

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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

CENTRAL OREGON IRRIGATION DISTRICT,

Plaintiff,

v.

MARK A. EDWARDS & NANCY L. EDWARDS, Water User; US BANK NATIONAL ASSOCIATION, N.D.; DISCOVER BANK; ASSET ACCEPTANCE, LLC; CREDIT ASSOCIATES, INC.; and OCCUPANTS 1-10,

Defendants.

Case No. 19CV01631

**WRIT OF EXECUTION
(Foreclosure of Real Property)**

TO: SHERIFF OF DESCHUTES COUNTY.

On or about April 1, 2019, a General Judgment of Foreclosure was entered in the register for this case in the above-entitled court, in favor of Plaintiff Central Oregon Irrigation District, and against the Defendants Mark A. Edwards, Nancy L. Edwards, and Occupants 1-10, providing a money award in the principal amount of \$1,614.37, plus interest at the rate of nine (9) percent per annum, in attorney fees, in costs and disbursements, and in prevailing party fee, and continuing to accrue interest at the rate of \$0.40 per diem until paid.

NOW, THEREFORE, IN THE NAME OF THE STATE OF OREGON, you are, hereby commanded to sell, in the manner prescribed by law for the sale of real property commonly described as 3213 NW Maple Avenue, Redmond OR 97756 and particularly described as:

///

MERRILL O'SULLIVAN, LLP
805 SW INDUSTRIAL WAY, SUITE 5
BEND, OR 97702
(541) 389-1770

1 The West Half of the Southeast Quarter of the Southwest Quarter of the Southwest Quart
2 (W $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section Five (5), Township Fifteen (15) South, Range Thirteen (13), East of
3 the Willamette Meridian, Deschutes County, Oregon,

4 to satisfy the sum of \$1,614.37, plus interest at the rate of nine (9) percent per annum and
5 continuing to accrue interest at \$0.40 per diem until paid, which is the amount owed on the date this
6 Writ is issued, making due return within 60 days after you receive this writ.

7 The proceeds of the sale shall be applied first toward the costs of sale, including payment of
8 any outstanding property taxes owed to Deschutes County, then toward the satisfaction of the sum
9 listed above.

10
11
12
13
14
15
16
17 *Submitted by:*
18 *Alan N. Stewart*
19 *Merrill O'Sullivan, LLP*
20 *805 SW Industrial Way, Suite 5*
21 *Bend, OR 97702*

Signed: 4/4/2019 04:13 PM


Trial Court Administrator Jeffrey E. Hall



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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

CENTRAL OREGON IRRIGATION DISTRICT,

Plaintiff,

v.

MARK A. EDWARDS & NANCY L. EDWARDS, Water User; US BANK NATIONAL ASSOCIATION, N.D.; DISCOVER BANK; ASSET ACCEPTANCE, LLC; CREDIT ASSOCIATES, INC.; and OCCUPANTS 1-10,

Defendants.

Case No. 19CV01631

GENERAL JUDGMENT OF FORECLOSURE AND MONEY AWARD AGAINST DEFENDANTS MARK A. EDWARDS, NANCY L. EDWARDS, AND OCCUPANTS 1-10

Plaintiff's Motion for Order of Default against Defendants was submitted to the Court and an Order granting the Motion has been entered herein.

NOW, BASED THEREON AND THE RECORDS AND FILES HEREIN, IT IS HEREBY ORDERED AND ADJUDGED that Plaintiff shall have a general judgment against Defendants Mark A. Edwards, Nancy L. Edwards, and Occupants 1-10 (hereinafter "Defendants") as follows:

- 1. Plaintiff shall have judgment against Defendants as follows:
 - (a) \$1,614.37, together with interest at the rate of 9% per annum, from November 30, 2018 until paid; and
 - (b) Foreclosure report fees, necessary costs, disbursements, and Plaintiff Central Oregon Irrigation District's ("Plaintiff") reasonable attorney fees. The attorney fees, costs, and disbursements shall be determined by the court pursuant to the provisions of ORCP 68 and shall be

MERRILL O'SULLIVAN, LLP
805 SW INDUSTRIAL WAY, SUITE 5
BEND, OR 97702
(541) 389-1770

1 awarded by way of a Supplemental Judgment.

