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2019 FEB 22 AM 9:50

1 After recording return to:
2 Daniel Ross, OSB No. 112979
3 Weinstein & Riley, P.S.
4 2001 Western Avenue, Suite 400
5 Seattle, Washington 98121

Court clerk has not verified the figures in
this writ. If you have questions
regarding this writ, please contact your legal
counsel, the issuing attorney or company.
You may contest this writ by filing a claim
of exemption.

6
7 **IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR MULTNOMAH COUNTY**

8 U.S. BANK, NATIONAL ASSOCIATION,
9 AS TRUSTEE FOR THE CERTIFICATE
10 HOLDERS OF LSX 2007-16N TRUST
11 FUND,

Plaintiff,

vs.

12 JANELL R. ANDERSON; ASSOCIATION
13 OF UNIT OWNERS OF CIVIC
14 CONDOMINIUM; DISCOVER BANK ON
15 BEHALF OF DISCOVER CARD; JOHN
16 AND JANE DOES, I THROUGH V,
17 OCCUPANTS OF THE SUBJECT REAL
18 PROPERTY, AND ALSO ALL OTHER
PERSONS OR PARTIES UNKNOWN,
CLAIMING ANY RIGHT, TITLE,
INTEREST, LIEN OR ESTATE IN THE
PROPERTY HEREIN DESCRIBED,

Defendants.

Case No. 18CV01444

WRIT OF EXECUTION

(Clerk's Action Required)

20 TO THE SHERIFF OF MULTNOMAH COUNTY, OREGON:

21 WHEREAS, on June 28, 2018, a General Judgment of Foreclosure and Money
22 Award was enrolled and docketed in this cause, a true copy of which is attached and made
23 a part hereof; in favor of Plaintiff, U.S. BANK, NATIONAL ASSOCIATION, AS

24 WRIT OF EXECUTION - 1
25 46766284

Weinstein & Riley, P.S.
2001 Western Avenue, Suite 400
Seattle, Washington 98121
Telephone: (206) 269-3490
Facsimile: (206) 269-3493

1 TRUSTEE FOR THE CERTIFICATE HOLDERS OF LSX 2007-16N TRUST FUND,
2 whose mailing address is, c/o Weinstein & Riley, P.S., 2001 Western Ave, Suite 400,
3 Seattle, WA 98121, regarding the real property commonly known as 1926 W. Burnside
4 Street, Unit 511, Portland, OR 97209, legally described property as follows:

5 UNIT 511 AND PARKING UNIT(S) P2-55 OF CIVIC CONDOMINIUM, IN
6 THE CITY OF PORTLAND, COUNTY OF MULTNOMAH, STATE OF
7 OREGON. TOGETHER WITH AN UNDIVIDED INTEREST IN AND TO THE
8 COMMON ELEMENTS APPERTAINING TO SAID UNIT AS SET FORTH IN
9 THE DECLARATION OF UNIT OWNERSHIP MADE PURSUANT TO THE
10 OREGON CONDOMINIUM ACT, RECORDED JUNE 11, 2007, RECORDING
11 NUMBER 2007-104131.

12 NOW, THEREFORE, IN THE NAME OF THE STATE OF OREGON, you are
13 hereby commanded to sell, in the manner prescribed by law for the sale of real property on
14 execution (subject to redemption), all of the interest that defendants had on June 20, 2007, the
15 date of the Deed of Trust, and also all of the interest that defendants had thereafter, in the real
16 property described in the judgment, to satisfy the principal judgment amount of \$267,702.49,
17 together with interest accrued to May 4, 2018, of \$112,355.85, and thereafter at the per diem
18 rate of \$29.34; other recovery amounts of \$53,886.89; costs and disbursements in the sum of
19 \$3,631.35, and attorneys' fees of \$3,050.00, which bear interest at 9% per annum, and a post
20 judgment per diem amount of \$14.94, and the costs of this writ, making due return within 60
21 days after you receive this writ.

