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IN THE CIRCUIT COURT OF THE STATE OF OREGON
IN AND FOR THE COUNTY OF KLAMATH

U.S. BANK NATIONAL ASSOCIATION,
NOT IN ITS INDIVIDUAL CAPACITY
BUT SOLELY AS TRUSTEE FOR THE
RMAC TRUST, SERIES 2016-CTT

Case No. 18CV02515

Plaintiff,

WRIT OF EXECUTION

vs.

WILLIAM S. SNYDER; PARTIES IN
POSSESSION

Defendants.

TO: KLAMATH COUNTY SHERIFF

WHEREAS, on November 20, 2018, in the above-entitled court, a General Judgment of Foreclosure and Sale, was duly entered and docketed in the above-entitled cause.

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 execution (subject to redemption) all of the interest which the defendants had on November 18, 2005, the date of the deed of trust, and also all of the interest which the defendants acquired thereafter, in the real property described in the judgment:

1- WRIT OF EXECUTION
S&S No. 17-121175

SHAPIRO & SUTHERLAND, LLC
1499 SE Tech Center Place, Suite 255, Vancouver, WA 98683
Telephone (360)260-2253 (800)970-5647
Fax (360)260-2285
ksutherland@logs.com

1 A PARCEL OF LAND SITUATE IN SECTION 34, TOWNSHIP 38 SOUTH, RANGE 11 1/2
2 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON, MORE
3 PARTICULARLY DESCRIBED AS FOLLOWS:

4 BEGINNING AT THE NORTHWEST CORNER OF THE SW1/4 NW1/4 OF SECTION 34,
5 TOWNSHIP 38 SOUTH, RANGE 11 1/2 EAST OF THE WILLAMETTE MERIDIAN,
6 KLAMATH COUNTY, OREGON; THENCE EASTERLY ALONG THE NORTH LINE OF
7 THE SW1/4 NW1/4 OF SAID SECTION 34, 218.63 FEET; THENCE LEAVING SAID NORTH
8 LINE SOUTH 11° 32' 30" EAST, 478.80 FEET TO A POINT ON THE NORTHERLY RIGHT
9 OF WAY LINE OF STATE HIGHWAY NUMBER 140; THENCE SOUTH 60° 48' 50" WEST
10 ALONG SAID RIGHT OF WAY LINE 306.17 FEET TO A POINT ON THE WEST LINE OF
11 SAID SECTION 34; THENCE NORTH ALONG THE WEST LINE OF SAID SECTION 34,
12 644376 FEET TO THE POINT OF BEGINNING.

13 and commonly known as 21889 Highway 140 E, Dairy, OR 97625 to satisfy the sum of
14 \$186,720.54, as of December 14, 2018, together with additional post judgment interest of 9.00%
15 from that date (\$45.77 per day), and costs of this execution, making due return within 60 days after
16 you receive this writ.

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27 2- WRIT OF EXECUTION
28 S&S No. 17-121175

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1 U.S. Bank National Association, not in its individual capacity but solely as trustee for the
2 RMAC Trust, Series 2016-CTT is the Judgment Creditor, and its address for purpose of this writ
3 only is: C/O Shapiro & Sutherland, LLC, 1499 SE Tech Center Place, Suite 255, Vancouver,
4 WA 98683 (360)260-2253. Shapiro & Sutherland, LLC is the attorney for the Judgment
5 Creditor.
6

7
8 December 18, 2018

9 John M Powell
10 TRIAL COURT ADMINISTRATOR
11
12 

13 Submitted by:
14 Attorneys for Plaintiff,
15 SHAPIRO & SUTHERLAND, LLC

16 By:  _____

17 James A. Craft #090146 [jcraft@logs.com]
18 Kelly D. Sutherland #87357 [ksutherland@logs.com]
19 Gadi Shahak #180865 [gshahak@logs.com]
20 Holger Uhl #950143 [huhl@logs.com]*
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26 3- WRIT OF EXECUTION
S&S No. 17-121175

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IN THE CIRCUIT COURT OF THE STATE OF OREGON
IN AND FOR THE COUNTY OF KLAMATH

U.S. BANK NATIONAL ASSOCIATION, NOT
IN ITS INDIVIDUAL CAPACITY BUT SOLELY
AS TRUSTEE FOR THE RMAC TRUST, SERIES
2016-CTT,

Case No. 18CV02515

Plaintiff,

GENERAL JUDGMENT OF
FORECLOSURE AND SALE

vs.

WILLIAM S. SNYDER; PARTIES IN
POSSESSION,

Defendants.

Defendant, William S. Snyder, has been defaulted. Limited Judgment of Dismissal
against Defendant, Parties in Possession was entered with the court on June 29, 2018.

It is hereby

ORDERED AND ADJUDGED:

1 - GENERAL JUDGMENT OF FORECLOSURE AND
SALE
S&S No. 17-121175

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1 1. The real property to which this judgment relates (hereafter the "Property") is situated in
2 Klamath County, Oregon is commonly known as 21889 Highway 140 E, Dairy, OR 97625
3 and is legally described as follows:

4 A Parcel of land situate in Section 34, Township 38 South, Range 11 1/2 East of the
5 Willamette Meridian, Klamath County, Oregon, more particularly described as
6 follows:

7 Beginning at the Northwest corner of the SW1/4 NW1/4 of section 34, Township 38
8 South, Range 11 1/2 East of the Willamette Meridian, Klamath County, Oregon;
9 thence Easterly along the North line of the SW1/4 NW1/4 of said Section 34, 218.63
10 feet; thence leaving said North line South 11° 32' 30" East, 478.80 feet to a point on
11 the Northerly right of way line of State Highway Number 140; thence South 60° 48'
50" West along said right of way line 306.17 feet to a point on the West line of said
Section 34; thence North along the West line of said Section 34, 644376 feet to the
point of beginning.

