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SHERIFF'S OFFICE  
CIVIL PROCESS UNIT

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.  
Debtor may contest this writ by filing a claim  
of exemption.

IN THE CIRCUIT COURT OF THE STATE OF OREGON

IN AND FOR THE COUNTY OF MULTNOMAH

WILMINGTON SAVINGS FUND  
SOCIETY FSB, NOT IN ITS  
INDIVIDUAL CAPACITY BUT SOLELY  
AS TRUSTEE FOR PRIMESTAR-H  
FUND II TRUST

Case No. 14CV06929

Plaintiff,

WRIT OF EXECUTION

vs.

VERAUN D. CHIPMAN; FAAUUGA  
CHIPMAN; CAPITAL ONE BANK (USA),  
NATIONAL ASSOCIATION F/K/A  
CAPITAL ONE BANK; ARROW  
FINANCIAL SERVICES, LLC;  
OCCUPANTS OF THE PREMISES

Defendants.

TO: MULTNOMAH COUNTY SHERIFF

WHEREAS, on November 15, 2018, in the above-entitled court, a General Judgment of  
Foreclosure and Sale, with said Judgment containing therein a Declaration of Amount Due and  
was duly entered and docketed in the above-entitled cause.

//

//

1- WRIT OF EXECUTION  
S&S No. 13-113330

SHAPIRO & SUTHERLAND, LLC  
1499 SE Tech Center Place, Suite 255, Vancouver, WA 98683  
Telephone (360)260-2253 (800)970-5647  
Fax (360)260-2285  
ksutherland@logs.com

1 NOW, THEREFORE, IN THE NAME OF THE STATE OF OREGON, you are hereby  
2 commanded to sell, in the manner prescribed by law for the sale of real property upon execution  
3 (subject to redemption) all of the interest which the defendants had on March 23, 2007, the date  
4 of the deed of trust, and also all of the interest which the defendants acquired thereafter, in the  
5 real property described in the judgment:

6 LOT 28, BARNES FIELDS, IN THE CITY OF GRESHAM, COUNTY OF MULTNOMAH,  
7 STATE OF OREGON.

8 and commonly known as 3906 SE 15th Lane, Gresham, OR 97080 to satisfy the sum of  
9 \$324,430.13, as of February 15, 2019, together with additional post judgment interest of 9.00%  
10 from that date (\$78.22 per day), and costs of this execution, making due return within 60 days  
11 after you receive this writ.  
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25 2- WRIT OF EXECUTION  
26 S&S No. 13-113330

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Fax (360)260-2285  
ksutherland@logs.com

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1           Wilmington Savings Fund Society FSB, not in its Individual Capacity but Solely as  
2 Trustee for Primestar-H Fund II Trust is the Judgment Creditor, and its address for purpose of  
3 this writ only is: C/O Shapiro & Sutherland, LLC, 1499 SE Tech Center Place, Suite 255,  
4 Vancouver, WA 98683 (360)260-2253. Shapiro & Sutherland, LLC is the attorney for the  
5 Judgment Creditor.  
6



8           3/28/19

9

10

11 Submitted by:  
12 Attorneys for Plaintiff,  
13 SHAPIRO & SUTHERLAND, LLC

14

15 By: 

16

17  James A. Craft #090146 [jcraft@logs.com]  
18  Kelly D. Sutherland #87357 [ksutherland@logs.com]  
19  Gadi Shahak #180865 [gshahak@logs.com]  
20  Holger Uhl #950143 [huhl@logs.com]\*  
21 1499 SE Tech Center Place, Suite 255, Vancouver, WA 98683  
22 (360)260-2253; Fax (360)260-2285

23

24

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26 3- WRIT OF EXECUTION  
S&S No. 13-113330

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IN THE CIRCUIT COURT OF THE STATE OF OREGON

IN AND FOR THE COUNTY OF MULTNOMAH ✓

WILMINGTON SAVINGS FUND SOCIETY FSB,  
NOT IN ITS INDIVIDUAL CAPACITY BUT  
SOLELY AS TRUSTEE FOR PRIMESTAR-H ✓  
FUND II TRUST,

Case No. 14CV06929 ✓

Plaintiff,

GENERAL JUDGMENT OF  
FORECLOSURE AND SALE

vs.

