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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 exemption.

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

MORGAN MEADOWS HOMEOWNERS ASSOCIATION, an Oregon non-profit corporation,

Plaintiff,

v.

ABRAHAM KAHL; HSBC MORTGAGE SERVICES, INC.; CITIFINANCIAL, INC.; ADVANCEME, INC.; WILLAMETTE HVAC LLC; UNITED STATES OF AMERICA; and OCCUPANTS OF THE PREMISES OR PARTIES IN POSSESSION, Defendants.

Case No. 18CV24455

WRIT OF EXECUTION IN FORECLOSURE OF RESIDENTIAL REAL PROPERTY

TO THE SHERIFF OF MULTNOMAH COUNTY:

WHEREAS, on November 21, 2018, in the above-entitled court, a General Judgment of Foreclosure was enrolled and docketed in the above-entitled cause, a true copy of which is attached hereto and made part hereof.

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 residential real property upon execution (subject to redemption), all of the interest which the defendant Abraham Kahl ("Kahl"), HSBC Mortgage Services, Inc. ("HSBC"), CitiFinancial, Inc. ("CitiFinancial"), AdvanceMe, Inc. ("AdvanceMe"), Willamette HVAC LLC ("Willamette HVAC"), United States of America ("USA"), Occupants of the Premises or Parties in Possession ("Parties") or their predecessors interest had on May 23, 2014, the date the homeowners association lien was recorded, and also all of the interest which the Defendants Kahl, HSBC, CitiFinancial, AdvanceMe, Willamette HVAC, USA, and Parties had thereafter, in the real property described in the judgment, described as follows:

1 Lot 35, MORGAN MEADOWS, in the City of Troutdale, County of Multnomah,
2 and State of Oregon.

3 The property is commonly known as 903 Southwest 19th Way, Troutdale, Oregon 97060
4 ("Property").

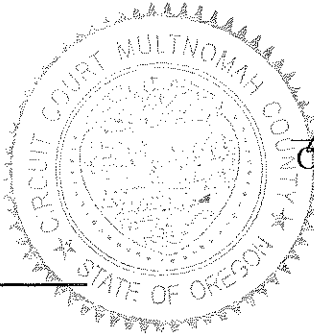
5 To satisfy the general judgment listed below; all amounts owed to Plaintiff by Defendants
6 Kahl, HSBC, CitiFinancial, AdvanceMe, Willamette HVAC, USA, and Parties which accrued
7 from date of judgment to date of sale; and the cost of this writ, making due return within 60 days
8 after you receive this writ. The proceeds from the sale shall be applied in accordance with the
9 judgments.

10 The balance as of November 28, 2018, exclusive of post judgment attorney fees and post
11 judgment dues and assessments is as follows:

12 1. Principal Amount:	\$23,065.99
13 2. Amount of Costs and Disbursements:	\$1,168.03
14 3. Amount of Attorney Fees:	\$5,053.25
15 4. Amount of Post-Judgment Interest on November 21, 2018 Judgment Principal Balance (through November 28, 2017): (\$4.58 per day – 7 days (12% per annum))	\$32.04
16 5. Amount of Post-judgment interest on November 21, 2018 Judgment Attorney Fees and Costs (through November 28, 17 2018): (\$3.79 per day – 7 days (9% per annum))	\$26.53
18 6. Total amount through November 28, 2018: (Per diem thereafter \$8.37)	\$29,345.84

19 The mailing address of the judgment creditor is:
20 Morgan Meadows Homeowners Association
c/o Vial Fotheringham LLP
21 Attn: C. Sarah Lappin
17355 SW Boones Ferry Rd., Suite A
22 Lake Oswego, OR 97035

23 DATED this 29 day of November, 2018. 12/4/18



24 *[Signature]*
25 Clerk of the Court

26 Submitted by:
27 VIAL FOTHERINGHAM LLP
28 By: *[Signature]*
C. Sarah Lappin, OSB# 077070
Of Attorneys for Plaintiff

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

MORGAN MEADOWS HOMEOWNERS ASSOCIATION, an Oregon non-profit corporation,

Plaintiff,

v.