12 2. The Deed of Trust executed and delivered by Defendant, WILLIAM S. SNYDER
13 ("Borrower") on or about November 18, 2005 and recorded on December 5, 2005 as
14 Instrument No. M05-70433 in the official records of Klamath County, Oregon, is a valid and
15 perfected lien against all of the Property for the amount of Plaintiff's judgment as provided
16 herein.

17 3. The Plaintiff is the holder of the original note dated November 18, 2005 and made by
18 William S. Snyder in the amount of \$204,000.00. A copy of the Note was attached to the
19 complaint as Exhibit. Plaintiff is the holder of the Note and the beneficial interest in the
20 Deed of Trust (together the "Loan").

21 4. The interest of each of the Defendant(s) subject to this Judgment and any successor in
22 interest in the Property is foreclosed and terminated excepting only any statutory right of
23 redemption as provided by Oregon law.

24 2 - GENERAL JUDGMENT OF FORECLOSURE AND
25 SALE
26 S&S No. 17-121175

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28 ksutherland@logs.com

- 1 5. The lien of the Plaintiff is superior to any interest, lien, or claim of the remaining
2 Defendants and shall remain in effect until issuance of a Sheriff's Deed. Upon Motion to
3 the Court and good cause shown, Plaintiff may move to rescind the foreclosure judgment
4 and to reinstate the Loan prior to the Sheriff's sale, returning the parties to their prejudgment
5 interests and priorities.
- 6
- 7 6. The Defendant(s) are not entitled to a homestead exception as against Plaintiff's judgment.
- 8 7. All of the rights, title and interest that Borrower(s) had as of the date of the Deed of Trust or
9 thereafter acquired in the subject Property, is hereby ordered to be sold by the Klamath
10 County Sheriff's Office in accordance with the process for sale upon execution, and the
11 proceeds of sale shall be applied; first to the costs of sale; second to satisfaction of the
12 amounts awarded Plaintiff herein; with the surplus, if any, to the Defendants in the priority
13 as their interest may appear or to the clerk of the court to be distributed to such party of
14 parties as may establish their right thereto.
- 15
- 16 8. Plaintiff or any junior lienholders may become purchaser at the sale of the Property.
- 17 9. The purchaser at the sale is entitled to exclusive and immediate possession of the Property
18 from and after the date of the sale and is entitled to such remedies as are available at law or
19 in equity to secure possession.
- 20
- 21 10. The purchaser at the sale may apply to the Court for a writ of assistance if any Defendant or
22 any person holding possession under or through such Defendant(s) shall refuse to surrender
23 possession to the purchaser immediately on the purchaser's demand for possession.
- 24 11. Under the terms of the Loan there is now due and owing to Plaintiff the following amounts:

1	Principal		\$164,724.43	
2	Prejudgment interest at 4.125% through			\$9,569.09
3	November 9, 2018			
4	(accruing thereafter until entry of judgment			
5	at \$18.62 per diem)			
6	Late Charges		\$212.32	
7	Other Costs and fees (recoverable)		4,122.30	
8	Property	\$255.00		
9	Inspections			
10	Total Hazard	\$2,317.10		
11	Insurance			
12	Total Taxes	\$1,550.20		
13	Subtotal			\$169,059.05
14	Total plus Prejudgment Interest			\$178,628.14

12. Attorney Fees and Costs are awarded to Plaintiff as follows:

15	Costs			\$3,757.72
16	Title Search Cost		\$810.00	
17	Skip Trace Costs		\$50.00	
18	Filing Fee		\$560.00	
19	Recording Costs-		\$171.00	
20	Assignments of Deed			
21	Lis Pendens Recording Fee		\$47.00	
22	Service by Publication		\$1,584.72	
23	Service Costs		\$260.00	
24	Prevailing Party Fee		\$275.00	
25	Attorney fees			\$3,050.00
26	Total			\$6,807.72

13. Post judgment interest on the aggregate of all amounts declared due above shall accrue from the date of judgment at the legal rate of 9% per annum pursuant to ORS 82.010.

14. This Judgment shall not create a personal lien or liability against Borrower except as is customary or necessary to execute on such Judgment and for purposes of redemption. In no event should it be construed as establishing personal liability for any persons whose debt has

4 - GENERAL JUDGMENT OF FORECLOSURE AND
SALE
S&S No. 17-121175

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18. This Court shall retain jurisdiction to enter such additional order, judgment or decree necessary to enforce this judgment, the writ of execution or for the purchaser at the foreclosure sale to obtain possession.

Signed: 11/19/2018 09:56 AM

Roxanne Osborne
~~Circuit Court Judge Roxanne Osborne~~

Certificate of Readiness under UTCR 5 100

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 each party 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. UTCR 8/1/16 5.5 (including out-of-cycle amendment of 5.100)


6 - GENERAL JUDGMENT OF FORECLOSURE AND SALE
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1 5. [] This is a proposed judgment that includes an award of punitive damages and notice has
2 been served on the Director of the Crime Victims' Assistance Section as required by subsection
(5) of this rule.

3 6. [] Other: _____

4 Submitted by:
5 Attorneys for Plaintiff,
SHAPIRO & SUTHERLAND, LLC

6 By:  NOV 16 2018

7 James A. Craft #090146 [jcraft@logs.com]
8 [] Kelly D. Sutherland #87357 [ksutherland@logs.com]
9 [] Gadi Shahak #180865 [gshahak@logs.com]
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25 7 - GENERAL JUDGMENT OF FORECLOSURE AND
26 SALE
S&S No. 17-121175

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