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

WELLS FARGO BANK, N.A., SUCCESSOR
BY MERGER TO WELLS FARGO BANK
MINNESOTA, NATIONAL ASSOCIATION
AS TRUSTEE FOR FIRST FRANKLIN
MORTGAGE LOAN TRUST 2002-FF4
ASSET BACKED CERTIFICATES, SERIES
2002-FF4,

Case No.: 15CV0074FC

WRIT OF EXECUTION IN
FORECLOSURE

Plaintiff,

v.

JUVENAL CASTANEDA-SALINAS;
ANGEL NOBLE; CRECENCIA ORTEGAL;
STATE OF OREGON, DEPARTMENT OF
HUMAN RESOURCES; STATE OF
OREGON, DIVISION OF CHILD SUPPORT;
VISTA RIDGE HOMEOWNERS'
ASSOCIATION, INC.; AND PERSONS OR
PARTIES UNKNOWN CLAIMING ANY
RIGHT, TITLE, LIEN, OR INTEREST IN
THE PROPERTY DESCRIBED IN THE
COMPLAINT HEREIN,

Defendants.

TO THE DESCHUTES COUNTY SHERIFF:

A Judgment of Foreclosure was entered and docketed in this case on October 23, 2015.
A true copy of the Judgment is attached hereto. The Judgment was entered in favor of the
Plaintiff:

1 WELLS FARGO BANK, N.A., SUCCESSOR BY MERGER TO WELLS FARGO
2 BANK MINNESOTA, NATIONAL ASSOCIATION AS TRUSTEE FOR FIRST FRANKLIN
3 MORTGAGE LOAN TRUST 2002-FF4 ASSET BACKED CERTIFICATES, SERIES 2002-
4 FF4

5 c/o Jeremy Clifford
6 Attorney for Plaintiff

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McCarthy & Holthus, LLP
920 SW 3rd Ave, 1st Floor
Portland, OR 97204

With the adjudicated amount due of \$242,086.58, plus pre judgment interest at the per diem of \$8.78 from October 2, 2015 to October 22, 2015 in the amount of \$184.38 plus post judgment interest at the statutory rate of 9.0% per annum from October 23, 2015 to January 9, 2019 in the amount of \$70,132.46, and continuing with a per diem of \$59.74, currently totaling \$312,403.42.

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 on execution (subject to redemption of 180 days), all of the interest that the Defendant had on or about October 16, 2002, the date of the Deed of Trust, and also the interest that the Defendant had thereafter, in the real property described in the attached *Exhibit 1* and commonly known as: 63329 Brody Ln, Bend, OR 97701.

Sale of the property is to satisfy the sum listed above, plus the costs incurred in performing this Writ. Pursuant to ORS 18.872, you are authorized to continue execution under the writ and delay making a return on the writ to no later than 150 days from receipt of the writ. You are to make the return within 60 days after you receive this Writ. Should the sale be continued, the writ may be automatically extended for 30 days.

Signed: 1/8/2019 09:29 AM


Trial Court Administrator Jeffrey E. Hall



1 Dated: January 7, 2019, and submitted by:

2 **McCarthy & Holthus, LLP**

3 s/ Jeremy Clifford

4 _ John Thomas OSB No. 024691
x Jeremy Clifford OSB No. 142987
5 920 SW 3rd Ave, 1st Floor
Portland, OR 97204
6 Phone: (971) 201-3200
7 Fax: (971) 201-3202
bkidder@mccarthyholthus.com
8 Of Attorneys for Plaintiff

EXHIBIT 1

Lot Twenty-two (22), VISTA RIDGE, Deschutes County, Oregon.

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CIRCUIT COURT OF OREGON FOR DESCHUTES COUNTY

WELLS FARGO BANK, N.A., SUCCESSOR
BY MERGER TO WELLS FARGO BANK
MINNESOTA, NATIONAL ASSOCIATION
AS TRUSTEE FOR FIRST FRANKLIN
MORTGAGE LOAN TRUST 2002-FF4
ASSET BACKED CERTIFICATES, SERIES
2002-FF4,

Plaintiff,

v.

