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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.

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

FLAGSTAR BANK, FSB,  
Plaintiff,

Case No. 18CV03263

v.

**WRIT OF EXECUTION**

RODERICK E. CARLSON II; AND  
PERSONS OR PARTIES UNKNOWN  
CLAIMING ANY RIGHT, TITLE, LIEN, OR  
INTEREST IN THE PROPERTY  
DESCRIBED IN THE COMPLAINT ,

Defendant.

TO THE MULTNOMAH COUNTY SHERIFF:

On October 30, 2018, a General Judgment of Foreclosure and Declaration of Amount Due by Default was entered by the MULTNOMAH County Circuit Court, foreclosing Plaintiff's Deed of Trust and directing that the property subject to the Deed of Trust be sold to satisfy the unpaid debt due to Plaintiff.

The mailing address for the judgment creditor is: FLAGSTAR BANK, FSB c/o Aldridge Pite, LLP, 111 SW Columbia St., Ste. 950, Portland, OR 97201.

The real property to be sold at public auction is commonly known as 9924 N DECATUR ST, PORTLAND, OR 97203 ("Subject Property"), and legally described as:

SEE EXHIBIT "A" ATTACHED HERETO

The total amount due and owing on the Judgment as of November 5, 2018;

Judgment:           Principal                                   \$386,915.37

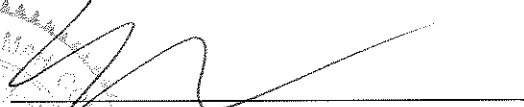
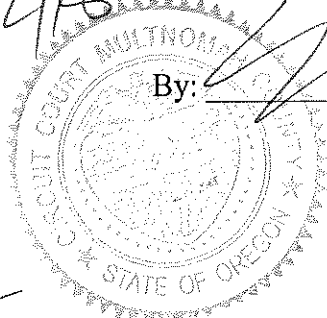
1	Pre-Judgment:	Interest(3.875%,\$38.03/day)	\$1,445.14 (9/22/2018 through 10/30/2018)
2		Attorney Fees	\$1,540.00
3		Costs	\$2,002.88
4		Prevailing Party Fee	\$300.00
5	Post-Judgment:	Interest(9.00%,\$96.77/day)	\$483.86 (10/31/2018 through 11/5/2018)
6		Attorney Fees	\$260.00
7		Costs	\$0.00

8 **TOTAL: \$392,947.25**

9 In the name of the State of Oregon, you are hereby directed to proceed to notice for sale  
10 and sell the Subject Property. After the sale, you are directed to issue a certificate of sale to the  
11 purchaser and file a return on the writ of execution, depositing the sale proceeds with the Court.  
12 Further, you are directed to execute, after the time for redemption has elapsed, a deed to the  
13 holder of the certificate of sale.

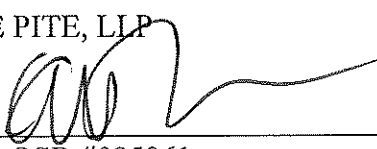
14 By the signature of the attorney for the judgment creditor, the person that requested  
15 issuance of the Writ hereby authorizes the sheriff to continue execution under the Writ and delay  
16 making a return on the writ to a date up to 150 days after receipt.

17 COURT ADMINISTRATOR FOR  
18 MULTNOMAH COUNTY CIRCUIT COURT

19 12/12/18  
20 By:   
21 

22 Presented by:

23 ALDRIDGE PITE, LLP

24 By:   
25 Katie Riggs, OSB #095861  
26 of Attorneys for Judgment Creditor  
(858) 750-7600 (503) 222-2260 (facsimile)  
orecourtnotices@aldridgepite.com

Page 2 – WRIT OF EXECUTION




**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

Trust Deed Legal Description:

Lot 24, Pier View Heights, in the City of Portland, County of Multnomah and State of Oregon.

Property Legal Description:

Lot 24, Pier View Heights, in the City of Portland, County of Multnomah and State of Oregon.



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

FLAGSTAR BANK, FSB,

Plaintiff,

v.

RODERICK E. CARLSON II; AND  
PERSONS OR PARTIES UNKNOWN  
CLAIMING ANY RIGHT, TITLE, LIEN, OR  
INTEREST IN THE PROPERTY  
DESCRIBED IN THE COMPLAINT ,

Defendants.

Case No. 18CV03263

**GENERAL JUDGMENT OF  
FORECLOSURE AND DECLARATION OF  
AMOUNT DUE BY DEFAULT**

ORCP Rule 69

PURSUANT TO SB368, THIS IS A  
JUDGMENT OF FORECLOSURE AND DOES  
NOT CONSTITUTE A MONEY AWARD  
AGAINST ANY DEFENDANT

Based upon the Court’s Order of Default against defendants RODERICK E. CARLSON II; AND PERSONS OR PARTIES UNKNOWN CLAIMING ANY RIGHT, TITLE, LIEN, OR INTEREST IN THE PROPERTY DESCRIBED IN THE COMPLAINT , the records on file herein, and pursuant to the Motion for General Judgment and Declaration of Amount Due by Default by Plaintiff FLAGSTAR BANK, FSB (“Plaintiff”),

**IT IS HEREBY ADJUDGED:**

1. Plaintiff’s security interest in the real property located at 9924 N DECATUR ST, PORTLAND, OR 97203 (“Subject Property”), as evidenced by the Deed of Trust recorded May 19, 2017 in the official records of MULTNOMAH County as instrument number 2017-061395 (“Deed of Trust”), is a viable first priority lien, superior to the interests of all the Defendants. All rights, claims, ownerships, liens, titles and demands of all Defendants are subsequent to Plaintiff’s lien as created by the Note and Deed of Trust. The Subject Property is legally described as follows:

