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LINCOLN COUNTY SHERIFF'S OFFICE
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IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF LINCOLN

OCWEN LOAN SERVICING, LLC,

Plaintiff,

v.

THE ESTATE OF MELODY M. GRITTON;
THE ESTATE OF JAMES L. HATFIELD;
UNKNOWN HEIRS AND DEVISEES OF
THE ESTATE OF JAMES L. HATFIELD;
JENNIFER BECKER; LORI SPENCER;
MARCIA SCHMIDTKE; TERRY
LASNIEWSKI; UNKNOWN HEIRS AND
DEVISEES OF THE ESTATE OF MELODY
M. GRITTON; AND PERSONS OR PARTIES
UNKNOWN CLAIMING ANY RIGHT,
TITLE, LIEN, OR INTEREST IN THE
PROPERTY DESCRIBED IN THE
COMPLAINT HEREIN;

Defendants.

Case No.: 16CV40519

WRIT OF EXECUTION IN
FORECLOSURE

TO THE LINCOLN COUNTY SHERIFF:

A Judgment of Foreclosure was entered and docketed in this case on August 4, 2017, and a Corrected Judgment entered on January 8, 2019. A true copy of the Judgment is attached hereto. The Judgment was entered in favor of the Plaintiff:

OCWEN LOAN SERVICING, LLC
c/o Jeremy Clifford
Attorney for Plaintiff

1 Dated: January 21, 2019, and submitted by:

2 **McCarthy & Holthus, LLP**

3 s/ Jeremy Clifford

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

EXHIBIT 1

Legal Description

A tract of land in Section 16, Township 8 South, Range 11 West, Willamette Meridian, in Lincoln County, Oregon described as follows:

Beginning at the Northwest corner of Lot 3, JORDAN TRACTS; thence North $89^{\circ} 01'$ East 90.54 feet; thence North $0^{\circ} 8'$ East 17.80 feet; thence North $89^{\circ} 1'$ East 45 feet; thence North $0^{\circ} 8'$ East 59.25 feet, more or less, to the line described in Deed to Jordan S. and Carolyn H. Wells recorded in Volume 69, page 497, Film Records; thence North $87^{\circ} 50' 38''$ West along said line 136.50 feet to a point that is North of the point of beginning; thence South 78 feet to the point of beginning.

End of Legal Description

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5 IN THE CIRCUIT COURT OF THE STATE OF OREGON
6 FOR THE COUNTY OF LINCOLN

7 OCWEN LOAN SERVICING, LLC,

Case No.: 16CV40519

8 Plaintiff,

9 vs.

CORRECTED GENERAL JUDGMENT OF
FORECLOSURE AS TO ALL
DEFENDANTS

10 THE ESTATE OF MELODY M.
11 GRITTON; THE ESTATE OF JAMES L.
12 HATFIELD; UNKNOWN HEIRS AND
13 DEVISEES OF THE ESTATE OF JAMES
14 L. HATFIELD; JENNIFER BECKER;
15 LORI SPENCER; MARCIA SCHMIDTKE;
16 TERRY LASNIEWSKI; UNKNOWN
HEIRS AND DEVISEES OF THE
ESTATE OF MELODY M. GRITTON;
AND PERSONS OR PARTIES
UNKNOWN CLAIMING ANY RIGHT,
TITLE, LIEN, OR INTEREST IN THE
PROPERTY DESCRIBED IN THE
COMPLAINT HEREIN,

17 Defendants.

18
19 THIS MATTER having come on for hearing this day before the undersigned judge of the
20 above entitled court upon the motion of the plaintiff for judgment and foreclosure herein, the
21 plaintiff, Ocwen Loan Servicing, LLC, appearing and being represented by Craig Peterson,
22 attorney of Robinson Tait, and after considering the pleadings and affidavits on file herein.,
23 findings of fact and conclusion of law being unnecessary under Civil Rule 69D, the court finds
24 that the allegations contained in the plaintiff's Complaint are true, that there are no material
25 issues of fact that the Plaintiff is entitled to judgment as a matter of law and that the judgment
26 should be entered in favor of the plaintiff forthwith as more particularly hereafter set forth.