JUVENAL CASTANEDA-SALINAS; ANGEL
NOBLE; CRECENCIA ORTEGAL; STATE
OF OREGON, DEPARTMENT OF HUMAN
RESOURCES; STATE OF OREGON,
DIVISION OF CHILD SUPPORT; VISTA
RIDGE HOMEOWNERS' ASSOCIATION,
INC.; AND PERSONS OR PARTIES
UNKNOWN CLAIMING ANY RIGHT,
TITLE, LIEN, OR INTEREST IN THE
PROPERTY DESCRIBED IN THE
COMPLAINT HEREIN,

Defendants.

NO. 15CV0074FC

GENERAL JUDGMENT DETERMINING
AMOUNT OWED AND FORECLOSURE

(Clerk's Action Required)

THIS MATTER having come on for hearing this day before the undersigned Judge of the
above entitled court upon the motion of the plaintiff for judgment and foreclosure herein, the
plaintiff, Wells Fargo Bank, N.A., Successor By Merger To Wells Fargo Bank Minnesota, National

1 Association As Trustee For First Franklin Mortgage Loan Trust 2002-FF4 Asset Backed Certificates,
2 Series 2002-FF4, appearing and being represented by CRAIG PETERSON, Attorney of Robinson
3 Tait, and after considering the pleadings and affidavits on file herein, findings of fact and conclusion
4 of law being unnecessary under Civil Rule 69D, the court finds that the allegations contained in the
5 plaintiff's Complaint are true, that there are no material issues of fact, that the plaintiff is entitled to
6 judgment as a matter of law, and that the judgment should be entered in favor of the plaintiff
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8 forthwith as more particularly hereafter set forth. Therefore,
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10 IT IS HEREBY ORDERED AND ADJUDGED THAT:

11 1. Plaintiff, Wells Fargo Bank, N.A., Successor By Merger To Wells Fargo Bank
12 Minnesota, National Association As Trustee For First Franklin Mortgage Loan Trust 2002-FF4 Asset
13 Backed Certificates, Series 2002-FF4 be awarded judgment in the sum of \$158,110.10, together with
14 interest at a rate as provided in the Note from December 1, 2012 through October 1, 2015 in the amount
15 of \$8,959.68 with additional pre-judgment interest at the per diem rate of \$8.78 as provided in the Note
16 to the date of entry of judgment; plus reasonable attorneys' fees in the amount of \$2,050.00, plus other
17 recoverable amounts of \$12,363.37 which includes the amounts itemized in the declaration of the lender
18 in support of motion for judgment plus allowable costs of \$4,824.42 as itemized in the bill of
19 disbursements and an additional amount for post-judgment sheriff's fees. Said judgment to bear interest
20 until paid at the statutory rate or at the contract rate, whichever is greater; and.
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23 2. Plaintiff's Deed of Trust on real property in Deschutes County, Oregon, legally
24 described as follows:
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26 LOT TWENTY-TWO (22), VISTA RIDGE, DESCHUTES COUNTY, OREGON.
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2 which was recorded on October 21, 2002, under Auditor's File No. 2002-58091, records of
3 Deschutes County, Oregon, be adjudged and decreed to be a first and paramount lien upon the above
4 described real estate and the whole thereof as security for the payment of the judgment herein set
5 forth, and that said Deed of Trust be foreclosed and the property therein described is hereby ordered
6 sold by the Sheriff of Deschutes County in the manner provided for by law, and the proceeds
7 therefrom shall be applied to the payment of the judgment, interest, attorneys' fees and costs, and
8 such other sums as plaintiff has advanced prior to judgment, and that such sums shall constitute a first
9 and specific lien and charge upon said real estate, prior and superior to any right, title, estate, lien or
10 interest of the defendants Juvenal Castaneda-Salinas, Angel Noble, Crecencia Ortegale, State Of Oregon,
11 Department Of Human Resources, State Of Oregon, Division Of Child Support, Vista Ridge
12 Homeowners' Association, Inc., And Persons Or Parties Unknown Claiming Any Right, Title, Lien, Or
13 Interest In The Property Described In The Complaint Herein and of any one claiming by, through or
14 under them; and
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17 3. Juvenal Castaneda-Salinas, Angel Noble, Crecencia Ortegale, State Of Oregon,
18 Department Of Human Resources, State Of Oregon, Division Of Child Support, Vista Ridge
19 Homeowners' Association, Inc., And Persons Or Parties Unknown Claiming Any Right, Title, Lien, Or
20 Interest In The Property Described In The Complaint Herein subsequent to October 16, 2002, the date
21 of the Deed of Trust which is foreclosed herein, be forever barred and estopped from claiming or
22 asserting any right, title, lien or interest in or to said property or any part thereof, save and except for
23 the right of redemption as allowed by law; and
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26 4. Plaintiff be granted the right to become a bidder and purchaser at the sale and the
27 purchaser shall be entitled to exclusive possession of the property upon completion of sale according to
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1 law, and to all right, title and interest in any rents and profits generated or arising from the property
2 during the statutory redemption period; and plaintiff is entitled to such remedies as are available at law to
3 secure possession, including writ of assistance, if defendants or any of them or any other party or person
4 shall refuse to surrender possession to the purchaser immediately upon purchaser's demand for
5 possession; and
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8 5. Pursuant to ORS 18.950, if any proceeds from the execution sale remain after the
9 payment of costs under ORS 18.950(3) and satisfaction of the judgment, the court administrator shall
10 pay the remaining proceeds as directed by the court in the order of distribution.
11

