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Court clerk has not verified the figures in this writ. If you have questions regarding this writ, please contact your legal counsel, the listing agency or escrow agent. Debtor may contest this writ by filing a claim or exemption.

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

WILMINGTON SAVINGS FUND SOCIETY, FSB, D/B/A CHRISTIANA TRUST, NOT INDIVIDUALLY BUT AS TRUSTEE FOR CARLSBAD FUNDING MORTGAGE TRUST,

Case No. 15CV33428

**WRIT OF EXECUTION**

Plaintiff,

v.

UNKNOWN HEIRS OF TODD S. GIBSON AKA TODD GIBSON; UNKNOWN HEIRS OF JAMES A. DEXTER AKA JAMES ALLEN DEXTER; MATTHEW W. LANG; F LEONARD GIBSON; NULEEN GIBSON; STATE OF OREGON; MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC, SOLELY AS NOMINEE FOR PACIFIC RESIDENTIAL MORTGAGE, LLC; WELLS FARGO BANK, NATIONAL ASSOCIATION, SUCCESSOR BY MERGER TO WELLS FARGO FINANCIAL BANK; NORTH STAR CAPITAL ACQUISITION LLC; OREGON AFFORDABLE HOUSING ASSISTANCE CORPORATION; COLUMBIA COLLECTION SERVICE, INC; MIDLAND FUNDING LLC; EQUITABLE FINANCE COMPANY; MULTNOMAH COUNTY,

Defendant.

TO THE MULTNOMAH COUNTY SHERIFF:

On October 25, 2018, a General Judgment of Foreclosure and Declaration of Amount Due by Default was entered by the MULTNOMAH County Circuit Court, foreclosing Plaintiff's Deed of Trust and directing that the property subject to the Deed of Trust be sold to satisfy the unpaid debt due to Plaintiff. On January 31, 2019, a Corrected General Judgment General Judgment of Foreclosure and Declaration of Amount Due by Default was entered by the  
Page 1 – WRIT OF EXECUTION

1 MULTNOMAH County Circuit Court.

2 The mailing address for the judgment creditor is: WILMINGTON SAVINGS FUND  
3 SOCIETY, FSB, D/B/A CHRISTIANA TRUST, NOT INDIVIDUALLY BUT AS TRUSTEE  
4 FOR CARLSBAD FUNDING MORTGAGE TRUST c/o Aldridge Pite, LLP, 111 SW Columbia  
5 St., Ste. 950, Portland, OR 97201.

6 The real property to be sold at public auction is commonly known as 1512 NE 205TH  
7 AVE, FAIRVIEW, OR 97024 ("Subject Property"), and legally described as:

8 A TRACT OF LAND IN SECTION 28, TOWNSHIP 1 NORTH, RANGE 3 EAST OF  
9 THE WILLAMETTE MERIDIAN, IN THE CITY OF FAIRVIEW, COUNTY OF  
10 MULTNOMAH AND STATE OF OREGON, DESCRIBED AS FOLLOWS:

11 BEGINNING AT A POINT IN THE CENTERLINE OF NE 205TH AVENUE, WHICH  
12 IS 525.70 FEET SOUTH OF THE SOUTH BOUNDARY OF THE JACOB-ZIMMERMAN  
13 DONATION LAND CLAIM, THENCE NORTH 88°55' EAST 20.00 FEET TO THE EAST  
14 LINE OF NE 205TH AVENUE AND THE TRUE POINT OF BEGINNING; THENCE  
15 CONTINUING NORTH 88°55' EAST 194.96 FEET; THENCE SOUTH 00°05' WEST 85.50  
16 FEET; THENCE SOUTH 88°55' WEST 194.96 FEET TO THE EAST LINE OF NE 205TH  
17 AVENUE; THENCE NORTH 00° 05' EAST ALONG THE EAST LINE OF NE 205<sup>TH</sup>  
18 AVENUE 85.50 FEET TO THE TRUE POINT OF BEGINNING.  
19