1 SEE ATTACHED

2 2. The Deed of Trust is foreclosed and upon entry of this Judgment the court  
3 administrator shall upon request of Plaintiff issue a writ of execution for the sale, by the Sheriff,  
4 in the manner provided by law;

5 3. Plaintiff has submitted a Declaration of Amount Due and is owed the total amount  
6 due under the Note and Deed of Trust and any future advances and/or fees that may be made or  
7 incurred pursuant to the terms of the Note and Deed of Trust up to the date of the execution sale.  
8 This amount is to be satisfied by sale of the Subject Property as directed under this Judgment;

9 4. Plaintiff is owed reasonable attorney fees plus the remaining flat rate fees for an  
10 uncontested execution on the Judgment, pursuant to the Note and Deed of Trust and ORCP Rule  
11 68(C), which amount may be added to the outstanding obligation due and owing under the Note  
12 and Deed of Trust and recovered from the proceeds of the sheriff's sale. Pursuant to the Deed of  
13 Trust, these fees continue to accrue to the date of the execution sale. This amount to be satisfied  
14 by sale of the Subject Property as directed under this Judgment;

15 5. Plaintiff is owed costs of suit pursuant to the Note and Deed of Trust, ORCP Rule  
16 68(A)(2) and ORS 20.115(4), which may be added to the outstanding obligation due and owing  
17 under the Note and Deed of Trust and recovered from the proceeds of the sheriff's sale. Pursuant  
18 to the Deed of Trust, these costs continue to accrue to the date of the execution sale. This  
19 amount to be satisfied by sale of the Subject Property as directed under this Judgment;

20 6. Plaintiff is owed the prevailing party fee of \$300.00, this amount to be satisfied by  
21 sale of the Subject Property as directed under this Judgment.

22 7. The Sheriff shall make a return on the writ of execution to the court administrator  
23 along with the proceeds of the sale, if any. The proceeds of the sale, if any, shall be applied first  
24 toward the costs of the sale; then toward the satisfaction of Plaintiff's Judgment of Foreclosure  
25 awarded herein; and the surplus, if any, to the clerk of the court to be distributed to such party or  
26 parties as may establish their right thereto. The Defendants and all persons claiming through or

Page 2 – GENERAL JUDGMENT AND DECLARATION OF AMOUNT DUE BY DEFAULT

Aldridge Pite, LLP  
111 SW Columbia Street, Suite 950  
Portland, OR 97201  
(858) 750-7600

1 under Defendants, whether lien claimants, judgment creditors, claimants arising under junior  
2 mortgages or deeds of trust, purchasers, encumbrances or otherwise, shall be barred and  
3 foreclosed from all rights, claims, interest or equity of redemption in the Subject Property and  
4 every part of the Subject Property when the time for redemption has elapsed;

5 8. Plaintiff or any other party to this action may become a purchaser at the  
6 foreclosure sale, and such purchaser shall be immediately let into possession of the subject  
7 property, until redemption of the property, if any. The purchaser at the foreclosure sale or any  
8 successor in interest may apply to this Court for a writ of assistance to gain possession of the  
9 subject property if Defendants or any other party or person refuses to surrender possession;

10 DECLARATION OF AMOUNT DUE BY DEFAULT

11 (PURSUANT TO SB 368, THIS IS A JUDGMENT OF FORECLOSURE AND DOES NOT  
12 CONSTITUTE A MONEY AWARD AGAINST ANY DEFENDANT)

13 1. The total amount of the unpaid principal balance, interest, and other amounts  
14 owed is \$386,915.37.

15 2. Simple interest at the variable rate currently at 3.875% (\$38.03 *per diem*) after  
16 9/21/2018, through the date of judgment.

17 3. Attorney fees of \$1,540.00, plus \$260.00, through the date of sale.

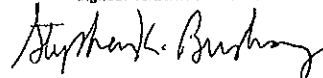
18 4. Costs of \$2,002.88, plus costs accrued through the date of sale.

19 5. Prevailing party fee: \$300.00.

20 6. Post-judgment interest thereafter on the total judgment amount above, #1-5, at the  
21 contract rate of interest or 9.000% per annum, whichever is greater, through the date of sale.

22 **IT IS SO ADJUDGED**

23 Signed: 10/26/2018 02:55 PM

24 

25 \_\_\_\_\_  
Circuit Court Judge Stephen Bushong  
proxy signed by BC

26 Page 3 – GENERAL JUDGMENT AND DECLARATION OF AMOUNT DUE BY DEFAULT

Aldridge Pite, LLP  
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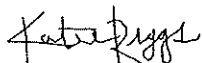
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**CERTIFICATE OF READINESS**

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 all parties 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.
5.  This is a proposed judgment that includes an award of punitive damages and notice has been served on the Director of the Crime Victims' Assistance Section as required by subsection (5) of this rule.
6.  Other: \_\_\_\_\_

Presented By:  
ALDRIDGE PITE, LLP



Date: 10/5/2018

Katie Riggs (OSB # 095861)  
(858) 750-7600  
(619) 326-2430  
kriggs@aldridgepite.com

111 SW Columbia Street, Suite 950  
Portland, OR 97201

Of Attorneys for Plaintiff

Page 4 – GENERAL JUDGMENT AND DECLARATION OF AMOUNT DUE BY DEFAULT

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