22 ///

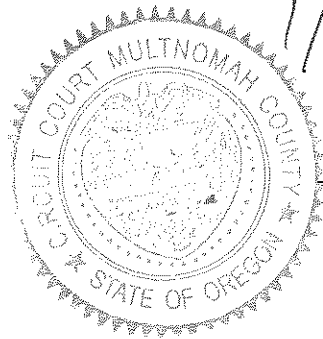
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25 WRIT OF EXECUTION - 2
46766284

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Facsimile: (206) 269-3493

1 The total amount due on money award including interest as of December 19, 2018, is
2 \$449,959.94.



1/15/19

[Handwritten signature]

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WRIT OF EXECUTION - 3
46766284

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

U.S. BANK, NATIONAL ASSOCIATION,
AS TRUSTEE FOR THE CERTIFICATE
HOLDERS OF LSX 2007-16N TRUST
FUND,

Plaintiff,

vs.

JANELL R. ANDERSON; ASSOCIATION
OF UNIT OWNERS OF CIVIC
CONDOMINIUM; DISCOVER BANK ON
BEHALF OF DISCOVER CARD; JOHN
AND JANE DOES, I THROUGH V,
OCCUPANTS OF THE SUBJECT REAL
PROPERTY, AND ALSO ALL OTHER
PERSONS OR PARTIES UNKNOWN,
CLAIMING ANY RIGHT, TITLE,
INTEREST, LIEN OR ESTATE IN THE
PROPERTY HEREIN DESCRIBED,

Defendants.

Case No.: 18CV01444

GENERAL JUDGMENT OF
FORECLOSURE AND MONEY
AWARD

(Clerk's Action Required)

THIS MATTER came on before the undersigned Judge on the Motion of the
Plaintiff for entry of a General Judgment of Foreclosure. An Order of Default as to All
Defendants was entered on May 16, 2018. The Court, having read and considered the

GENERAL JUDGMENT
OF FORECLOSURE - 1

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1 Affidavits in support of entry of judgment, and further appearing that said Defendants
2 were not at the time of said service in the military service of the United States; it further
3 appearing that the Defendants are not believed to be financially incapable as defined by
4 ORS 125.005(3), are not minors, a protected or incapacitated person, or a respondent as
5 defined by ORS 125.005.

6 NOW, THEREFORE, IT IS HEREBY ORDERED AND ADJUDGED as follows:

7 1. The real property to which this Judgment relates is commonly known as
8 1926 W. Burnside Street, Unit 511, Portland, OR 97209, situated in Multnomah County,
9 Oregon, legally described as follows:

10 UNIT 511 AND PARKING UNIT(S) P2-55 OF CIVIC CONDOMINIUM,
11 IN THE CITY OF PORTLAND, COUNTY OF MULTNOMAH, STATE
12 OF OREGON. TOGETHER WITH AN UNDIVIDED INTEREST IN AND
13 TO THE COMMON ELEMENTS APPERTAINING TO SAID UNIT AS
14 SET FORTH IN THE DECLARATION OF UNIT OWNERSHIP MADE
PURSUANT TO THE OREGON CONDOMINIUM ACT, RECORDED
JUNE 11, 2007, RECORDING NUMBER 2007-104131.

15 (hereinafter the "Property").

16 2. The Deed of Trust dated June 20, 2007, was made and delivered by the
17 Defendant, Janell R. Anderson to Mortgage Electronic Registration Systems, Inc., a separate
18 corporation, acting solely as a nominee for Vanguard M & T Incorporated and its successors
19 and assigns, and recorded on June 22, 2007, as File No. 2007-112641 in the official records
20 of Multnomah County, Oregon, and is a valid and perfected lien against all of the real
21 property for the amount of Plaintiff's Judgment as provided herein.
22

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24 GENERAL JUDGMENT
25 OF FORECLOSURE - 2

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1 3. The Deed of Trust was subsequently assigned to Plaintiff, U. S. Bank,
2 National Association, as trustee for the Certificateholders of LXS 2007-16N Trust Fund
3 under an Assignment of Deed of Trust dated March 27, 2014, recorded by the Clerk of
4 Multnomah County, Oregon, on May 29, 2014, as File No. 2014-051094.

5 4. The Note is endorsed under an Allonge to the Note by Vanguard M&T Inc.,
6 to Countrywide Bank, FSB, then endorsed by Countrywide Bank, FSB to Countrywide
7 Home Loans, Inc., then endorsed by Countrywide Home Loans, Inc., in blank and
8 Plaintiff, Plaintiff, U.S. Bank, National Association, as Trustee for the Certificateholders
9 of LSX 1007-16N Trust Fund, is now the true, actual, and legal holder of said Note, and
10 beneficiary of the Deed of Trust. *Id.*

11 5. The interest of each of the Defendants and any successor in the Property is
12 foreclosed and terminated excepting only any statutory right of redemption as provided by
13 Oregon law.