1 Therefore,

2 IT IS HEREBY ORDERED AND ADJUDGED THAT:

3 1. Plaintiff, OCWEN LOAN SERVICING, LLC be awarded judgment in the sum of
4 \$131,127.89, together with interest at a rate as provided in the Note from May 1, 2016 through
5 June 20, 2017 in the amount of \$8,193.64 with additional pre-judgment interest at the per
6 diem rate of \$20.03 as provided in the Note to the date of entry of judgment; plus
7 reasonable attorneys' fees in the amount of \$2,050.00, plus other recoverable amounts of
8 \$3,460.09 which includes the amounts itemized in the declaration of the lender in
9 support of motion for judgment plus allowable costs of \$2,370.80 as itemized in the bill of
10 disbursements and an additional amount for post-judgment sheriff's fees. Said judgment to
11 bear interest until paid at the statutory rate or at the contract rate, whichever is greater; and.

12 2. Plaintiff's Deed of Trust on real property in Lincoln County, Oregon,
13 legally described as follows:

14
15 LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT A

16
17 which was recorded on July 8, 2009, under Auditor's File No. 2009-08023, records
18 of Lincoln County, Oregon, be adjudged and decreed to be a first and paramount lien
19 upon the above described real estate and the whole thereof as security for the payment of
20 the judgment herein set forth. and that said Deed of Trust be foreclosed and the property
21 therein described is hereby ordered sold by the Sheriff of Lincoln County in the manner
22 provided for by law and the proceeds therefrom shall be applied to the payment of the
23 judgment interest, attorney's fees and costs, and such other sums as plaintiff has advanced
24 prior to judgment, and that such sums shall constitute a first and specific lien and charge
25 upon said real estate, prior and superior to any right, title, estate, lien or interest of the defendant
26 and of any one claiming by, through or under them; and
27

1 3. Any and all persons acquiring any right, title, estate, lien or interest in or to the
2 property described above or any part thereof subsequent to July 1, 2009, the date of the deed of
3 Trust which is foreclosed herein, be forever barred and estopped from claiming or asserting any
4 right, title, lien or interest in or to said property or any part thereof, save and except for the right
5 of redemption as allowed by law; and

6 4. Plaintiff be granted the right to become a bidder and purchased at the sale and the
7 purchaser shall be entitled to exclusive possession of the property upon completion of sale
8 according to law, and to all right, title and interest in any rents and profits generated or arising
9 from the property during the statutory redemption period; and plaintiff is entitled to such
10 remedies as are available at law to secure possession, including writ of assistance, if defendants
11 or any of them or any other party or person shall refuse to surrender possession to the purchaser
12 immediately upon purchaser's demand for possession; and

13 5. Pursuant to ORS 18.950, if any proceeds from the execution sale remain after the
14 payment of costs under ORS 18.950(3) and satisfaction of the judgment, the court administrator
15 shall pay the remaining proceeds as directed by the court in the order of distribution.
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DECLARATION DETERMINING AMOUNT OF DEBT

(Not a money Award, see ORS 18.862, 86.797, and 88.010)

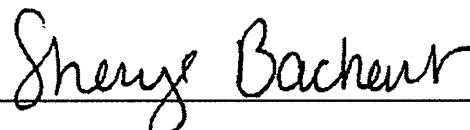
Judgment Creditor	Ocwen Loan Servicing, LLC c/o McCarthy Holthus LLP 901 SW Third Avenue Portland, OR 97204 971-201-3200
Attorney for Judgment Creditor	Jeremy Clifford
The name of any person or public body, other than the Judgment Creditor's Attorney, who is entitled to any portion of the judgment:	NONE
Principle Balance	\$131,127.89
Simple Interest on the Principal Balance from May 1, 2016 to June 20, 2017	\$8,193.64
Other Amounts Due Under Terms of Loan	\$3,460.09
Attorneys' Fees and Costs:	
Attorney fee:	\$2,050.00
Attorney cost:	\$2,370.80
Total Attorney Fees and Costs	\$4,420.80
Total Debt Owed	\$142,781.62

Pre-judgment: additional pre-judgment interest accrues from June 21, 2017, to the date of entry of judgment at the per diem rate of \$20.03, in accordance with the Note.