VERAUN D. CHIPMAN; FAAUUGA CHIPMAN;  
CAPITAL ONE BANK (USA), NATIONAL  
ASSOCIATION F/K/A CAPITAL ONE BANK;  
ARROW FINANCIAL SERVICES, LLC;  
OCCUPANTS OF THE PREMISES,

Defendants.

The Court having granted summary judgment against Defendants Veraun D. Chipman  
and Faaauga Chipman, and Default having been entered against Defendants, Capital One Bank,  
Arrow Financial Services, LLC and Occupants of the Premises: ✓

It is hereby

ORDERED AND ADJUDGED:

1 - GENERAL JUDGMENT OF FORECLOSURE AND  
SALE  
S&S No. 13-113330

SHAPIRO & SUTHERLAND, LLC  
1499 SE Tech Center Place, Suite 255, Vancouver, WA 98683  
Telephone (360)260-2253 (800)970-5647  
Fax (360)260-2285  
ksutherland@lajs.com

1 1. The real property to which this judgment relates (hereafter the "Property") is situated in  
2 Multnomah County, Oregon is commonly known as 3906 SE 15th Lane, Gresham, OR  
3 97080 and is legally described as follows:

4 Lot 28, BARNES FIELDS, in the City of Gresham, County of Multnomah, State of  
5 Oregon.

6 2. The Deed of Trust executed and delivered by Defendant, Veraun D. Chipman and Faauga  
7 Chipman, as tenants by the entirety ("Borrower") on or about March 23, 2007 and recorded  
8 on April 2, 2007 as Recorder's Fee No. 2007-057186, in the official records of Multnomah  
9 County, Oregon, is a valid and perfected lien against all of the Property for the amount of  
10 Plaintiff's judgment as provided herein.

11 3. The Plaintiff is the holder of the original note dated March 23, 2007 and made by Veraun D.  
12 Chipman and Faauga Chipman in the amount of \$196,000.00. A copy of the Note was  
13 attached to the complaint as Exhibit. Plaintiff is the holder of the Note and the beneficial  
14 interest in the Deed of Trust (together the "Loan").

15 4. The interest of each of the Defendant(s) subject to this Judgment and any successor in  
16 interest in the Property is foreclosed and terminated excepting only any statutory right of  
17 redemption as provided by Oregon law.

18 5. The lien of the Plaintiff is superior to any interest, lien, or claim of the remaining  
19 Defendants and shall remain in effect until issuance of a Sheriff's Deed. This judgment may  
20 be set aside only in accordance with ORCP 71 and on the limited grounds stated in that rule.

21 6. The Defendant(s) are not entitled to a homestead exception as against Plaintiff's judgment.  
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25 2 - GENERAL JUDGMENT OF FORECLOSURE AND  
26 SALE  
27 S&S No. 13-113330

SHAPIRO & SUTHERLAND, LLC  
1499 SE Tech Center Place, Suite 255, Vancouver, WA 98683  
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- 1 7. All of the rights, title and interest that Borrower(s) had as of the date of the Deed of Trust or  
 2 thereafter acquired in the subject Property, is hereby ordered to be sold by the Multnomah  
 3 County Sheriff's Office in accordance with the process for sale upon execution, and the  
 4 proceeds of sale shall be applied; first to the costs of sale; second to satisfaction of the  
 5 amounts awarded Plaintiff herein; with the surplus, if any, to the Defendants in the priority  
 6 as their interest may appear or to the clerk of the court to be distributed to such party of  
 7 parties as may establish their right thereto.  
 8  
 9 8. Plaintiff or any junior lienholders may become purchaser at the sale of the Property.  
 10 9. The purchaser at the sale is entitled to exclusive and immediate possession of the Property  
 11 from and after the date of the sale and is entitled to such remedies as are available at law or  
 12 in equity to secure possession.  
 13  
 14 10. The purchaser at the sale may apply to the Court for a writ of assistance if any Defendant or  
 15 any person holding possession under or through such Defendant(s) shall refuse to surrender  
 16 possession to the purchaser immediately on the purchaser's demand for possession.  
 17 11. Under the terms of the Loan there is now due and owing to Plaintiff the following amounts:

Principal		\$188,611.49	✓
Prejudgment interest at 9.5% through November 2, 2017 (accruing thereafter until entry of judgment at \$49.77 per diem)			\$80,680.95 ✓
Late Charges		\$4,417.55	✓
Other Costs and fees (recoverable)		21,864.61	✓
Property Tax	\$12,055.36		
Hazard Insurance	\$1,339.85		
PMI/MIP	\$697.95		
Deferred Amounts	\$7,771.45		

3 - GENERAL JUDGMENT OF FORECLOSURE AND  
 SALE  
 S&S No. 13-113330

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Subtotal	\$214,893.65
Total plus Prejudgment Interest	\$295,574.60

12. Attorney Fees and Costs are awarded to Plaintiff as follows:

Costs		\$896.00
Filing Fee	\$531.00	
Clerk Costs	\$100.00	
Service Costs (5 x \$36.00)	\$180.00	
Prevailing Party Fee	\$85.00	
Attorney fees		\$2,000.00
Total		\$2,896.00

13. Post judgment interest on the aggregate of all amounts declared due above shall accrue from the date of judgment at the contract rate per annum pursuant to ORS 82.010.

14. This Judgment shall not create a personal lien or liability against Borrower except as is customary or necessary to execute on such Judgment and for purposes of redemption. In no event should it be construed as establishing personal liability for any persons. In the event the proceeds of sale are insufficient to pay the amounts due to Plaintiff, no general execution shall be issued and Plaintiff shall not be entitled to any further judgment, including a judgment for deficiency.

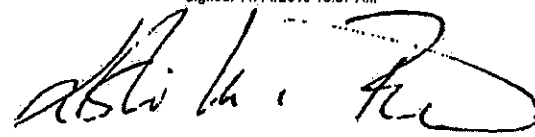
15. Execution may issue against the subject property for the aggregate amount found due Plaintiff herein as detailed in Paragraphs 11 through 13 together (together "Amounts Due"). Plaintiff may credit bid up to the Amounts Due plus such additional amounts as provided by ORS 18.936 or other applicable law.

1 16. If before sale such amount, including sheriff's fees for the execution, is tendered to the  
2 Court and paid to the clerk, the execution, if issued, shall be recalled and the effect of the  
3 judgment as to the amounts due shall be terminated.

4 17. The Clerk of the Court is hereby ordered to issue a Writ of Execution in Foreclosure for the  
5 sale of the Property. ✓


6 18. This Court shall retain jurisdiction to enter such additional order, judgment or decree  
7 necessary to enforce this judgment, the writ of execution or for the purchaser at the  
8 foreclosure sale to obtain possession.  
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Signed: 11/14/2018 10:57 AM



**Circuit Court Judge Leslie Roberts**

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17 Submitted by:  
18 Attorneys for Plaintiff,  
19 SHAPIRO & SUTHERLAND, LLC

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21 By:   
22 [Holger Uhl #980143 [huhl@logs.com]\*  
23 1499 SE Tech Center Place, Suite 255, Vancouver, WA 98683  
24 7632 SW Durham Road, Suite 350, Tigard, OR 97224\*  
25 (360)260-2253; Fax (360)260-2285

26 5 - GENERAL JUDGMENT OF FORECLOSURE AND  
27 SALE  
28 S&S No. 13-113330

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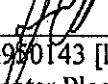


1 **Certificate of Readiness under UTCR 5 100**

2  
3 This proposed order or judgment is ready for judicial signature because:

- 4 1.  Each party affected by this order or judgment has stipulated to the order or judgment, as  
5 shown by each party's signature on the document being submitted.  
6 2.  Each party affected by this order or judgment has approved the order or judgment, as  
7 shown by each party's signature on the document being submitted or by written confirmation of  
8 approval sent to me.  
9 3.  I have served a copy of this order or judgment on each party entitled to service and:  
10 a.  No objection has been served on me.  
11 b.  I received objections that I could not resolve with a party despite reasonable efforts to do  
12 so. I have filed a copy of the objections I received and indicated which objections remain  
13 unresolved.  
14 c.  After conferring about objections, [role and name of objecting party] agreed to  
15 independently file any remaining objection.  
16 4.  Service is not required pursuant to subsection (3) of this rule, or by statute, rule, or  
17 otherwise. UTCR 8/1/16 5.5 (including out-of-cycle amendment of 5.100)  
18 5.  This is a proposed judgment that includes an award of punitive damages and notice has  
19 been served on the Director of the Crime Victims' Assistance Section as required by subsection  
20 (5) of this rule.  
21 6.  Other: Revised form with court's corrections

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25 Attorneys for Plaintiff,  
26 SHAPIRO & SUTHERLAND, LLC

27  
28 By:   
29  Holger Uhl #980143 [huhl@logs.com]\*  
30 1499 SE Tech Center Place, Suite 255, Vancouver, WA 98683  
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36 6 - GENERAL JUDGMENT OF FORECLOSURE AND  
37 SALE  
38 S&S No. 13-113330

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

WILMINGTON SAVINGS FUND SOCIETY FSB,  
NOT IN ITS INDIVIDUAL CAPACITY BUT  
SOLELY AS TRUSTEE FOR PRIMESTAR-H  
FUND II TRUST

Plaintiff,

vs.

VERAUN D. CHIPMAN; FAAUUGA CHIPMAN;  
CAPITAL ONE BANK (USA), NATIONAL  
ASSOCIATION F/K/A CAPITAL ONE BANK;  
ARROW FINANCIAL SERVICES, LLC;  
OCCUPANTS OF THE PREMISES

Defendants.

Case No. 14CV06929

CERTIFICATE OF SERVICE

[UTCRC 5.100]

I certify that on October 29, 2018, I served a correct copy of the following documents to the interested parties by the method indicated below:

General Judgment of Foreclosure and Sale revised by court instructions

Capital One Bank  
c/o: Corporate Officer or Director  
1111 E. Main Street  
Richmond, VA 23219

U. S. Mail, Postage Prepaid  
 Personal Delivery  
 Overnight Mail  
 Via Facsimile

1 - CERTIFICATE OF MAILING  
S&S No. 13-113330

SHAPIRO & SUTHERLAND, LLC  
1499 SE Tech Center Place, Suite 255, Vancouver, WA 98683  
Telephone (360)260-2253 (800)970-5647  
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Arrow Financial Services, LLC  
c/o: Secretary of State- Corporation  
Division/Process Service  
255 Capitol Street NE, Ste 151  
Salem, OR 97310

Via Email  
 U. S. Mail, Postage Prepaid  
 Personal Delivery  
 Overnight Mail  
 Via Facsimile  
 Via Email

Occupants of the Premises  
3906 SE 15th Lane  
Gresham, OR 97080

U. S. Mail, Postage Prepaid  
 Personal Delivery  
 Overnight Mail  
 Via Facsimile  
 Via Email

Faaauga Chipman and Veraun D. Chipman  
c/o Good Law Clinic  
211 E 11th Street #104  
Vancouver, WA 98660

U. S. Mail, Postage Prepaid  
 Personal Delivery  
 Overnight Mail  
 Via Facsimile  
 Via Email

Arrow Financial Services LLC  
5996 West Touhy Ave  
Niles, IL 60714

U. S. Mail, Postage Prepaid  
 Personal Delivery  
 Overnight Mail  
 Via Facsimile  
 Via Email

Dated October 29, 2018.

  
\_\_\_\_\_  
Of the Firm  
SHAPIRO & SUTHERLAND, LLC

2-- CERTIFICATE OF MAILING  
S&S No. 13-113330

**SHAPIRO & SUTHERLAND, LLC**  
1499 SE Tech Center Place, Suite 255, Vancouver, WA 98683  
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