2 2. The Plaintiff's lien is hereby foreclosed, and the Subject Property shall be sold by
3 the Sheriff of Deschutes County in the manner prescribed by law, applying the proceeds of the sale
4 first towards the cost of the sale, then toward the satisfaction of Plaintiff's judgment, and any
5 surplus to the party or parties who may establish their right thereto.

6 3. Defendants and all persons claiming through or under Defendants either as
7 purchasers, encumbrances, or otherwise, is hereby foreclosed of all interest or claim in the real
8 property except any statutory right of redemption as Defendants, or any of them, may have in the
9 real property.

10 4. Plaintiff or any other party to this action may become a purchaser at the sale of the
11 real property and that the purchaser be entitled to immediate exclusive possession of the real
12 property from the date of sale until being entitled to such remedies as are available at law to secure
13 possession, including a Writ of Assistance if defendants or any other party or person shall refuse to
14 immediately surrender possession to purchaser.

15 **MONEY AWARD**

16 1. Judgment Creditor: Central Oregon Irrigation District
17 1055 SW Lake Court
18 Redmond, OR 97756

19 2. Judgment Creditor's Attorney: Alan N. Stewart
20 Merrill O'Sullivan, LLP
21 805 SW Industrial Way, Suite 5
22 Bend, OR 97702

23 3. Judgment Debtor(s): Mark A. Edwards
24 Nancy L. Edwards
25 Occupants 1-10
3213 NW Maple Avenue
Redmond, OR 97756

Year of Birth: Unknown

1	Tax ID No. or final	
2	four digits of SSN:	Unknown
3	License No. (final four	
4	digits):	Unknown
5	4. Judgment Debtor's Attorneys:	None
6	5. Principal Amount:	\$1,614.37
7	6. Attorney Fees:	Attorney fees incurred herein to be
8		determined pursuant to ORCP 68 and a Supplemental
9		Judgment
10	7. Costs and Disbursements:	Costs incurred herein to be determined
11		pursuant to ORCP 68 and a Supplemental Judgment
12	8. Post-Judgment Interest:	At the rate of 9% per annum on the principal
13		balance, attorney fees, costs, disbursements and
14		prevailing party fee until paid
15	9. The name of any person or public	None
16	body, other than the judgment	
17	creditor's attorney, that is known	
18	by the judgment creditor to be	
19	entitled to any portion of the	
20	money award.	

Signed: 4/1/2019 11:33 AM



—Circuit Court Judge A. Michael Adler

Submitted by:
 Alan N. Stewart, OSB#121451
 Merrill O'Sullivan, LLP
 805 SW Industrial Way, Suite 5
 Bend, OR 97702
 Of Attorneys for Plaintiff

MERRILL O'SULLIVAN, LLP
 805 SW INDUSTRIAL WAY, SUITE 5
 BEND, OR 97702
 (541) 389-1770

UTCR 5.100 CERTIFICATE OF READINESS

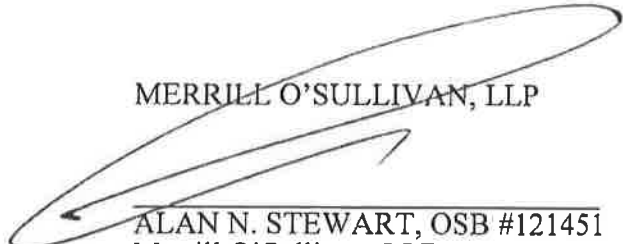
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

I certify that the foregoing proposed judgment/order is ready for judicial signature because:

- Service is not required pursuant to UTCR 5.100(3) or by statute, rule or otherwise; or the filing is submitted *ex parte*.
- 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.
- 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.
- I have served a copy of this order or judgment on all parties entitled to service and:
 - No objection has been served on me.
 - 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.
 - After conferring about objections, the opposing party or the opposing party's attorney agreed to independently file any remaining objections.
- The relief sought is against an opposing party who has been found in default.
- An order of default is being requested with this proposed judgment or order.
- 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.

DATED: March 25, 2019.

MERRILL O'SULLIVAN, LLP



ALAN N. STEWART, OSB #121451
Merrill O'Sullivan, LLP
Of Attorneys for Plaintiff
805 SW Industrial Way, Suite 5
Bend, OR 97702
Phone: (541) 389-1770
Fax: (541) 389-1777
Email: alan@mosattorneys.com

MERRILL O'SULLIVAN, LLP
805 SW INDUSTRIAL WAY, SUITE 5
BEND, OR 97702
(541) 389-1770