ABRAHAM KAHL; HSBC MORTGAGE SERVICES, INC.; CITIFINANCIAL, INC.; ADVANCEME, INC.; WILLAMETTE HVAC LLC; UNITED STATES OF AMERICA; and OCCUPANTS OF THE PREMISES OR PARTIES IN POSSESSION,

Defendants.

Case No. 18CV24455

GENERAL JUDGMENT OF FORECLOSURE

Based on the Order of Default against Defendants Abraham Kahl (“Kahl”), HSBC Mortgage Services, Inc. (“HSBC”), CitiFinancial, Inc. (“CitiFinancial”), AdvanceMe, Inc. (“AdvanceMe”), Willamette HVAC LLC (“Willamette HVAC”), United States of America (“USA”), and Occupants of the Premises or Parties in Possession (“Occupants”) (together “Defendants”), and the records and files herein;

NOW, THEREFORE, IT IS HEREBY ORDERED AND ADJUDGED AND DECREED AS TO PLAINTIFF’S CLAIM FOR RELIEF AGAINST DEFENDANTS ABRAHAM KAHL, HSBC MORTGAGE SERVICES, INC., CITIFINANCIAL, INC.,

PAGE 1 of 6 –GENERAL DEFAULT JUDGMENT OF FORECLOSURE OF HOMEOWNER ASSOCIATION LIEN - 5922-013

1 **ADVANCEME, INC., WILLAMETTE HVAC LLC, UNITED STATES OF AMERICA,**
2 **AND OCCUPANTS OF THE PREMISES OR PARTIES IN POSSESSION FOR**
3 **FORECLOSURE OF THE HOMEOWNER ASSOCIATION LIEN:**

4 1. The real property to which the judgment relates (hereinafter the "Property") is
5 situated in Multnomah County, Oregon is commonly known as 903 SW 19th Way
6 Troutdale OR 97060 and is legally described as follows:

7 Lot 35, MORGAN MEADOWS, in the City of Troutdale, County of
8 Multnomah, and State of Oregon.

9 2. Plaintiff's lien recorded on May 23, 2014 as Document No. 2014-049043
10 in the official records of Multnomah, Oregon is a valid and perfected continuing lien
11 against all of the Property for the following amounts:

- 12 a. Through June 13, 2018 for assessments, interest and late fees, and through
13 February 7, 2018 for attorney fees and costs incurred prior to the complaint being
14 prepared in this action, Plaintiff is due and owing the following amounts:
15

Lien Principle:	\$19,331.78
Pre-judgment Interest:	\$3,035.16
Total:	\$22,366.94

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20 b. Continuing assessments, late fees, and interest now due and owing to Plaintiff
21 from June 14, 2018 to November 13, 2018:

Assessments and Late fees:	\$384.40
Pre-judgment interest:	\$314.65
Total:	\$699.05

1 c. Attorney Fees and Costs from February 8, 2018 through November 13, 2018 are
2 awarded to Plaintiff as follows:

3 Attorney Fees (on Plaintiff's first claim):	\$5,053.25
4 Costs:	
5 Filing Fee:	\$267.00
6 Research Cost:	\$70.03
7 Process Server Cost:	\$425.00
8 Recording Fee:	\$76.00
9 E-filing Cost:	\$5.00
10 Prevailing Party Fee:	\$325.00
11 Cost Subtotal:	\$1,168.03
12 Total:	\$6,221.28

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17 for a total amount due through November 13, 2018, of \$29,287.27.

18 3. Post-judgment simple interest on the aggregate of all amounts declared due above
19 shall accrue from the date of judgment at the rate of (12%) per annum on the amount of monthly
20 and special assessments, late fees, fines and prejudgment interest, and shall accrue at the rate of
21 nine percent (9%) per annum on attorney fees, costs and disbursements, from date of entry of
22 judgment until paid.
23

24 4. Since the amount of the lien referenced herein includes only assessments, attorney
25 fees, and costs incurred through November 13, 2018, and regular assessments, attorney fees and
26

1 costs increase the balance of the lien, Plaintiff shall be entitled to apply to the Court for one or
2 more supplemental judgment(s) for assessments, attorney fees and costs which accrue through
3 the date of sale but are not included in this judgment.
4

5 5. The amounts declared due in paragraphs 2, 3, and 4 of this judgment shall
6 collectively declare the secured amount due under this Judgment of Foreclosure.