Post-judgment: Interest accrues on the total of the amounts listed above in accordance with the contact rate in the note, or at the statutory rate of 9% per annum, whichever is greater.

Signed: 1/4/2019 04:32 PM

nunc pro tunc 8/4/17



Circuit Court Judge Sheryl Bachart

1 I hereby certify that the requirements of UTCR 5.100 have been satisfied.

2 On 11/26/2018, a copy of the Plaintiff's Motion for Entry of Corrected General Judgment
3 of Foreclosure as to all Defendants, Proposed Corrected Judgment of Foreclosure was:

4 [x] Mailed to:

5 The Estate of James L. Hatfield
6 6535 Carolyn Ave
7 Gleneden Beach, OR 97388

8 The Estate of Melody M. Gritton
9 6535 Carolyn Ave
10 Gleneden Beach, OR 97388

11 Jennifer Becker
12 317 Piper Club Ct
13 Scotts Valley, CA 95066

14 Lori Spencer
15 575 W Moore Ave
16 Hermiston, OR 97838

17 Marcia Schmidtke
18 1354 Cedar St
19 Philomath, OR 97370

20 Persons or Parties Unknown Claiming Any Right, Title, Lien, or Interest in the Property
21 Described in the Complaint Herein
22 6535 Carolyn Ave
23 Gleneden Beach, OR 97388

24 Terry Lasniewski
25 3926 La Marada Way
26 Klamath Falls, OR 97603

27 Unknown Heirs and devisees of the Estate of James L. Hatfield
28 6535 Carolyn Ave
Gleneden Beach, OR 97388

Unknown Heirs and devisees of the Estate of Melody M. Gritton
6535 Carolyn Ave
Gleneden Beach, OR 97388

not less than 7 days prior to submission to the court with a notice of the time period to object.

This proposed Corrected Judgment of Foreclosure is ready for judicial signature because:

[] 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.

1 [] Each opposing party affected by this order or judgment has approved the order or
2 judgment, as shown by signature on the document being submitted or by written
confirmation of approval sent to me.

3 [x] I have served a copy of this order or judgment on all parties entitled to service and:

4 [x] No objection has been served on me.

5 [] I received objections that I could not resolve with the opposing party despite
reasonable efforts to do so. I have filed a copy of the objections I received and
indicated which objections remain unresolved.

6 [] After conferring about objections, _____ agreed to independently file
any remaining objection.

7 [] The relief sought is against an opposing party who has been found in default.

8 [] An order of default is being requested with this proposed judgment.

9 [] Service is not required pursuant to subsection (3) of this rule, or by statute, rule, or
10 otherwise.

11 [] This is a proposed judgment that includes an award of punitive damages and notice
12 has been served on the Director of the Crime Victims' Assistance Section as required
by subsection (4) of this rule.

13 [] Other: _____

14
15 Dated: December 7, 2018, and submitted by:

16 **McCarthy & Holthus, LLP**

17 s/ Jeremy Clifford

18 x Jeremy Clifford OSB No. 142987

19 920 SW 3rd Ave, 1st Floor

20 Portland, OR 97204

21 Phone: (971) 201-3200

22 Fax: (971) 201-3202

23 jclifford@mccarthyholthus.com

24 Of Attorneys for Plaintiff

Exhibit 1

Order No.:

Guarantee Jacket No.



A tract of land in Section 16, Township 8 South, Range 11 West, Willamette Meridian, in Lincoln County, Oregon described as follows:

Beginning at the Northwest corner of Lot 3, JORDAN TRACTS; thence North 89° 01' East 90.54 feet; thence North 0° 8' East 17.80 feet; thence North 89° 1' East 45 feet; thence North 0° 8' East 59.25 feet, more or less, to the line described in Deed to Jordan S. and Carolyn H. Wells recorded in Volume 69, page 497, Film Records; thence North 87° 50' 38" West along said line 136.50 feet to a point that is North of the point of beginning; thence South 78 feet to the point of beginning.