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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 issuing attorney, or company.  
Debtor may contest this writ by filing a claim  
of exception.

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

MTGLQ INVESTORS, L.P. ,  
Plaintiff,

Case No. 17CV44562

vs.

WRIT OF EXECUTION

THE ESTATE OF RICHARD G. WATERMAN;  
UNKNOWN HEIRS OF RICHARD G.  
WATERMAN, PARAMOUNT EQUITY  
MORTGAGE; DISCOVER BANK; and ALL  
OTHER UNKNOWN PARTIES CLAIMING  
ANY RIGHT, TITLE, LIEN OR INTEREST IN  
THE REAL PROPERTY COMMONLY  
KNOWN AS 1386 SW 4<sup>TH</sup> STREET,  
GRESHAM, OR 97080,

2019 APR 18 AM 10:18

Defendant(s).

**TO THE MULTNOMAH COUNTY SHERIFF:**

A Judgment of Foreclosure was entered and docketed in this case on October 4, 2018. A Writ of Execution was issued on March 1, 2019. The Amended Writ of Execution was submitted to correct the legal description in order to properly match the General Judgment. A true copy of the General Judgment is attached hereto. The judgment was entered in favor of the Plaintiff and Judgment Creditor

MTGLQ Investors, L.P. as follows:

MTGLQ Investors, L.P.  
Eric Marshack  
The Mortgage Law Firm  
121 SW Salmon St., Suite 1100  
Portland, OR 97204

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1 - WRIT OF EXECUTION  
TS - 144247



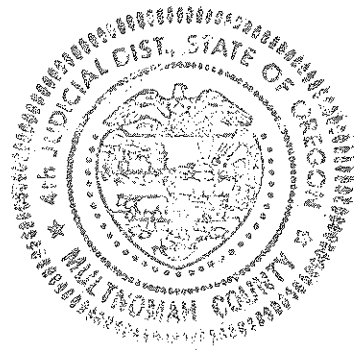
The Mortgage Law Firm, LLC  
121 SW Salmon St  
Suite 1100  
Portland, OR 97204  
Phone: (619) 465-8200

1 The adjudicated amount due is \$322,239.40, plus post judgment interest at the statutory rate of 9% per  
2 annum from October 4, 2018 (Date of entry) through March 14, 2019 (present) in the amount of  
3 \$12,793.06 and continuing with a per diem of \$79.46, currently totaling \$335,032.46.

4 Now, therefore in the name of the state of Oregon, you are hereby commanded to sell, in the  
5 manner prescribed by law for the sale of real property on execution (subject to redemption of 180 day).  
6 All of the interest that the Defendant has on or about July 31, 2007, the date of the Deed of Trust, and  
7 also the interest that the Defendant had thereafter, in the real property described as shown in *Exhibit 1*,  
8 having an APN Number R208537 and commonly known as 1386 SW 4<sup>th</sup> Street, Gresham, OR 97080,  
9 and more particularly described in Exhibit 1, attached hereto and incorporated by reference.

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

15  
16 **DATED:** 22<sup>nd</sup> day of March, 2019.



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\_\_\_\_\_

Title

By: \_\_\_\_\_

Submitted by:  
s/Carrie A. Majors-Staab Dated: March 14, 2019

Eric Marshack, OSB #050166  
 Carrie Majors-Staab, OSB #980785  
121 SW Salmon St., Suite 1100, Portland, OR 97204  
Telephone: (619) 465-8200  
[Carrie.majors@mtglawfirm.com](mailto:Carrie.majors@mtglawfirm.com)

2 - WRIT OF EXECUTION  
TS - 144247



The Mortgage Law Firm, LLC  
121 SW Salmon St  
Suite 1100  
Portland, OR 97204  
Phone: (619) 465-8200

**Exhibit 1**

Lot 5, Block 3, LOOKINGGLASS, in the City of Gresham, County of Multnomah, State of Oregon.

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3 – WRIT OF EXECUTION  
TS - 144247



The Mortgage Law Firm, LLC  
121 SW Salmon St  
Suite 1100  
Portland, OR 97204  
Phone: (619) 465-8200

1 After Recording Return to:  
2 The Mortgage Law Firm, LLC  
3 121 SW Salmon St., Suite 1100  
4 Portland, OR 97204

5  
6 APN: R208537

7 TS 144247

8  
9 MTGLQ INVESTORS, L.P.,  
Plaintiff,

10 vs.

11 THE ESTATE OF RICHARD G. WATERMAN;  
12 UNKNOWN HEIRS OF RICHARD G.  
13 WATERMAN, PARAMOUNT EQUITY  
14 MORTGAGE; DISCOVER BANK; and ALL  
15 OTHER UNKNOWN PARTIES CLAIMING  
16 ANY RIGHT, TITLE, LIEN OR INTEREST IN  
THE REAL PROPERTY COMMONLY  
KNOWN AS 1386 SW 4<sup>TH</sup> STREET,  
GRESHAM, OR 97080,  
Defendant(s).