14 6. The lien of the Plaintiff is superior to any interest, lien, or claim of the
15 Defendants and shall remain in effect until issuance of a Sheriff's Deed.

16 7. The Defendants are not entitled to a homestead exception as against
17 Plaintiff's Judgment.

18 8. All rights, title and interest that Defendant Janell R. Anderson, had as of the
19 date of the Deed of Trust, or thereafter acquired in the subject Property, is hereby ordered
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24 GENERAL JUDGMENT
25 OF FORECLOSURE - 3

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1 to be sold by the Multnomah County Sheriff in accordance with the process for sale upon
2 execution, and the proceeds of sale shall be applied in the following order: first, to the
3 costs of sale; second to the satisfaction of the amounts awarded to Plaintiff herein; third,
4 any surplus, to the Defendants in the priority as their interest may appear or to the Clerk of
5 the Court to be distributed to such party or parties as may establish their right thereto.

6 9. Plaintiff shall be entitled to recover any advances that plaintiff may be
7 required to pay after the entry of judgment herein for taxes, assessment, other items
8 constituting liens against the property, insurance and/or repairs for the protection and
9 preservation of the subject property;

10 10. Plaintiff or any other junior lienholders may become the purchaser at the
11 sale of the Property.

12 11. The purchaser at the sale is entitled to such remedies as are available at law
13 or in equity to secure possession.

14 12. The purchaser at the sale may apply to the Court for a writ of assistance if
15 any Defendants or any other party or person holding possession shall refuse to surrender
16 possession to the purchaser immediately on the purchaser's demand for possession.

17 13. Plaintiff is awarded Judgment and a Money Award of the following
18 amounts due and owing under the Note and Deed of Trust:

19	Principal	\$267,702.49
20	Prejudgment interest from 12/1/2009 to 6/30/2012 accrued at 8.75% per annum	\$60,512.00
21	Prejudgment interest from 7/1/2012 to 6/30/2013 accrued at 3.75% per	\$10,038.84

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24 GENERAL JUDGMENT
25 OF FORECLOSURE - 4

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1	annum		
2	Prejudgment interest from 7/1/2013 to 6/30/2014 accrued at 3.00% per annum		\$8,031.12
3	Prejudgment interest from 7/1/2014 to 6/30/2015 accrued at 2.75% per annum		\$7,361.76
4	Prejudgment interest from 7/1/2015 to 6/30/2016 accrued at 3.00% per annum		\$8,031.12
5	Prejudgment interest from 7/1/2016 to 6/30/2017 accrued at 3.5% per annum		\$9,369.60
6	Prejudgment interest from 7/1/2017 to 4/30/2018 accrued at 4.00% per annum		\$8,923.40
7	Prejudgment interest from 5/1/2018 to 5/4/2018 accrued at 4.00% per annum and thereafter with a per diem rate of \$29.34		\$88.01
8	Other Costs and fees (recoverable)		\$53,886.89
9	Property Tax	\$30,162.98	
10	Mortgage Insurance	\$22,134.91	
11	Property Inspection	\$684.00	
12	Property Preservation	\$905.00	
13	Subtotal (Principal and Costs)		\$321,589.38
14	Total (plus prejudgment interest)		\$433,945.23

15. Attorneys fees and costs are awarded to Plaintiff as follows:

17	Costs		\$3,631.35
18	Mediation Costs:	\$400.00	
19	Title Fees:	\$1,270.00	
20	Filing Fees:	\$531.00	
21	Recording Fees:	\$97.92	
22	Prevailing Party Fee:	\$325.00	
23	Process Service:	\$1,007.43	
24	Attorney Fees		\$3,050.00
25	Reasonable Fee Amount for Uncontested Judicial Foreclosure	\$3,050.00	
	Total		\$6,681.35

GENERAL JUDGMENT
OF FORECLOSURE - 5

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2 16. Interest shall accrue on Principal Judgment amount of \$267,702.49 at the
3 interest rate of 4.00%, at a per diem rate of \$29.34, from May 4, 2018. Interest shall accrue
4 on the Other Recovery Amounts at the rate of 9.00% per annum from the date of
5 Judgment. Interest shall accrue on Attorneys Fees and Costs totaling \$6,681.35 at the rate
6 of 9.00% per annum from the date of judgment pursuant to ORS 82.010.