7 6. The lien of the Plaintiff is superior to any interest, lien, or claim of
8 Defendants, and shall remain in effect until issuance of a Sheriff's Deed.

9 7. Plaintiff's lien is foreclosed and all interest which the Defendants have on,
10 or before, November 13, 2018 in the real property shall be sold by the Multnomah
11 County Sheriff to satisfy any and all amounts due and owing its Lien as determined
12 herein and in accordance to the process for sale upon execution.
13

14 8. The interest of all remaining Defendants and any successors in interest, in
15 the Property is ordered foreclosed and terminated by Sheriff's sale upon entry of this
16 General Judgment of Foreclosure, expecting only any statutory right of redemption as
17 provided by Oregon Law.
18

19 9. The proceeds of sale shall be applied first to the costs of sale; second to
20 satisfaction of Plaintiff's judgment awarded in this matter; to any assessments of the
21 Plaintiff which shall accrue from November 13, 2018 to the date of sale; with surplus, if
22 any, to the Defendants in the priority as their interest may appear or to the clerk of the
23 court to be distributed to such party of parties as may establish a right thereto.
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1 10. Plaintiff is entitled to an award of its attorney fees costs and disbursements
2 in an amount to be determined under ORCP 68 for purposes of execution.

3 11. Defendants, as well as all persons claiming through or under Defendants
4 as purchasers, encumbrances, or otherwise, are forever foreclosed of all interest, lien or
5 claim in the real property described above and every portion thereof, excepting any
6 claim in the real property described above and every portion thereof, excepting any
7 statutory right of the redemption as Defendants, or any of them may have therein.

8 12. Plaintiff may become purchaser at the sale of the Property and may credit
9 bid up to the aggregate amount of its judgment plus interest and any costs of sale
10 advanced by Plaintiff from the date of judgment until sale.

11 13. The purchaser at the sale is entitled to exclusive and immediate possession
12 of the Property from and after the date of sale and is entitled to such remedies as are
13 available at law or in equity to secure possession.
14

15 14. If before sale, such amount, including sheriff's fees for the execution, is tendered to
16 the court and paid to the clerk, the execution, if issued, shall be recalled and the effect of the
17 judgment as to the amounts due shall be terminated.
18

19 15. The General Judgment shall have the same effect as a writ of assistance if
20 Defendant(s), or any of them, or any other party of person shall refuse to surrender
21 possession to the purchaser immediately on the purchaser's demand for possession.
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1 16. This Court shall retain jurisdiction to enter such additional order,
2 judgment or decree necessary to enforce this judgment or for the purchaser at the
3 foreclosure sale to obtain possession.
4

Signed: 11/20/2018 03:23 PM



Circuit Court Judge Stephen K. Bushong
proxy signed by (MLO)

10 Submitted by:
11 Attorneys for Plaintiff,
12 **VIAL FOTHERINGHAM LLP**

13 By: _____
14 C. Sarah Lappin, OSB# 077070
15 *Of Attorneys for Plaintiff*

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IN THE CIRCUIT COURT OF THE STATE OF OREGON
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MORGAN MEADOWS
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Oregon non-profit corporation,

Plaintiff,

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ABRAHAM KAHL; HSBC
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ADVANCEME, INC.; WILLAMETTE
HVAC LLC; UNITED STATES OF
AMERICA; and OCCUPANTS OF THE
PREMISES OR PARTIES IN
POSSESSION,

Defendants.

Case No. 18CV24455

CERTIFICATE OF READINESS

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

- 1. 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.
- 2. Each opposing 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.

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 received and indicated
3 which objections remain unresolved.

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

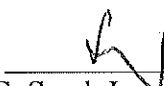
6 4. Service is not required pursuant to subsection (3) of this rule, or by statute,
7 rule, or otherwise.

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

11 6. Other: _____

12 DATED this 14 day of November, 2018.

13 **VIAL FOTHERINGHAM, LLP**

14 By: 
15 C. Sarah Lappin, OSB# 077070
16 *Attorney for Plaintiff*