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

REC'D DESCHUTES COUNTY 19 11:05

LOANDEPOT.COM, LLC,

Case No. 18CV03093

Plaintiff,

WRIT OF EXECUTION

v.

THE ESTATE OF SHARON LEE AMATI;
THE UNKNOWN HEIRS, DEVISEES AND
ASSIGNEES OF SHARON LEE AMATI;
RAY KLEIN, INC.; CREDIT ASSOCIATES,
INC.; and ALL OTHER PERSONS OR
PARTIES UNKNOWN CLAIMING ANY
RIGHT, TITLE, LIEN, OR INTEREST IN
THE REAL PROPERTY COMMONLY
KNOWN AS 15946 SUNRISE BLVD, LA
PINE, OR 97739,

Defendant.

TO THE DESCHUTES COUNTY SHERIFF:

On 8/20/2018, a General Judgment of Foreclosure and Declaration of Amount Due by Default was entered by the DESCHUTES 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.

The mailing address for the judgment creditor is: LOANDEPOT.COM, LLC c/o Aldridge Pite, LLP, 111 SW Columbia St., Ste. 950, Portland, OR 97201.

The real property to be sold at public auction is commonly known as 15946 SUNRISE BLVD, LA PINE, OR 97739 ("Subject Property"), and legally described as:

LOT 13, BLOCK 23, TALL PINES - FIFTH ADDITION, RECORDED SEPTEMBER

1 22, 1977, IN CABINET B, PAGE 279, DESCHUTES COUNTY, OREGON.

2 The total amount due and owing on the Judgment as of 4/5/2019;

3	Judgment:	Principal	\$305,823.06
4	Pre-Judgment:	Interest 3.25%, \$25.92/day	\$2,877.12 5/1/2018 through 8/20/2018
5		Attorney Fees	\$2,990.00
6		Costs	\$4,918.50
7		Prevailing Party Fee	\$300.00
8	Post-Judgment:	Interest 9%, \$78.14/day	\$17,816.85 8/21/2018 through 4/5/2019
9		Attorney Fees	\$260.00
10		Costs	\$0.00

11 **TOTAL: \$335,009.15**

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

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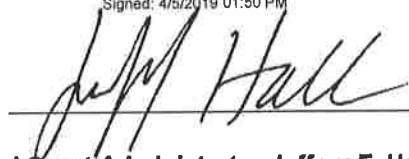
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By the signature of the attorney for the judgment creditor, the person that requested issuance of the Writ hereby authorizes the sheriff to continue execution under the Writ and delay making a return on the writ to a date up to 150 days after receipt.


Signed: 4/5/2019 01:50 PM



Trial Court Administrator Jeffrey E. Hall

Presented by:

ALDRIDGE PITE, LLP

By: 

Katie Riggs, OSB #095861
of Attorneys for Judgment Creditor
(858) 750-7600
(503) 222-2260 (facsimile)
orecourtnotices@aldridgepite.com

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

LOANDEPOT.COM, LLC,

Plaintiff,

v.

THE ESTATE OF SHARON LEE AMATI;
THE UNKNOWN HEIRS, DEVISEES AND
ASSIGNEES OF SHARON LEE AMATI;
RAY KLEIN, INC.; CREDIT ASSOCIATES,
INC.; and ALL OTHER PERSONS OR
PARTIES UNKNOWN CLAIMING ANY
RIGHT, TITLE, LIEN, OR INTEREST IN
THE REAL PROPERTY COMMONLY
KNOWN AS 15946 SUNRISE BLVD, LA
PINE, OR 97739,

Defendants.

Case No. 18CV03093

**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 THE ESTATE OF SHARON LEE AMATI; THE UNKNOWN HEIRS, DEVISEES AND ASSIGNEES OF SHARON LEE AMATI; RAY KLEIN, INC.; CREDIT ASSOCIATES, INC.; and ALL OTHER PERSONS. OR PARTIES UNKNOWN CLAIMING ANY RIGHT, TITLE, LIEN, OR INTEREST IN THE REAL PROPERTY COMMONLY KNOWN AS 15946 SUNRISE BLVD, LA PINE, OR 97739, the records on file herein, and pursuant to the Motion for General Judgment and Declaration of Amount Due by Default by Plaintiff LOANDEPOT.COM, LLC ("Plaintiff"),

IT IS HEREBY ADJUDGED:

1. Plaintiff's security interest in the real property located at 15946 SUNRISE BLVD, LA PINE, OR 97739 ("Subject Property"), as evidenced by the Deed of Trust recorded March

1 30, 2016 in the official records of DESCHUTES County as Instrument Number 2016-011870
2 (“Deed of Trust”), is a viable first priority lien, superior to the interests of all the Defendants. All
3 rights, claims, ownerships, liens, titles and demands of all Defendants are subsequent to
4 Plaintiff’s lien as created by the Note and Deed of Trust. The Subject Property is legally
5 described as follows:

6 ***SEE ATTACHED, EXHIBIT 2;***

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

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

14 4. Plaintiff is owed reasonable attorney fees plus the remaining flat rate fees for an
15 uncontested execution on the Judgment, pursuant to the Note and Deed of Trust and ORCP Rule
16 68(C), which amount may be added to the outstanding obligation due and owing under the Note
17 and Deed of Trust and recovered from the proceeds of the sheriff’s sale. Pursuant to the Deed of
18 Trust, these fees continue to accrue to the date of the execution sale. This amount to be satisfied
19 by sale of the Subject Property as directed under this Judgment;

20 5. Plaintiff is owed costs of suit pursuant to the Note and Deed of Trust, ORCP Rule
21 68(A)(2) and ORS 20.115(4), which may be added to the outstanding obligation due and owing
22 under the Note and Deed of Trust and recovered from the proceeds of the sheriff’s sale. Pursuant
23 to the Deed of Trust, these costs continue to accrue to the date of the execution sale. This
24 amount to be satisfied by sale of the Subject Property as directed under this Judgment;

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

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

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

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- 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

/s/ Sarah M. Mathenia
Sarah M. Mathenia, OSB #120681
(858) 750-7600
(503) 222-2260 (Facsimile)
smathenia@aldridgepite.com
111 SW Columbia Street, Suite 950
Portland, OR 97201
Of Attorneys for Plaintiff

Date: August 7, 2018

Lot 13, Block 23, Tall Pines - Fifth Addition, recorded September 22, 1977, in Cabinet B, Page 279,
Deschutes County, Oregon.