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

BAYVIEW LOAN SERVICING, LLC,

Plaintiff,

WILMINGTON SAVINGS FUND SOCIETY,
FSB, D/B/A CHRISTIANA TRUST AS
OWNER TRUSTEE OF THE RESIDENTIAL
CREDIT OPPORUNITY TRUST V,

Assignee,

vs.

THE ESTATE OF JANICE SUE MOORE, a
deceased individual; RODNEY CLARK, as
potential heir of THE ESTATE OF JANICE
SUE MOORE; RHONDA CLARK, as
potential heir of THE ESTATE OF JANICE
SUE MOORE; ALL UNKNOWN HEIRS
AND DEVISEES OF THE ESTATE OF
JANICE SUE MOORE; and ALL OTHER
UNKNOWN PARTIES CLAIMING ANY
RIGHT, TITLE, LIEN OR INTEREST IN
THE REAL PROPERTY COMMONLY
KNOWN AS 2609 Reclamation Avenue,
Klamath Falls, OR 97601,

Defendants.

CASE NO.: 18CV04638

WRIT OF EXECUTION

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2 STATE OF OREGON)
) ss.
3 County of Klamath)

4 TO THE SHERIFF OF KLAMATH COUNTY OREGON:

5 WHEREAS, on November 7, 2018, by consideration of the Klamath County Circuit
6 Court, there was entered a General Judgment of Foreclosure as to The Estate of Janice Sue
7 Moore, Rhonda Clark, as potential heir of The Estate of Janice Sue Moore, and All Unknown
8 Heirs and Devisees of the Estate of Janice Sue Moore. Said General Judgment of Foreclosure
9 was duly enrolled and docketed in the Court Administrator's Office in said County on November
10 7, 2018; a true copy of the General Judgment of Foreclosure is attached hereto and made a part
11 hereof.

12 Judgment Creditor: WILMINGTON SAVINGS FUND SOCIETY, FSB,
13 D/B/A CHRISTIANA TRUST AS OWNER TRUSTEE
14 OF THE RESIDENTIAL CREDIT OPPORUNITY
 TRUST V

15 c/o American Mortgage Investment Partners
16 Judgment Creditor Address: P.O. Box 2741
 Seal Beach, CA 90740

17 NOW THEREFORE IN THE NAME OF THE STATE OF OREGON, you are
18 commanded to sell the real property as by said General Judgment of Foreclosure according to
19 law (subject to redemption) all of the interest that the borrower Janice Sue Moore had on the 13th
20 day of August 2007, the date of the Mortgage, and also all of the interest that borrower had
21 thereafter, in the real property described in the Judgment as:

22 LOT 7 IN OLD ORCHARD MANOR, ACCORDING TO THE OFFICIAL
23 PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF
24 KLAMATH COUNTY, OREGON.

1 The street address of the real property to be levied upon is 2609 Reclamation Avenue,
2 Klamath Falls, OR 97601.

3 The above referenced property shall be sold to satisfy the following sums: The principal
4 balance and interest in the amount of \$215,856.34; lenders fees and costs \$20,226.07, plus
5 reasonable attorney fees and costs in the amount of \$6,295.48; plus the Prevailing Party Fee of
6 \$300.00; plus prejudgment interest from November 1, 2018 through November 7, 2018 in the
7 amount of \$260.26 (\$37.18 x 7 days); plus post-judgment interest accruing after November 7,
8 2015 through November 29, 2018, at the rate of 9.0% per annum, of \$1,317.80 (\$59.90 per diem
9 x 22 days) for a total of \$244,255.95 with interest to continue to accrue at the rate of 9.0% per
10 annum (\$59.90 per diem) until the date of sale; Thus,

11 THE TOTAL AMOUNT OF EXECUTION REQUESTED HEREON, STATED AS OF
12 THE DATE OF SUBMISSION (November 16, 2018) IS AS FOLLOWS:

14	Base Judgment and Interest:	\$215,856.34
15	Lenders Fees and Costs:	\$20,226.07
16	Attorney Fees and Costs:	\$6,295.48
17	Prevailing Party Fee:	\$300.00
18	Pre-Judgment Interest from	
19	11/1/2018 – 11/7/2018	
20	(\$37.18 per diem)	\$260.26
21	Post-Judgment Interest from	
22	11/8/2018 – 11/29/18 at 9.0%	
23	(\$59.90 per diem)	\$1,317.80

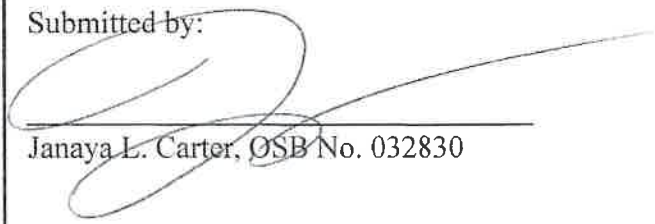
1 Total due as of November 16, 2018: \$244,255.95, with interest to continue to accrue at
2 9.0% (\$59.90 per diem) until the date of sale.

3 The proceeds of sale shall be applied, delivered, and distributed according to ORS
4 18.950.

5
6 John M. Present (Clerk)
7 By: Marcela Flores
8 Clerk December 4, 2018



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11 Submitted by:

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14 Janaya L. Carter, OSB No. 032830

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

BAYVIEW LOAN SERVICING, LLC,

Plaintiff,

WILMINGTON SAVINGS FUND SOCIETY,
FSB, D/B/A CHRISTIANA TRUST AS
OWNER TRUSTEE OF THE RESIDENTIAL
CREDIT OPPORTUNITIES TRUST V

Assignee,

vs.

