

By:


 Nathan F. Smith, OSB #120112
 Attorney for Plaintiff
 MALCOLM ♦ CISNEROS, A Law Corporation
 2112 Business Center Drive, Second Floor
 Irvine, California 92612
 (949) 252-9400 (TELEPHONE)
 (949) 252-1032 (FAX)