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

THE BANK OF NEW YORK MELLON
TRUST COMPANY, N.A. AS FHA
QUALIFIED TRUSTEE FOR RESCAP
LIQUIDATING TRUST,

Plaintiff,

vs.

MYRTIE L. TOCCI; STATE OF OREGON,
DEPARTMENT OF HUMAN SERVICES;
AND PERSONS OR PARTIES UNKNOWN
CLAIMING ANY RIGHT, TITLE, LIEN, OR
INTEREST IN THE PROPERTY
DESCRIBED IN THE COMPLAINT HEREIN.

Defendants.

CASE NO.: 15CV31314

WRIT OF EXECUTION

COOS COUNTY SHERIFF

DEC 13 2018

RECEIVED
CIVIL DIVISION

STATE OF OREGON)
) ss.
County of COOS)

TO THE SHERIFF OF COOS COUNTY OREGON:

WHEREAS, on March 16, 2016, by consideration of the Coos County Circuit Court, there was entered a General Judgment of Foreclosure as to MYRTIE L. TOCCI; AND PERSONS OR PARTIES UNKNOWN CLAIMING ANY RIGHT, TITLE, LIEN, OR INTEREST IN THE PROPERTY DESCRIBED IN THE COMPLAINT HEREIN. Said General Judgment of Foreclosure was duly enrolled and docketed in the Court Administrator's Office in said County on March 16, 2016; a true copy of the General Judgment of Foreclosure is attached hereto and made a part hereof.

WRIT OF EXECUTION -I-

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

1 Judgment Creditor: THE BANK OF NEW YORK MELLON TRUST
2 COMPANY, N.A. AS FHA QUALIFIED TRUSTEE FOR
3 RESCAP LIQUIDATING TRUST
4 Judgment Creditor Address: c/o Statebridge Company, LLC
4600 S. Syracuse Street, Suite 700
Denver, CO 80237

5 NOW THEREFORE IN THE NAME OF THE STATE OF OREGON, you are
6 commanded to sell the real property as by said General Judgment of Foreclosure according to law
7 (subject to redemption) all of the interest that the borrower Walter L. Tocci and Myrtie L. Tocci
8 had on the 29th day of September 2009, the date of the Mortgage, and also all of the interest that
9 borrower had thereafter, in the real property described in the Judgment as:

10 LOT 36, LAKELAND ESTATES, PLANNED COMMUNITY, COOS COUNTY,
11 OREGON.

12 The street address of the real property to be levied upon is 207 Lakeland Drive, Lakeside,
13 OR 97449.

14 The above referenced property shall be sold to satisfy the following sums: The principal
15 balance and interest in the amount of \$223,913.10; plus reasonable attorney fees and costs in the
16 amount of \$3,545.36; plus pre-judgment interest from February 17, 2016 through March 16, 2016
17 in the amount of \$674.25 (\$23.25 x 29 days); plus post-judgment interest accruing after March 16,
18 2016 through October 11, 2018, at the rate of 9.0% per annum, of \$52,818.75 (\$56.25 per diem x
19 939 days) for a total of \$280,951.46 with interest to continue to accrue at the rate of 9.0% per
20 annum (\$56.25 per diem) until the date of sale; Thus,

21 THE TOTAL AMOUNT OF EXECUTION REQUESTED HEREON, STATED AS OF
22 THE DATE OF SUBMISSION (October 11, 2018) IS AS FOLLOWS:

23 Base Judgment and Interest: \$223,913.10
24 Attorney Fees and Costs: \$3,545.36
25 Pre-Judgment Interest from

1 02/17/16 – 03/16/16 at 6.875%

2 (\$23.25 per diem) \$674.25

3 Post-Judgment Interest from

4 03/17/16 – 10/11/18 at 9.0%

5 (\$56.25 per diem) \$52,818.75

6 Total due as of October 11, 2018: \$ 280,951.46, with interest to continue to accrue at
7 9.0% (\$56.25 per diem) until the date of sale.

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

Signed: 10/15/2018 09:27 AM

9
10 By: Michelle Jacobs/Court Clerk

11 Submitted by:

12 /s/ Janaya L. Carter

13 Janaya L. Carter, OSB No. 032830