THE ESTATE OF JANICE SUE MOORE, a
deceased individual; RODNEY CLARK, as
potential heir of THE ESTATE OF JANICE
SUE MOORE; RHONDA CLARK, as
potential heir of THE ESTATE OF JANICE
SUE MOORE; ALL UNKNOWN HEIRS
AND DEVISEES OF THE ESTATE OF
JANICE SUE MOORE; and ALL OTHER
UNKNOWN PARTIES CLAIMING ANY
RIGHT, TITLE, LIEN OR INTEREST IN
THE REAL PROPERTY COMMONLY
KNOWN AS 2609 Reclamation Avenue,
Klamath Falls, OR 97601,

Defendants.

CASE NO. 18CV04638

**GENERAL JUDGMENT OF
FORECLOSURE BY DEFAULT
(WITHOUT MONEY AWARD –
JUDGMENT DOES NOT
CREATE A LIEN)**

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1 Based upon the Motion for a General Judgment of Foreclosure filed by plaintiff,
2 Wilmington Savings Fund Society, FSB, D/B/A Christiana Trust as Owner Trustee of the
3 Residential Credit Opportunities Trust V (“Plaintiff”) and against defendants The Estate of Janice
4 Sue Moore (“Estate”), Rhonda Clark, as potential heir of The Estate of Janice Sue Moore
5 (Rhonda”); All Unknown Heirs and Devisees of the Estate of Janice Sue Moore (“Heirs”, together
6 with Estate and Rhonda, collectively “Defendants”), and that Plaintiff has filed a Statement for
7 Attorney Fees, Costs, and Disbursements,

8 **IT IS HEREBY ORDERED AND ADJUDGED:**

9 **1.**

10 Plaintiff is awarded judgment against Defendants and all persons claiming through or
11 under Defendants, as purchasers, encumbrances, or otherwise, are forever foreclosed of all
12 interest, lien or claim in the real property described above and every portion thereof excepting
13 only any satisfactory right of redemption as Defendants, or any of them, may have therein.

14 **2.**

15 Writ of execution upon this General Judgment of Foreclosure shall issue.

16 **3.**

17 The Deed of Trust executed by Borrower and recorded on August 27, 2007, in the
18 Klamath County Recorder’s Office as instrument number 2007-015080, is a valid mortgage lien
19 for the amount of Plaintiff’s judgment set forth in paragraph 1 against all the real property,
20 located in Klamath County, Oregon commonly referred to as 2609 Reclamation Avenue,
21 Klamath Falls, OR 97601, with a legal description as follows:

22 Lot 7 in OLD ORCHARD MANOR, according to the official plat thereof on file in the
23 office of the County Clerk of Klamath County, Oregon.

24 APN: R444282.

25 **4.**

26 Said mortgage lien is superior to any interest, lien or claim of the Defendants in the real

1 property, and all other interest in the property gained by him thereafter, or so much interest as
2 may be necessary to satisfy the judgment of the Plaintiff shall be sold by the Sheriff of Klamath
3 County, Oregon in the manner provided by law and in accordance with the practice of this Court.

4 **5.**

5 The proceeds of sale shall first be applied to the costs of sale; then toward the satisfaction
6 of Plaintiff's judgment awarded herein, calculated as of the date of sale; and any resulting surplus
7 shall then be tendered to the Clerk of the Court to be distributed to such other party or parties as
8 may establish their right thereto.

9 **6.**

10 Defendants and all persons claiming through or under Defendants, as purchasers,
11 encumbrances, or otherwise, are forever foreclosed of all interest, lien or claim in the real
12 property described above and every portion thereof excepting only any satisfactory right of
13 redemption as Defendants may have.

14 **7.**

15 Plaintiff or any other party to this suit or third party purchase may become the purchaser
16 at the sale of the real property. The purchaser is entitled to exclusive possession of the real
17 property from and after the date of sale and is entitled to such remedies as are available at law to
18 secure possession, including writ of assistance, if the Defendants and any other party or person
19 shall refuse to surrender possession to the purchaser immediately on the purchaser's demand for
20 possession.

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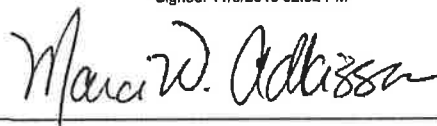
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Total Attorney Fees and Costs	\$ 6,295.48
Prevailing Party Fee	\$ 300.00
TOTAL SECURED DEBT (JUDGMENT)	\$ 242,677.89

Interest will continue to accrue on the judgment amount at the rate of Said Judgment is meant to be for the purposes of foreclosure *only*, and is not intended to be a monetary judgment against the Borrower.

Signed: 11/5/2018 02:52 PM



Circuit Court Judge Marci W. Adkisson

UTCR 5.100(2) CERTIFICATE OF READINESS

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

1. Each party affected by this order of 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 of 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 of 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 have received and indicated which objections remained unresolved.

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

3 4. The relief sought is against an opposing party who has been found in default.

4 5. An order of default is being requested with this proposed judgment.

5 6. Service is not required pursuant to subsection 3 of this rule, or by statute, rule, or
6 otherwise.

7 7. This is a proposed judgment that includes an award of punitive damages and notice as
8 been served on the Director of the Crime Victims' Assistance Section as required by
9 subsection (5) of the rule.
10

11 8. Other: _____
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13 Submitted By:

14 /s/ Janaya L. Carter 10/26/18
15 Janaya L. Carter, OSB No. 032830
16 Attorneys for Plaintiff
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