7 17. This Judgment shall not create a personal lien or liability against Defendant
8 Janell R. Anderson except as is customary or necessary to execute such Judgment and for
9 purposes of redemption. In no event should it be construed as establishing personal
10 liability for any persons whose debt has been extinguished in bankruptcy or by an In Rem
11 order granting relief from stay, but only to foreclose the Deed of Trust mortgage. In the
12 event the proceeds of sale are insufficient to pay the amounts due to Plaintiff, Plaintiff
13 shall not be entitled to any further judgment, including a Judgment for deficiency.

14 17. Execution may issue for the aggregate amount found due Plaintiff herein as
15 detailed in Paragraphs 13 through 15 (collectively the "Amounts Due"). Plaintiff may
16 credit bid up to the Amounts Due plus such additional amounts as provided by ORS
17 18.936 or other applicable law.

18 18. If before sale such amount, including sheriff's fees for the execution, is
19 tendered to the court and paid to the Clerk, the execution, if issued, shall be recalled and
20 the effect of the judgment as to the amounts due shall be terminated.

21 19. The Clerk of the Court is hereby ordered to Issue a Writ of Execution in
22 Foreclosure for the sale of the Property.

23
24 GENERAL JUDGMENT
25 OF FORECLOSURE - 6

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1 20. The Court shall retain jurisdiction to enter such additional order or
 2 judgment as necessary to enforce this judgment, the writ of execution or for the purchaser
 3 at the execution sale to obtain possession.

4 **DECLARATION OF AMOUNTS OWING UNDER THE DEED OF TRUST***

5	a.	Judgment Creditor:	Plaintiff, U.S. BANK, NATIONAL ASSOCIATION, AS TRUSTEE FOR THE CERTIFICATE HOLDERS OF LSX 2007-16N TRUST FUND
6		Address for the purpose of this judgment only:	c/o Weinstein & Riley, P.S. 2001 Western Avenue, Suite 400 Seattle, Washington 98121 Telephone: (206) 269-3490 Facsimile: (206) 269-3493
7		Attorney for Judgment Creditor	Weinstein & Riley, P.S. 2001 Western Avenue, Suite 400 Seattle, Washington 98121 Telephone: (206) 269-3490 Facsimile: (206) 269-3493
8	b.	Judgment Debtor:	Janell R. Anderson
9		A. Address: Janell R. Anderson	1926 W. Burnside Street, Unit 511, Portland, OR 97209
10		B. Year of date of birth, Janell R. Anderson	1976
11		C. Social Security Number, Janell R. Anderson	Last four digits: 4517
12		D. Driver's License State and Numbers	n/a
13		E. Attorney for Judgment Debtors	n/a
14	c.	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
15	d.	The amount of the judgment exclusive of amounts included in subsection (e) through (h) is:	\$267,702.49
16	e.	Prejudgment interest from 12/1/2009 to 6/30/2012 accrued at 8.75% per annum 8.875%	\$60,512.00
17		Prejudgment interest from 7/1/2012	\$10,038.84

18 GENERAL JUDGMENT
 19 OF FORECLOSURE - 7

20 46766284

21 WEINSTEIN & RILEY, P.S.
 22 2001 Western Avenue, Suite 400
 23 Seattle, Washington 98121
 24 Telephone: (206) 269-3490
 25 Facsimile: (206) 269-3493

