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3 **IN THE CIRCUIT COURT OF THE STATE OF OREGON**
4 **FOR THE COUNTY OF KLAMATH**
5

6 MTGLQ INVESTORS, L.P.,

CASE NO.: 17CV44081

7
8 **Plaintiff,**

WRIT OF EXECUTION

9 vs.

10
11 ROBERT K. TELLEFSON; LISA S.
12 TELLEFSON; STATE OF OREGON; and
13 ALL OTHER UNKNOWN PARTIES
14 CLAIMING ANY RIGHT, TITLE, LIEN OR
15 INTEREST IN THE REAL PROPERTY
16 COMMONLY KNOWN AS 745 FORT JACK
17 PINE DRIVE, GILCHRIST, OR 97737,

18 **Defendants.**

19 STATE OF OREGON)
20) ss.
21 County of Klamath)

22 TO THE SHERIFF OF KLAMATH COUNTY OREGON:

23 WHEREAS, on September 6, 2018, by consideration of the Klamath County Circuit
24 Court, there was entered a General Judgment of Foreclosure as to defendants ROBERT K.
25 TELLEFSON; LISA S. TELLEFSON; STATE OF OREGON; and ALL OTHER UNKNOWN
26 PARTIES CLAIMING ANY RIGHT, TITLE, LIEN OR INTEREST IN THE REAL
27 PROPERTY COMMONLY KNOWN AS 745 FORT JACK PINE DRIVE, GILCHRIST, OR
28 97737, collectively (“Defendants”), said General Judgment of Foreclosure was duly enrolled and

1 docketed in the Court Administrator's Office in said County on September 7, 2018; a true copy
2 of the General Judgment of Foreclosure is attached hereto and made a part hereof.

3 Judgment Creditor: MTGLQ INVESTORS, L.P.
4 c/o Zieve, Brodnax, & Steele, LLP
5 One World Trade Center
6 121 SW Salmon St., 11th Floor
7 Portland, OR 97204
8 714-484-7920

9 Judgment Creditor Address: Jeffrey A. Myers
10 c/o Zieve, Brodnax, & Steele, LLP
11 One World Trade Center
12 121 SW Salmon St., 11th Floor
13 Portland, OR 97204
14 714-484-7920

15 NOW THEREFORE IN THE NAME OF THE STATE OF OREGON, you are
16 commanded to sell the real property as by said General Judgment of Foreclosure according to
17 law (subject to redemption) all of the interest that the Borrowers had on the 23rd day of October,
18 2007, the date of the Mortgage, and also all of the interest that borrower and Defendants had
19 thereafter, in the real property described in the Judgment as:

20 LOTS 4 AND 5 IN BLOCK 7 OF JACK PINE VILLAGE, ACCORDING TO THE OFFICIAL
21 PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH
22 COUNTY, OREGON

23 APN: R134027

24 The street address of the real property to be levied upon 745 Fort Jack Pine Drive,
25 Gilchrist, OR 97737.

26 The above referenced property shall be sold to satisfy the following sums: The principal
27 balance amount of \$80,861.09; plus interest and fees through August 20, 2018 in the amount of
28 \$23,774.75; plus attorney's fees and costs in the amount of \$5,524.50; plus prevailing party fee

1 in the amount of \$300.00; plus additional pre-judgment interest accruing after August 20, 2018
2 through September 7, 2018 at the rate of 6.99% per annum of \$410.04 (\$22.78 per diem x 18
3 days); plus post-judgment interest accruing after September 7, 2018 through January 17, 2019 at
4 a rate of 9% per annum of \$3,608.88 (\$27.34 per diem x 132 days) for a total of \$114,479.26
5 with interest to continue to accrue at the rate of 9.0% per annum (\$27.34 per diem) until the date
6 of sale; Thus,


7 THE TOTAL AMOUNT OF EXECUTION REQUESTED HEREON, STATED AS OF
8 THE DATE OF SUBMISSION (January 17, 2019) IS AS FOLLOWS:

9	Base Judgment plus Interest and Fees:	\$104,635.84
10	Attorney Fees and Costs:	\$5,524.50
11	Prevailing Party Fee:	\$300.00
12	Additional Pre-Judgment Interest:	\$410.04
13	Post-Judgment Interest from	
14	9/7/18 – 1/17/2019 at 9.0%	
15	(\$27.34 per diem)	\$3,608.88

16 //

17 **Total due as of January 17, 2019: \$114,479.26, with interest to continue to**
18 **accrue at 9.0% (\$27.34 per diem) until the date of sale.**

19 The proceeds of sale shall be applied, delivered, and distributed according to ORS
20 18.950.

21  John M. Powell ^(TCA) by
22 Marcela Flores
23 Jan. 18, 2019 Court Clerk

24 Submitted by:

25 /s/ Jeffrey A. Myers

26 Jeffrey A. Myers, OSB No. 094561

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

MTGLQ INVESTORS, L.P.,

Plaintiff,

vs.

