



1 Judgment Interest Per Diem: \$79.13

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3 NOW THEREFORE, IN THE NAME OF THE NAME OF THE STATE OF OREGON, you  
4 are commanded to levy on and sell the real property belonging to Mr. Maltman in your county  
5 on or after the said October 9, 2006, excepting such as the law exempts, and you are  
6 commanded to deliver the proceeds to the court for application against the Judgment money  
7 award in the sum of \$441,533.05 now due on said Judgment with interest at the rate of 9%  
8 annum from the day of December 13, 2018, and the further sum of \$1,117.00 of costs and  
9 disbursements, and also the costs of and upon this writ and make due return hereon within 60  
10 days after you have received this writ. The property owned by Mr. Maltman on October 9, 2006  
11 in your county is described particularly as provided in **Exhibit A**, attached hereto incorporated  
12 herein by reference. This property is commonly known as 34045 Highway 26, Seaside, OR  
13 97138.

14 **JUDGMENT CREDITOR INFORMATION:**

15 Name: Barbara A. Maltman  
16 Mailing address: Alysha Van Zante, McEwen Gisvold, 1100 S.W. Sixth Avenue, Suite 1600,  
17 Portland, OR 97204  
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21 WITNESS my hand and seal of the said Court on this 14<sup>th</sup> day of December,  
22 2018.



23 TRIAL COURT ADMINISTRATOR

24 *[Signature]*  
25 By: Jonera Lindsley, Court Clerk  
26 Court Administrator 12-14-18

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

A parcel of land lying in the Northwest quarter of the Northwest quarter of Section 14, Township 5 North, Range 10 West, Willamette Meridian, in the County of Clatsop, State of Oregon, described as follows:

Beginning at the US Section corner common to Sections 10, 11, 14, and 15, Township 5 North, Range 10 West, Willamette Meridian;

thence South  $1^{\circ} 40'$  West along the Section line between Sections 14 and 15, 1302.0 feet to the Southwest corner of the Northwest quarter of the Northwest quarter of said Section 14;

thence East along the South line of said Northwest quarter of the Northwest quarter 683.5 feet, more or less, to an iron pipe on the East right of way line of US Highway 26, said point being the true point of beginning of the tract herein described;

thence continuing East 582.5 feet, more or less, to the Southeast corner of said Northwest quarter of the Northwest quarter;

thence North along the East line of said Northwest quarter of the Northwest quarter 420.0 feet, more or less, to a point;

thence West 290.0 feet to an iron pipe;

thence continuing West 235.4 feet to an iron pipe;

thence continuing West 236.0 feet, more or less, to an iron pipe on the East right of way line of US Highway 26;

thence South  $21^{\circ} 00'$  East 455.0 feet to the point of beginning.

EXCEPTING THEREFROM that parcel conveyed in Warranty Deed recorded October 1, 1962 in Book 266, page 412, Clatsop County Records, more particularly described as follows:

Beginning at a point which is 1033.5 feet East and South  $1^{\circ} 40'$  West a distance of 1302.0 feet of the Northwest corner of Section 14, Township 5 North, Range 10 West, Willamette Meridian, County of Clatsop, State of Oregon;

thence due East a distance of 232.5 feet to an iron pipe which is the Southeast corner of Ken R. Reid property described in Book 252, page 320, Clatsop County Records;

thence due North along the East line of said Ken R. Reid property a distance of 420.0 feet to an iron pipe which is the Northeast corner of said Ken R. Reid property;

thence due West along the North line of said Reid property a distance of 761.4 feet to an iron pipe which is the Northwest corner of said Reid property, and also a point on the Easterly right of way line of US Highway 26;

thence along the Easterly right of way line of US Highway 26, South  $21^{\circ}$  East a distance of 98.8 feet to an iron pipe;

thence due East a distance of 490.2 feet to a point;

thence due South a distance of 329.0 feet to the point of beginning.



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

In the Matter of the Estate of  
BARBARA A. MALTMAN  
Petitioner,  
and  
MICHAEL J. MALTMAN,  
Respondent.

Case No. 05-3296

ORDER AUTHORIZING SALE OF  
RESIDENTIAL REAL PROPERTY

12 This matter came before the Honorable Paula Brownhill on November 30, 2018, on  
13 Petitioner's Motion for Order Authorizing Sale of Residential Real Property, and the Court  
14 having considered the parties' submissions and arguments, now therefore,

15 IT IS HEREBY ORDERED that pursuant to ORS 18.904 et seq., the Sheriff of Clatsop  
16 County is authorized to sell certain real property not subject to the ORS 18.395 homestead  
17 exemption and commonly known as 34045 Highway 26, Seaside, Oregon 97138, in order to  
18 satisfy the obligation of Respondent Michael J. Maltman under the Stipulated General Judgment  
19 of Dissolution of Marriage entered in this case on October 9, 2006 and extended on October 6,  
20 2016.

Signed: 12/11/2018 09:06 AM

*Paula Brownhill*

Circuit Court Judge Paula Brownhill

25 **SUBMITTED BY:**  
26 Alysha Van Zante, OSB No. 184664  
McEwen Gisvold LLP  
Of Attorneys for Petitioner Barbara Maltman

1 UTC R 5.100 CERTIFICATE OF READINESS

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

3 1.  Each party affected by this order or judgment has stipulated to the order or  
4 judgment, as shown by each party's signature on the document being  
submitted.

5 2.  Each party affected by this order or judgment has approved the order or  
6 judgment, as shown by each party's signature on the document being  
submitted or by written confirmation of approval sent to me.

7 3.  I have served a copy of this order or judgment on each party entitled to  
8 service and:

9 a.  No objection has been served on me.

10 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.

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

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

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

15 6.  Other: Notice was provided to all opposing parties pursuant to SLR 5.025(3).

16 DATED this 10 day of December, 2018.

17 McEWEN GISVOLD LLP

18 By: 

19 Alysha Van Zante, OSB No. 184664

20 J. Kurt Kraemer, OSB No. 982720

21 Email: [alyshav@mcewengisvold.com](mailto:alyshav@mcewengisvold.com)

[kurtk@mcewengisvold.com](mailto:kurtk@mcewengisvold.com)

22 Of Attorneys for Petitioner Barbara Maltman