Case No. 17CV44562

WRIT OF EXECUTION IN FORECLOSURE  
ABSTRACT

17 THE UNDERSIGNED STATES

18  
19  
20 1.

21 On October 4, 2018, in the above-referenced Multnomah County court case, a General  
22 Judgment of Foreclosure (the "Judgment") was entered and docketed in the above-entitled cause.

23 2.

24 On March 22, 2019, a Writ of Execution of Foreclosure (the "Writ") was issued by a court  
25 administrator for the above-entitled court.

26 ///

27 ///

28 ///

1 **A. JUDGMENT CREDITOR INFORMATION**

2 3.

3 The Judgment Creditor's name and address is:

4 MTGLQ Investors, L.P.  
5 c/o Eric Marshack, Associate Attorney  
6 The Mortgage Law Firm, LLC  
7 121 SW Salmon St., Suite 1100  
8 Portland, OR 97204

8 4.

9 The Judgment Creditor's Attorney's name and address is:

10 The Mortgage Law Firm, LLC  
11 Attn: Eric Marshack  
12 121 SW Salmon St., Suite 1100  
13 Portland, OR 97204

14 **B. JUDGMENT INFORMATION**

15 5.

16 The judgment was entered on October 4, 2018 in amount was \$322,239.40 with 9% interest  
17 accruing from the date of entry of the judgment. As of the date of the Writ, the amount owing on the  
18 Judgment and Money Award is \$335,032.46. In addition to this amount, the judgment creditor is  
19 entitled to the continued accrual of post-judgment interest at the legal rate of interest of 9.000% per  
20 annum, \$79.46 per diem, to the date the real property subject to the Judgment is sold by the Multnomah  
21 County Sheriff at its foreclosure auction, plus costs of the Writ, sheriffs fees and sale costs, and all  
22 other recoverable costs pursuant to law.  
23

24 **C. REAL PROPERTY TO BE AFFECTED**

25 The real property subject to the Writ is situated in Multnomah County, State of Oregon, to wit:

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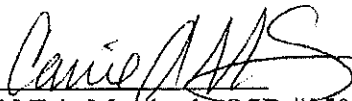


1  
2 Lot 5, Block 3, LOOKINGGLASS, in the City of Gresham, County of Multnomah, State of Oregon

3  
4 and more commonly known as 1386 SW 4<sup>th</sup> Street, Gresham, OR 97080.

5  
6 IN WITNESS WHEREOF, the undersigned person has executed this abstract this 15<sup>th</sup> day of

7 April, 2019.

8  
9   
10  Eric Marshack, OSB #050166  
11  Carrie Majors-Staab, OSB #980785  
12 121 SW Salmon St., Suite 1100  
13 Portland, OR 97204  
14 Telephone: (619) 465-8200  
15 [Eric.marshack@mtglawfirm.com](mailto:Eric.marshack@mtglawfirm.com)  
16 [Carrie.majors@mtglawfirm.com](mailto:Carrie.majors@mtglawfirm.com)

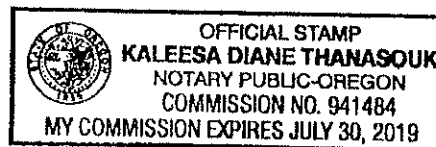
16 State of OREGON  
17 County of Multnomah <sup>Portland</sup> ) ss.

18  
19 On 15 April 2019 before me, Kaleesa Diane Thanasouk personally  
20 appeared Carrie A. Majors-Staab, who proved to me on the basis of satisfactory evidence to be the person(s)  
21 whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the  
22 same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the  
23 person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

24 I certify under PENALTY OF PERJURY under the laws of the State of Oregon that the  
25 foregoing paragraph is true and correct

26 WITNESS my hand and official seal.

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28 Signature 



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

MTGLQ INVESTORS, L.P.,

Plaintiff,

vs.

THE ESTATE OF RICHARD G.  
WATERMAN; UNKNOWN HEIRS OF  
RICHARD G. WATERMAN; PARAMOUNT  
EQUITY MORTGAGE; DISCOVER BANK;  
and ALL OTHER UNKNOWN PARTIES  
CLAIMING ANY RIGHT, TITLE, LIEN OR  
INTEREST IN THE REAL PROPERTY  
COMMONLY KNOWN AS 1386 SW 4<sup>TH</sup>  
STREET, GRESHAM, OR 97080,

Defendants.