12
13 **DECLARATION DETERMINING AMOUNT OF DEBT**
(Not a Money Award, see ORS 18.862, 86.797, and 88.010)

14 Judgment Creditor:

15 WELLS FARGO BANK, N.A., SUCCESSOR
16 BY MERGER TO WELLS FARGO BANK
17 MINNESOTA, NATIONAL ASSOCIATION
18 AS TRUSTEE FOR FIRST FRANKLIN
19 MORTGAGE LOAN TRUST 2002-FF4
20 ASSET BACKED CERTIFICATES, SERIES
21 2002-FF4
c/o Robinson Tait, P.S.
710 Second Ave., Suite 710
Seattle, WA 98104
(206) 676-9640

22 Attorney for Judgment Creditor:

23 CRAIG PETERSON
24 Robinson Tait, P.S.
25 710 Second Ave., Suite 710
26 Seattle, WA 98104
27 (206) 676-9640

28 The name of any person or public body,
other than the Judgment Creditor's
Attorney, who is entitled to any
portion of the judgment:

None

1 Principal Balance: \$158,110.10

2 Deferred Principal Balance: \$55,779.01

3 Simple Interest on the Principal Balance
4 from December 1, 2012 to October 1, 2015: \$8,959.68

5 Other Amounts Due Under Terms of Loan: \$12,363.37

6 Attorneys' Fees and Costs:
7 Attorneys' Fee: \$2,050.00
8 Total Costs: \$4,824.42

9 Total Attorney Fees and Costs: \$6,874.42

10 *TOTAL DEBT OWED* \$242,086.58

11 Pre-Judgment: Additional pre-judgment interest accrues from October 2, 2015, to the date of
12 entry of judgment at the per diem rate of \$8.78, in accordance with the Note.

13 Post-Judgment: Interest Accrues on the total of the amounts listed above in accordance with
14 the contract rate in the Note, or at the statutory rate of 9% per annum, whichever is greater.

15 Signed: 10/23/2015 11:00 AM

16
17 
18 _____
19 Circuit Court Judge

20 Submitted by:

21 

22 [] Matt Booth, OSB #082663

Email: mbooth@robinsontait.com

23 [X] Craig Peterson, OSB #120365

Email: cpeterson@robinsontait.com

24 [] Brandon Smith, OSB #124584

Email: bsmith@robinsontait.com

25 [] Zhi Pauline Zheng, OSB #144692

Email: pzheng@robinsontait.com

26 Robinson Tait, P.S.

27 Attorneys for Plaintiff

28
GENERAL JUDGMENT DETERMINING
AMOUNT OWED AND FORECLOSURE - 5
60128-10068-JUD-OR1096850

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