20 The total amount due and owing on the Judgment as of February 13, 2019;

21 Judgment:	Principal	\$346,935.01
22 Pre-Judgment:	Interest(6.375%,\$34.58/day)	\$20,056.40 (6/30/17 through 1/31/19)
23	Attorney Fees	\$3,120.00
24	Costs	\$669.97
25	Prevailing Party Fee	\$300.00
26		

1 Post-Judgment: Interest(9.000%,\$91.57/day) \$1,098.84 (2/1/19 through 2/13/19)  
2 Attorney Fees \$305.00  
3 Costs \$0.00

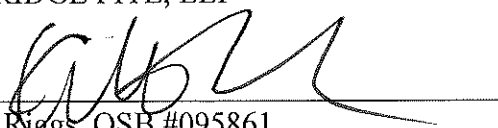
4 **TOTAL: \$372,485.22**

5 In the name of the State of Oregon, you are hereby directed to proceed to notice for sale  
6 and sell the Subject Property. After the sale, you are directed to issue a certificate of sale to the  
7 purchaser and file a return on the writ of execution, depositing the sale proceeds with the Court.  
8 Further, you are directed to execute, after the time for redemption has elapsed, a deed to the  
9 holder of the certificate of sale.

10 By the signature of the attorney for the judgment creditor, the person that requested  
11 issuance of the Writ hereby authorizes the sheriff to continue execution under the Writ and delay  
12 making a return on the writ to a date up to 150 days after receipt.



Handwritten signature of the attorney for the judgment creditor, written in black ink over a horizontal line.

18 Presented by:  
19 ALDRIDGE PITE, LLP  
20 By:   
21 Katie Riggs, OSB #095861  
22 of Attorneys for Judgment Creditor  
23 (858) 750-7600  
24 (503) 222-2260 (facsimile)  
25 [orecourtnotices@aldridgepite.com](mailto:orecourtnotices@aldridgepite.com)  
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**IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF MULTNOMAH**

WILMINGTON SAVINGS FUND SOCIETY,  
FSB, D/B/A CHRISTIANA TRUST, NOT  
INDIVIDUALLY BUT AS TRUSTEE FOR  
CARLSBAD FUNDING MORTGAGE  
TRUST,

Plaintiff,

v.

UNKNOWN HEIRS OF TODD S. GIBSON  
AKA TODD GIBSON; UNKNOWN HEIRS  
OF JAMES A. DEXTER AKA JAMES  
ALLEN DEXTER; MATTHEW W. LANG; F  
LEONARD GIBSON; NULEEN GIBSON;  
STATE OF OREGON; MORTGAGE  
ELECTRONIC REGISTRATION SYSTEMS,  
INC, SOLELY AS NOMINEE FOR PACIFIC  
RESIDENTIAL MORTGAGE, LLC; WELLS  
FARGO BANK, NATIONAL  
ASSOCIATION, SUCCESSOR BY MERGER  
TO WELLS FARGO FINANCIAL BANK;  
NORTH STAR CAPITAL ACQUISITION  
LLC; OREGON AFFORDABLE HOUSING  
ASSISTANCE CORPORATION;  
COLUMBIA COLLECTION SERVICE, INC;  
MIDLAND FUNDING LLC; EQUITABLE  
FINANCE COMPANY; MULTNOMAH  
COUNTY,

Defendants.

Case No. 15CV33428

**CORRECTED GENERAL JUDGMENT OF  
FORECLOSURE AND DECLARATION  
OF AMOUNT DUE BY DEFAULT**

ORCP Rule 69

PURSUANT TO SB368, THIS IS A  
JUDGMENT OF FORECLOSURE AND  
DOES NOT CONSTITUTE A MONEY  
AWARD AGAINST ANY DEFENDANT

Based upon the Court's Order of Default against defendants UNKNOWN HEIRS OF  
TODD S. GIBSON AKA TODD GIBSON; UNKNOWN HEIRS OF JAMES A. DEXTER AKA  
JAMES ALLEN DEXTER; MATTHEW W. LANG; F LEONARD GIBSON; NULEEN  
GIBSON; STATE OF OREGON; MORTGAGE ELECTRONIC REGISTRATION SYSTEMS,