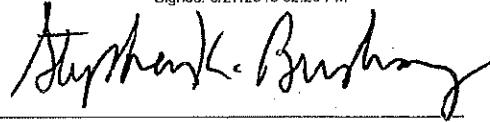
1		to 6/30/2013 accrued at 3.75% per annum	
2		Prejudgment interest from 7/1/2013 to 6/30/2014 accrued at 3.00% per annum	\$8,031.12
3			
4		Prejudgment interest from 7/1/2014 to 6/30/2015 accrued at 2.75% per annum	\$7,361.76
5			
6		Prejudgment interest from 7/1/2015 to 6/30/2016 accrued at 3.00% per annum	\$8,031.12
7		Prejudgment interest from 7/1/2016 to 6/30/2017 accrued at 3.5% per annum	\$9,369.60
8			
9		Prejudgment interest from 7/1/2017 to 4/30/2018 accrued at 4.00% per annum	\$8,923.40
10			
11		Prejudgment interest from 5/1/2018 to 5/4/2018 accrued at 4.00% per annum and thereafter with a per diem rate of \$29.34	\$88.01
12			
13	f.	Post-judgment interest:	On Principal Judgment at the rate of 4.00%, at a per diem rate of \$29.34; and on all amounts awarded, at 9.0% per annum pursuant to ORS 82.010 from the date of entry of judgment until the entire amount owing is paid.
14			
15			
16	g.	Monetary obligations that are payable on a periodic basis, any accrued arrearages, required further payments per period and payment dates	None known.
17			
18			
19	h.	Costs and disbursements	\$3,631.35
20		Attorney fees in the amount of:	\$3,050.00

GENERAL JUDGMENT
OF FORECLOSURE - 8
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1 *This section is provided to comply with ORS 18.042 and in no event should it be
2 construed as establishing personal liability for any persons whose debt has been
3 extinguished in bankruptcy or by an In Rem order granting relief from stay, but only to
4 foreclose the deed of trust mortgage

Signed: 6/27/2018 02:29 PM



Circuit Court Judge Stephen K. Bushong
proxy signed by LD

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8 Presented by:



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10
11 Daniel A. Ross, OSB No. 112979
12 WEINSTEIN & RILEY PS
13 2001 Western Ave Ste 400
14 Seattle, WA 98121
15 (206) 269-3490
16 Attorneys for Plaintiff
17 danielr@w-legal.com

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24 GENERAL JUDGMENT
25 OF FORECLOSURE - 9

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

U.S. BANK, NATIONAL ASSOCIATION,
AS TRUSTEE FOR THE CERTIFICATE
HOLDERS OF LSX 2007-16N TRUST
FUND,

Plaintiff,

vs.

JANELL R. ANDERSON; ASSOCIATION
OF UNIT OWNERS OF CIVIC
CONDOMINIUM; DISCOVER BANK ON
BEHALF OF DISCOVER CARD; JOHN
AND JANE DOES, I THROUGH V,
OCCUPANTS OF THE SUBJECT REAL
PROPERTY, AND ALSO ALL OTHER
PERSONS OR PARTIES UNKNOWN,
CLAIMING ANY RIGHT, TITLE,
INTEREST, LIEN OR ESTATE IN THE
PROPERTY HEREIN DESCRIBED,

Defendants.

Case No. 18CV01444

CERTIFICATE OF READINESS

UTCR 5.100(2)

Based on the requirements presented in UTCR 5.100(2), Daniel Ross of Weinstein and Riley, P.S., attorney for the Plaintiff herein, states that the proposed order or judgment is ready for judicial signature for the following reasons:

Pursuant to UTCR 5.100(2)(b), Plaintiff asserts that this proposed order or judgment is ready for judicial signature because of the following:

CERTIFICATE OF READINESS
PURSUANT TO UTCR 5.100(2) - 1

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1. [] 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.

2. [] Each opposing party affected by this order or judgment has approved the order or judgment, as shown by 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 all parties entitled to service and:

a. [] No objection has been served on me.

b. [] 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.

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

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

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

6. [] Service is not required pursuant to subsection (3) of this rule, or by statute, rule, or otherwise. Pursuant to UTCR 5.100(3)(b) "A proposed order or judgment that may be presented *ex parte* by law or rule and is so submitted."

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

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1 As the Plaintiff has satisfied the requirements of UTCR 5.100, the attached proposed
2 judgment or order is ready for judicial signature.

3 Executed this 24th day of May, 2018, at Seattle, Washington.

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7 Daniel Ross, OSB No. 112979
8 WEINSTEIN & RILEY PS
9 2001 Western Ave Ste 400
10 Seattle, WA 98121
11 (206) 269-3490
12 Attorneys for Plaintiff
13 danielr@w-legal.com

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CERTIFICATE OF READINESS
PURSUANT TO UTCR 5.100(2) - 3

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