

SHERIFF'S OFFICE
CLATSOP COUNTY OREGON

18CV19493

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

9 DEUTSCHE BANK NATIONAL TRUST
10 COMPANY, AS TRUSTEE FOR THE
11 REGISTERED HOLDERS OF MORGAN
12 STANLEY ABS CAPITAL I INC. TRUST
13 2007-NC3 MORTGAGE PASS-THROUGH
14 CERTIFICATES, SERIES 2007-NC3,

15 Plaintiff,

16 vs.

17 TOD WILLIAMS; AKA TOD NICHOLAS
18 WILLIAMS; STATE OF OREGON,
19 OCCUPANTS OF THE PROPERTY,

20 Defendants.

Case No.: 18CV19493

WRIT OF EXECUTION IN
FORECLOSURE

21 **TO THE CLATSOP COUNTY SHERIFF:**

22 A Judgment of Foreclosure was entered and docketed in this case on 10/18/2018. A true
23 copy of the Judgment is attached hereto. The Judgment was entered in favor of the Plaintiff:

24 DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR THE
25 REGISTERED HOLDERS OF MORGAN STANLEY ABS CAPITAL I INC. TRUST 2007-
26 NC3 MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2007-NC3

27 c/o Jeremy Clifford
28 Attorney for Plaintiff

McCarthy & Holthus, LLP
920 SW 3rd Ave, 1st Floor
Portland, OR 97204

1 With the adjudicated amount due of \$93,231.23, plus pre-judgment interest at Note rate 2.0%,
2 \$3.103493, per diem from 10/16/2018 through 10/17/2018, in the amount of \$6.20, plus post
3 judgment interest at the statutory rate of 9.0%, 10/18/2018 to 1/17/2019 in the amount of
4 \$2,092.09, and continuing with a per diem of \$22.99, currently totaling \$95,329.52.

5 **NOW, THEREFORE, IN THE NAME OF THE STATE OF OREGON**, you are
6 hereby commanded to sell, in the manner prescribed by law for the sale of real property on
7 execution (subject to redemption of 180 days), all of the interest that the Defendant had on or
8 about February 8, 2007, the date of the Deed of Trust, and also the interest that the Defendant
9 had thereafter, in the real property described as follows:

10 SEE ATTACHED EXHIBIT 1

11 and commonly known as: 79829 Highway 103, Seaside, OR 97138, and having APN/Parcel Nos.
12 3987, 3989, and 3990.

13
14 Sale of the property is to satisfy the sum listed above, plus the costs incurred in
15 performing this Writ. Pursuant to ORS 18.872, you are authorized to continue execution under
16 the writ and delay making a return on the writ to no later than 150 days from receipt of the writ.
17 You are to make the return within 60 days after you receive this Writ. Should the sale be
18 continued, the writ may be automatically extended for 30 days.



Paula Hovden
Paula Hovden, Court Clerk
1.16.2019

1 Dated: January 15, 2019, and submitted by:

2 **McCarthy & Holthus, LLP**

3 s/ Jeremy Clifford

4 _ John Thomas OSB No. 024691
x Jeremy Clifford OSB No. 142987
5 920 SW 3rd Ave, 1st Floor
Portland, OR 97204
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Of Attorneys for Plaintiff

EXHIBIT "1"

LEGAL DESCRIPTION

PARCEL NO. 1:

Beginning at the Southeast corner of Government Lot 1, Section 33, Township 5 North, Range 7 West, Willamette Meridian, in the County of Clatsop, State of Oregon;

thence West along the South line of said Section 33 a distance of 268 feet to the East line of County Road No. 155;
thence North along the East line of said county road a distance of 450 feet;
thence Northeasterly along the Easterly line of said county road to a point that is 700 feet North of the point of beginning;
thence South 700 feet, being along the East line of said Government Lot 1, Section 33 aforesaid, to the point of beginning.

EXCEPTING THEREFROM, however, the South 140 feet thereof, which said 140 feet is measured at right angles to the South line of said Section 33.

AND ALSO EXCEPTING THEREFROM such portion thereof heretofore conveyed to West Oregon Electric Cooperative, Inc. by Deed recorded June 28, 1955 in Book 231, page 467, Clatsop County Records.

AND FURTHER EXCEPTING THEREFROM the North 220 feet of the South 360 feet thereof as measured at right angles to the South line of Section 33.

PARCEL NO. 2:

Beginning at the Southwest corner of the East one-half of the Southwest quarter of Section 33, Township 5 North, Range 7 West, Willamette Meridian, in the County of Clatsop, State of Oregon;

thence North 312 feet to a point;
thence East 303 feet to a point;
thence South 312 feet to a point;
thence West 303 feet to the point of beginning.

EXCEPTING THEREFROM the following described portion thereof heretofore conveyed to Claude C. Manns, et ux by Deed recorded May 23, 1962 in Book 264, page 442, Clatsop County Records, described as follows:

A tract of land in the Southwest corner of the Southeast quarter of the Southwest quarter of Section 33, Township 5 North, Range 7 West, Willamette Meridian, described as follows:

Beginning at a point which is the Southwest corner of the Southeast quarter of the Southwest quarter of Section 33, Township 5 North, Range 7 West, Willamette Meridian;

thence running Easterly 140 feet along the South line of said Section 33 to a point;
thence parallel to the West line of said Southeast quarter of the Southwest quarter Northerly 142 feet to a point;
thence Westerly parallel to the South line of said Section 33, 140 feet to a point on the West line of said Southeast quarter of the Southwest quarter;
thence South 142 feet to the point of beginning, situated in Clatsop County, Oregon.

PARCEL NO. 3:

A tract of land in the Southwest corner of the Southeast quarter of the Southwest quarter of Section 33, Township 5 North, Range 7 West, Willamette Meridian, described as follows:

Beginning at a point which is the Southwest corner of the Southeast quarter of the Southwest quarter of Section 33, Township 5 North, Range 7 West, Willamette Meridian;

thence running Easterly 140 feet along the South line of said Section 33 to a point;
thence parallel to the West line of said Southeast quarter of the Southwest quarter Northerly 142 feet to a point;
thence Westerly parallel to the South line of said Section 33, 140 feet to a point on the West line of said Southeast quarter of the Southwest quarter;
thence South 142 feet to the point of beginning, situated in Clatsop County, Oregon

TOGETHER WITH an easement for ingress, egress, and utilities over the following described property:

The South 220 feet of the following described parcel:

LEGAL DESCRIPTION

(continued)

Beginning at the Southeast corner of Government Lot 1, Section 33, Township 5 North, Range 7 West, Willamette Meridian, in the County of Clatsop, State of Oregon;
thence West along the South line of said Section 33 a distance of 268 feet to the East line of County Road No. 155;
thence North along the East line of said county road a distance of 450 feet;
thence Northeasterly along the Easterly line of said county road to a point that is 700 feet North of the point of beginning;
thence South 700 feet, being along the East line of said Government Lot 1, Section 33 aforesaid, to the point of beginning.

EXCEPTING THEREFROM, however, the South 140 feet thereof, which said 140 feet is measured at right angles to the South line of said Section 33.

AND ALSO EXCEPTING THEREFROM such portion thereof heretofore conveyed to West Oregon Electric Cooperative, Inc., a corporation by Deed recorded June 28, 1955 in Book 231, page 467, Clatsop County Records; situated in Clatsop County, Oregon.