Page 1 – CORRECTED GENERAL JUDGMENT AND DECLARATION OF AMOUNT DUE BY DEFAULT

1 INC, SOLELY AS NOMINEE FOR PACIFIC RESIDENTIAL MORTGAGE, LLC; WELLS  
2 FARGO BANK, NATIONAL ASSOCIATION, SUCCESSOR BY MERGER TO WELLS  
3 FARGO FINANCIAL BANK; NORTH STAR CAPITAL ACQUISITION LLC; OREGON  
4 AFFORDABLE HOUSING ASSISTANCE CORPORATION; COLUMBIA COLLECTION  
5 SERVICE, INC; MIDLAND FUNDING LLC; EQUITABLE FINANCE COMPANY;  
6 MULTNOMAH COUNTY, the records on file herein, and pursuant to the Motion for General  
7 Judgment and Declaration of Amount Due by Default by Plaintiff WILMINGTON SAVINGS  
8 FUND SOCIETY, FSB, D/B/A CHRISTIANA TRUST, NOT INDIVIDUALLY BUT AS  
9 TRUSTEE FOR CARLSBAD FUNDING MORTGAGE TRUST ("Plaintiff"),

10 **IT IS HEREBY ADJUDGED:**

11 1. Plaintiff's security interest in the real property located at 1512 NE 205th Ave,  
12 Fairview, OR 97024 ("Subject Property"), as evidenced by the Deed of Trust recorded January  
13 26, 2007 in the official records of Multnomah County as Instrument Number 2007-015473  
14 ("Deed of Trust"), is a viable first priority lien, superior to the interests of all the Defendants. All  
15 rights, claims, ownerships, liens, titles and demands of all Defendants are subsequent to  
16 Plaintiff's lien as created by the Note and Deed of Trust. The Subject Property is legally  
17 described as follows:

18 *SEE EXHIBIT "A" ATTACHED HERETO*

19 2. The Deed of Trust is foreclosed and upon entry of this Judgment the court  
20 administrator shall upon request of Plaintiff issue a writ of execution for the sale, by the Sheriff,  
21 in the manner provided by law;

22 3. Plaintiff has submitted a Declaration of Amount Due and is owed the total amount  
23 due under the Note and Deed of Trust and any future advances and/or fees that may be made or  
24 incurred pursuant to the terms of the Note and Deed of Trust up to the date of the execution sale.  
25 This amount is to be satisfied by sale of the Subject Property as directed under this Judgment;

26 4. Plaintiff is owed reasonable attorney fees plus the remaining flat rate fees for an

1 uncontested execution on the Judgment, pursuant to the Note and Deed of Trust and ORCP Rule  
2 68(C), which amount may be added to the outstanding obligation due and owing under the Note  
3 and Deed of Trust and recovered from the proceeds of the sheriff's sale. Pursuant to the Deed of  
4 Trust, these fees continue to accrue to the date of the execution sale. This amount to be satisfied  
5 by sale of the Subject Property as directed under this Judgment;

6 5. Plaintiff is owed costs of suit pursuant to the Note and Deed of Trust, ORCP Rule  
7 68(A)(2) and ORS 20.115(4), which may be added to the outstanding obligation due and owing  
8 under the Note and Deed of Trust and recovered from the proceeds of the sheriff's sale. Pursuant  
9 to the Deed of Trust, these costs continue to accrue to the date of the execution sale. This  
10 amount to be satisfied by sale of the Subject Property as directed under this Judgment;

11 6. Plaintiff is owed the prevailing party fee of \$300.00, this amount to be satisfied by  
12 sale of the Subject Property as directed under this Judgment.