ROBERT K. TELLEFSON; LISA S.
TELLEFSON; STATE OF OREGON; and
ALL OTHER UNKNOWN PARTIES
CLAIMING ANY RIGHT, TITLE, LIEN OR
INTEREST IN THE REAL PROPERTY
COMMONLY KNOWN AS 745 FORT JACK
PINE DRIVE, GILCHRIST, OR 97737.

Defendants.

CASE NO. 17CV44081

**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, MTGLQ
2 Investors, L.P. ("Plaintiff") and against defendants Robert K. Tellefson ("Borrower 1"); Lisa S.
3 Tellefson ("Borrower 2" together with Borrower 1, collectively "Borrowers"), State of Oregon
4 ("OR State"); and All Other Persons or Parties Unknown claiming any right, title, lien or interest
5 in the real property ("AOP", together with Borrowers, and OR State, collectively "Defendants"),
6 and that Plaintiff has filed a Statement for Attorney Fees, Costs, and Disbursements,

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

8 **1.**

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

13 **2.**

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

15 **3.**

16 The Deed of Trust executed by Borrower and recorded on October 23, 2007, in the Klamath
17 County Recorder's Office as Instrument number 2007-018251, is a valid mortgage lien for the
18 amount of Plaintiff's judgment set forth in paragraph 1 against all the real property, located in
19 Klamath County, Oregon commonly referred to as 745 Fort Jack Pine Drive, Gilchrist, OR 97737,
20 with a legal description as follows:

21 LOTS 4 AND 5 IN BLOCK 7 OF JACK PINE VILLAGE, ACCORDING TO THE
22 OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF
23 KLAMATH COUNTY, OREGON

24 APN: R134027.

25 **4.**

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

5 5.

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

10 6.

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

15 7.

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

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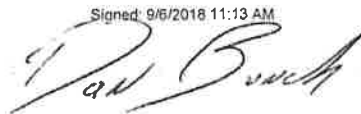
SECURED DEBT

- 1. Judgment Creditor: MTGLQ Investors, L.P.
c/o Zieve, Brodnax, & Steele, LLP
One World Trade Center
121 Southwest Salmon St., 11th Floor
Portland, OR 97204
714-848-7920
- 2. Judgment Creditor's Attorney: Janaya L. Carter
Zieve, Brodnax, & Steele, LLP
One World Trade Center
121 Southwest Salmon St., 11th Floor
Portland, OR 97204
714-848-7920
- 3. Person or public body entitled to any portion of money award herein: None
- 4. Total Amount of Secured Debt:

LENDERS' PRINCIPAL AND INTEREST	
Principal Balance	\$ 80,861.09
Accrued interest on the principal balance through 8/20/18	\$ 16,903.19
Accrued fees on the principal balance through 8/20/18	\$ 6,871.56
Additional pre-judgment interest to accrue from 8/21/18 to the date this judgment is entered, at the note rate of 6.99% (\$22.78 per diem)	
Post-judgment interest to accrue on the sum of: (1) the judgment amount in section d, and (2) the additional pre-judgment interest accruing from 8/21/18 to the date of judgment. This post-judgment interest shall accrue at the statutory rate of 9.0%, from the date judgment is entered until the date of sale.	
Total Principal and Interest Through 8/20/18 at the rate of 6.99% per annum (\$22.78 per diem).	\$ 104,635.84
ATTORNEYS' FEES AND COSTS	
Attorney Fees	\$ 3,910.00
Attorney Costs	\$ 1,614.50
Total Attorney Fees and Costs	\$ 5,524.50

Prevailing Party Fee	\$ 300.00
TOTAL SECURED DEBT (JUDGMENT)	\$ 110,460.34

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 Borrowers.

Signed: 9/6/2018 11:13 AM


Circuit Court Judge Dan Bunch

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 9/4/18
15 Amy F. Harrington, OSB No. 123363
16 Janaya L. Carter, OSB No. 032830
17 Attorneys for Plaintiff
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