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

JPMORGAN CHASE BANK, NATIONAL ASSOCIATION

Case No. 17CV37672

Plaintiff,

WRIT OF EXECUTION

vs.

WILLIAM C. PETERSEN; ANNA M. PETERSEN; MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.; DITECH FINANCIAL LLC; CITIZENS BANK, N.A., F/K/A RBS CITIZENS BANK, N.A.; METLIFE HOME LOANS LLC; PARTIES IN POSSESSION

Defendants.

TO: JACKSON COUNTY SHERIFF

WHEREAS, on February 7, 2019, 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.

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//

1- WRIT OF EXECUTION  
S&S No. 17-120180

*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@togs.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 December 13, 2005, the  
4 date of the deed of trust, and also all of the interest which the defendants acquired thereafter, in  
5 the real property described in the judgment:

6 LOT 14 IN CREEKSTONE VILLAGE, PHASE 1, A PLANNED UNIT DEVELOPMENT IN  
7 THE CITY OF MEDFORD, JACKSON COUNTY, OREGON, ACCORDING TO THE  
8 OFFICIAL PLAT THEREOF RECORDED IN VOLUME 31, PAGE 21 PLAT RECORDS.

9 and commonly known as 2160 Crestbrook Road #14, Medford, OR 97504 to satisfy the sum of  
10 \$297,987.98, as of March 29, 2019, together with additional post judgment interest of 9.00%  
11 from that date (\$72.58 per day), and costs of this execution, making due return within 60 days  
12 after you receive this writ.

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25 2- WRIT OF EXECUTION  
26 S&S No. 17-120180

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1 JPMorgan Chase Bank, National Association is the Judgment Creditor, and its address for  
2 purpose of this writ only is: C/O Shapiro & Sutherland, LLC, 1499 SE Tech Center Place, Suite  
3 255, Vancouver, WA 98683 (360)260-2253. Shapiro & Sutherland, LLC is the attorney for the  
4 Judgment Creditor.  
5



Signed: 3/29/2019 02:58 PM

*Janaye Norman E*

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

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

James A. Craft #090146 [jcraft@logs.com]  
16 [ ] Kelly D. Sutherland #87357 [ksutherland@logs.com]  
17 [ ] Gadl Shahak #180865 [gshahak@logs.com]  
18 [ ] Holger Uhl #950143 [huhl@logs.com]\*  
19 1499 SE Tech Center Place, Suite 255, Vancouver, WA 98683  
20 (360)260-2253; Fax (360)260-2285  
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25 3- WRIT OF EXECUTION  
26 S&S No. 17-120180

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

JPMORGAN CHASE BANK, NATIONAL ASSOCIATION,

Plaintiff,

vs.

WILLIAM C. PETERSEN; ANNA M. PETERSEN; MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.; DITECH FINANCIAL LLC; CITIZENS BANK, N.A., F/K/A RBS CITIZENS BANK, N.A.; METLIFE HOME LOANS LLC; PARTIES IN POSSESSION,

Defendants.

Case No. 17CV37672

GENERAL JUDGMENT OF FORECLOSURE AND SALE

Default having been entered against Defendant(s), Anna M. Petersen, William C. Petersen, Mortgage Electronic Registration Systems, Inc., DiTech Financial LLC, Citizens Bank, N.A., f/k/a RBS Citizens Bank, N.A., Metlife Home Loans LLC and Parties in Possession:

It is hereby

ORDERED AND ADJUDGED:

1 - GENERAL JUDGMENT OF FORECLOSURE AND SALE  
S&S No. 17-120180

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 1. The real property to which this judgment relates (hereafter the "Property") is situated in  
2 Jackson County, Oregon is commonly known as 2160 Crestbrook Road #14, Medford, OR  
3 97504 and is legally described as follows:

4 Lot 14 in Creekstone Village, Phase 1, a planned Unit Development in the City of  
5 Medford, Jackson County, Oregon, according to the Official Plat thereof recorded in  
6 Volume 31, Page 21 plat records.

7 2. The Deed of Trust executed and delivered by Defendant, Anna M Petersen & William C  
8 Petersen, Husband & Wife, as joint tenants ("Borrower") on or about December 13, 2005  
9 and recorded on December 16, 2005 as Instrument No. 2005-076266 in the official records  
10 of Jackson County, Oregon, is a valid and perfected lien against all of the Property for the  
11 amount of Plaintiff's judgment as provided herein.

12 3. The Plaintiff is the holder of the original note dated December 13, 2005 and made by Anna  
13 M Petersen and William C Petersen in the amount of \$295,200.00. A copy of the Note was  
14 attached to the complaint as Exhibit. Plaintiff is the holder of the Note and the beneficial  
15 interest in the Deed of Trust (together the "Loan").

16 4. The interest of each of the Defendant(s) subject to this Judgment and any successor in  
17 interest in the Property is foreclosed and terminated excepting only any statutory right of  
18 redemption as provided by Oregon law.  
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25 2 - GENERAL JUDGMENT OF FORECLOSURE AND  
26 SALE  
27 S&S No. 17-120180