CASE NO. 17CV44562

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 The Estate of Richard G. Waterman  
3 ("Estate"), Unknown Heirs of Richard G. Waterman ("Heirs"), Discover Bank ("Discover"), and  
4 All Other Persons or Parties known claiming any right, title, lien, or interest in the real property  
5 ("AOP" together with Estate, Heirs, and Discover, collectively "Defendants"), and that Plaintiff  
6 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  
10 under Defendants, as purchasers, encumbrances, or otherwise, are forever foreclosed of all  
11 interest, lien or claim in the real property described above and every portion thereof excepting  
12 only any 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 Richard G. Waterman ("Borrower") and recorded on  
17 August 7, 2007, in the Multnomah County Recorder's Office as instrument number 2007-  
18 142683, is a valid mortgage lien for the amount of Plaintiff's judgment set forth in paragraph 1  
19 against all the real property, located in Multnomah County, Oregon commonly referred to as  
20 1386 SW 4<sup>th</sup> Street, Gresham, OR 97080, with a legal description as follows:

21 LOT 5, BLOCK 3, LOOKINGGLASS, IN THE CITY OF GRESHAM, COUNTY OF  
22 MULTNOMAH, STATE OF OREGON.

23 APN: R208537.

24 **4.**

25 Said mortgage lien is superior to any interest, lien or claim of the Defendants in the real  
26



1 property, and all other interest in the property gained by him thereafter, or so much interest as  
2 may be necessary to satisfy the judgment of the Plaintiff shall be sold by the Sheriff of  
3 Multnomah County, Oregon in the manner provided by law and in accordance with the practice  
4 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  
13 property described above and every portion thereof excepting only any satisfactory right of  
14 redemption as Defendants may have.

15 **7.**

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

22 **SECURED DEBT**

23 1. Judgment Creditor:

24 MTGLQ Investors, L.P.  
25 c/o Zieve, Brodnax, & Steele, LLP  
26 One World Trade Center  
27 121 Southwest Salmon St., 11<sup>th</sup> Floor  
28 Portland, OR 97204  
714-848-7920

2. Judgment Creditor's Attorney: Amy F. Harrington  
 Janaya L. Carter  
 Zieve, Brodnax, & Steele, LLP  
 One World Trade Center  
 121 Southwest Salmon St., 11<sup>th</sup> 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:

<b>LENDERS' PRINCIPAL AND INTEREST</b>	
Principal Balance	\$ 219,734.60
Accrued interest on the principal balance through 5/31/18	\$ 50,671.61
Accrued fees on the principal balance through 5/31/18	\$ 45,874.09
Additional pre-judgment interest to accrue from 6/1/18 to the date this judgment is entered, at the note rate of 3.125% (per diem \$23.44)	
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 6/1/18 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.	
<b>Total Principal and Interest Through 5/31/18 at the rate of 3.125%. (per diem \$23.44)</b>	<b>\$ 316,280.30</b>
<b>ATTORNEYS' FEES AND COSTS</b>	
Attorney Fees	\$ 4,340.00
Attorney Costs	\$ 1,319.10
<b>Total Attorney Fees and Costs</b>	<b>\$ 5,659.10</b>
Prevailing Party Fee	\$ 300.00
<b>TOTAL SECURED DEBT (JUDGMENT)</b>	<b>\$ 322,239.40</b>

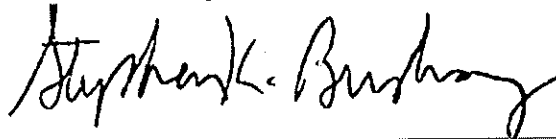
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1 Interest will continue to accrue on the judgment amount at the rate of Said Judgment is  
2 meant to be for the purposes of foreclosure *only*, and is not intended to be a monetary judgment  
3 against the Borrower.

Signed: 9/27/2018 02:19 PM

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7  
8 Circuit Court Judge Stephen Bushong  
9 proxy signed by BC

10  
11  
12  
13 **UTCRC 5.100(2) CERTIFICATE OF READINESS**

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

- 15 1.  Each party affected by this order of judgment has stipulated to the order or judgment,  
16 as shown by each party's signature on the document being submitted.
- 17 2.  Each party affected by this order of judgment has approved the order or judgment, as  
18 shown by each party's signature on the document being submitted or by written  
19 confirmation of approval sent to me.
- 20 3.  I have served a copy of this order of judgment on each party entitled to service and:
- 21 a.  No objection has been served on me.
- 22 b.  I received objections that I could not resolve with a party despite reasonable  
23 efforts to do so. I have filed a copy of the objections I have received and  
24 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: \_\_\_\_\_

12 Submitted By:

13 /s/ Janaya L. Carter 6/7/18

14 Amy F. Harrington, OSB No. 123363

15 Janaya L. Carter, OSB No. 032830

16 Attorneys for Plaintiff

17 One World Trade Center

18 121 Southwest Salmon St, 11<sup>th</sup> Floor

19 Portland, OR 97204

20 (714) 848-7920

21 [aharrington@zbslaw.com](mailto:aharrington@zbslaw.com)

22 [jcarter@zbslaw.com](mailto:jcarter@zbslaw.com)  
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