13 7. The Sheriff shall make a return on the writ of execution to the court administrator  
14 along with the proceeds of the sale, if any. The proceeds of the sale, if any, shall be applied first  
15 toward the costs of the sale; then toward the satisfaction of Plaintiff's Judgment of Foreclosure  
16 awarded herein; and the surplus, if any, to the clerk of the court to be distributed to such party or  
17 parties as may establish their right thereto. The Defendants and all persons claiming through or  
18 under Defendants, whether lien claimants, judgment creditors, claimants arising under junior  
19 mortgages or deeds of trust, purchasers, encumbrances or otherwise, shall be barred and  
20 foreclosed from all rights, claims, interest or equity of redemption in the Subject Property and  
21 every part of the Subject Property when the time for redemption has elapsed;

22 8. Plaintiff or any other party to this action may become a purchaser at the  
23 foreclosure sale, and such purchaser shall be immediately let into possession of the subject  
24 property, until redemption of the property, if any. The purchaser at the foreclosure sale or any  
25 successor in interest may apply to this Court for a writ of assistance to gain possession of the  
26 subject property if Defendants or any other party or person refuses to surrender possession;

Page 3 – CORRECTED GENERAL JUDGMENT AND DECLARATION OF AMOUNT DUE BY DEFAULT

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DECLARATION OF AMOUNT DUE BY DEFAULT

(PURSUANT TO SB 368, THIS IS A JUDGMENT OF FORECLOSURE AND DOES NOT  
CONSTITUTE A MONEY AWARD AGAINST ANY DEFENDANT)

1. The total amount of the unpaid principal balance, interest, and other amounts owed is \$346,935.01.
2. Simple interest at the variable rate currently at 6.375% (\$34.58 per diem) through the date of judgment.
3. Attorney fees of \$3,120.00, plus \$305.00, through the date of sale.
4. Costs of \$669.97, plus costs accrued through the date of sale.
5. Prevailing party fee: \$300.00.
6. Post-judgment interest thereafter on the total amounts #1-5 above, at the contract rate of interest or 9.000% per annum, whichever is greater, through the date of sale.

**IT IS SO ADJUDGED**

Signed: 1/30/2019 09:29 AM



\_\_\_\_\_  
Circuit Court Judge Stephen K. Bushong  
proxy signed by (MLO)

CERTIFICATE OF READINESS

This proposed Order or Judgment is ready for judicial signature because:

1.  Each party affected by this order or 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 or 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.

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- 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 a 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 objecting party] agreed to independently file any remaining objection.
- 4.  Service is not required pursuant to subsection (3) of this rule, or by statute, rule, or otherwise.
- 5.  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 (5) of this rule.
- 6.  Other: \_\_\_\_\_

Presented By:  
ALDRIDGE PITE, LLP

By: /s/ Sarah M. Mathenia  
{ } Hunter Zook, OSB #095578  
{ } Katie Riggs, OSB #095861  
{X} Sarah Mathenia, OSB #120681  
{ } Shannon K. Calt, OSB #121855  
{ } Christina Andreoni, OSB #160875  
(858) 750-7600  
(503) 222-2260 (facsimile)  
orecourtnotices@aldridgepite.com

Of Attorneys for Plaintiff  
Wilmington Savings Fund Society, FSB,  
d/b/a Christiana Trust, not individually but  
as trustee for Carlsbad Funding Mortgage Trust



EXHIBIT "A"

A TRACT OF LAND IN SECTION 28, TOWNSHIP 1 NORTH, RANGE 3 EAST OF THE WILLAMETTE MERIDIAN, IN THE CITY OF FAIRVIEW, COUNTY OF MULTNOMAH AND STATE OF OREGON, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE CENTERLINE OF NE 205TH AVENUE, WHICH IS 525.70 FEET SOUTH OF THE SOUTH BOUNDARY OF THE JACOB-ZIMMERMAN DONATION LAND CLAIM, THENCE NORTH 88°55' EAST 20.00 FEET TO THE EAST LINE OF NE 205TH AVENUE AND THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 88°55' EAST 194.96 FEET; THENCE SOUTH 00°05' WEST 85.50 FEET; THENCE SOUTH 88°55' WEST 194.96 FEET TO THE EAST LINE OF NE 205TH AVENUE; THENCE NORTH 00° 05' EAST ALONG THE EAST LINE OF NE 205<sup>TH</sup> AVENUE 85.50 FEET TO THE TRUE POINT OF BEGINNING.