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- 1 5. The lien of the Plaintiff is superior to any interest, lien, or claim of the remaining  
2 Defendants and shall remain in effect until issuance of a Sheriff's Deed. Upon Motion to  
3 the Court and good cause shown, Plaintiff may move to rescind the foreclosure judgment  
4 and to reinstate the Loan prior to the Sheriff's sale, returning the parties to their prejudgment  
5 interests and priorities.  
6  
7 6. The Defendant(s) are not entitled to a homestead exception as against Plaintiff's judgment.  
8  
9 7. All of the rights, title and interest that Borrower(s) had as of the date of the Deed of Trust or  
10 thereafter acquired in the subject Property, is hereby ordered to be sold by the Jackson  
11 County Sheriff's Office in accordance with the process for sale upon execution, and the  
12 proceeds of sale shall be applied; first to the costs of sale; second to satisfaction of the  
13 amounts awarded Plaintiff herein; with the surplus, if any, to the Defendants in the priority  
14 as their interest may appear or to the clerk of the court to be distributed to such party of  
15 parties as may establish their right thereto.  
16  
17 8. Plaintiff or any junior lienholders may become purchaser at the sale of the Property.  
18  
19 9. The purchaser at the sale is entitled to exclusive and immediate possession of the Property  
20 from and after the date of the sale and is entitled to such remedies as are available at law or  
21 in equity to secure possession.  
22  
23 10. The purchaser at the sale may apply to the Court for a writ of assistance if any Defendant or  
any person holding possession under or through such Defendant(s) shall refuse to surrender  
possession to the purchaser immediately on the purchaser's demand for possession.

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25 3 - GENERAL JUDGMENT OF FORECLOSURE AND  
26 SALE  
27 S&S No. 17-120180

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11. Under the terms of the Loan there is now due and owing to Plaintiff the following amounts:

Principal		\$240,194.58	
Prejudgment interest at 5.125% through November 30, 2018 (accruing thereafter until entry of judgment at \$33.73 per diem/mensum)			\$32,301.14
Late Charges		\$0.00	
Other Costs and fees (recoverable)		14,389.13	
	Property Inspections	\$90.00	
	Escrow Total	\$14,299.13	
	Subtotal		\$254,583.71
Total plus Prejudgment Interest			\$286,884.85

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

Costs			\$2,130.50
	Title Search Cost	\$285.00	
	Skip Trace Costs	\$100.00	
	Filing Fee	\$531.00	
	Lis Pendens Recording Fee	\$72.00	
	Service Costs	\$867.50	
	Prevailing Party Fee	\$275.00	
Attorney fees			\$3,050.00
Total			\$5,180.50

13. Post judgment interest on all amounts shall accrue from the date of judgment at the legal rate of 9% per annum pursuant to ORS 82.010.

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4 - GENERAL JUDGMENT OF FORECLOSURE AND SALE  
S&S No. 17-120180

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1 14. This Judgment shall not create a personal lien or liability against Borrower except as is  
2 customary or necessary to execute on such Judgment and for purposes of redemption. In no  
3 event should it be construed as establishing personal liability for any persons whose debt has  
4 been extinguished in bankruptcy or by an In Rem order granting relief from stay, but only to  
5 foreclose the deed of trust mortgage. In the event the proceeds of sale are insufficient to pay  
6 the amounts due to Plaintiff, no general execution shall be issued and Plaintiff shall not be  
7 entitled to any further judgment, including a judgment for deficiency.

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

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

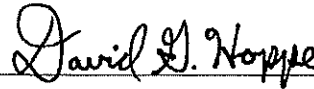
17 17. The Clerk of the Court is hereby ordered to issue a Writ of Execution in Foreclosure for the  
18 sale of the Property. Plaintiff may credit bid the amounts determined in Paragraphs 11  
19 through 13 plus such additional amounts as provided in Paragraph 16 for purposes of ORS  
20 18.936.

22 18. This Court shall retain jurisdiction to enter such additional order, judgment or decree  
23 necessary to enforce this judgment, the writ of execution or for the purchaser at the  
24 foreclosure sale to obtain possession.



1 18. This Court shall retain jurisdiction to enter such additional order, judgment or decree  
2 necessary to enforce this judgment, the writ of execution or for the purchaser at the  
3 foreclosure sale to obtain possession.  
4

Signed: 2/6/2019 04:38 PM

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7  
8 Circuit Court Judge David G. Hoppe

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

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

- 11 1.  Each party affected by this order or judgment has stipulated to the order or judgment, as  
12 shown by each party's signature on the document being submitted.  
13 2.  Each party affected by this order or judgment has approved the order or judgment, as  
14 shown by each party's signature on the document being submitted or by written confirmation of  
15 approval sent to me.  
16 3.  I have served a copy of this order or judgment on each party entitled to service and:  
17 a.  No objection has been served on me.  
18 b.  I received objections that I could not resolve with a party despite reasonable efforts to do  
19 so. I have filed a copy of the objections I received and indicated which objections remain  
20 unresolved.  
21 c.  After conferring about objections, [role and name of objecting party] agreed to  
22 independently file any remaining objection.

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6 - GENERAL JUDGMENT OF FORECLOSURE AND  
SALE  
S&S No. 17-120180

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- 1 4.  Service is not required pursuant to subsection (3) of this rule, or by statute, rule, or  
2 otherwise. UTCR 8/1/16 5.5 (including out-of-cycle amendment of 5.100)  
3 5.  This is a proposed judgment that includes an award of punitive damages and notice has  
4 been served on the Director of the Crime Victims' Assistance Section as required by subsection  
5 (5) of this rule.  
6 6.  Other: \_\_\_\_\_

7 Submitted by:  
8 Attorneys for Plaintiff,  
9 SHAPIRO & SUTHERLAND, LLC

2-5-18

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

10 James A. Craft #090146 [jcraft@logs.com]  
11 1499 SE Tech Center Place, Suite 255, Vancouver, WA 98683  
12 (360)260-2253; Fax (360)260-2285

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25 7 - GENERAL JUDGMENT OF FORECLOSURE AND  
26 SALE  
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