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

THE RESIDENCE CLUB AT PRONGHORN
VILLAS CONDOMINIUMS OWNERS'
ASSOCIATION, an Oregon non-profit
corporation,

Plaintiff,

v.

ROBERT REAGIN; AND PARTIES IN
POSSESSION OR CLAIMING A RIGHT TO
POSSESSION,

Defendants.

Case No. 18CV27190

**WRIT OF EXECUTION IN
FORECLOSURE OF
RESIDENTIAL REAL
PROPERTY**

TO THE SHERIFF OF DESCHUTES COUNTY:

WHEREAS, on January 23, 2019 in the above-entitled court, a General Judgment of Foreclosure was enrolled and docketed in the above-entitled cause, followed by a Corrected General Judgment of Foreclosure on April 3, 2019 a true copy of which is attached hereto as *Exhibit A* and made part hereof.

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 residential real property upon execution (subject to redemption), all of the interest which the defendant Robert Reagin ("Reagin"), Parties in Possession or Claiming a Right to Possession ("Parties") or their predecessors interest had on September 30, 2015, the date the homeowners association lien was recorded, and also all of the interest which the Defendants Reagin and Parties had thereafter, in the real property described in the judgment, described as follows:

An undivided 2/12 interest in Unit 105 RESIDENCE CLUB AT PRONGHORN VILLAS CONDOMINIUMS, Recorded August 23, 2005 as Document No. 2005-56018 Deschutes County, Oregon, described in and subject to that certain Condominium Declaration of Ownership and Fractional Plan for the Residence Club at Pronghorn Villas Condominiums recorded August 23, 2005 in Volume 2005, Page 56019, Deschutes County Official Records, and rerecorded September 6, 2005 in Volume 2005, Page 59517, together with the limited and general common elements as set forth therein, appertaining to said unit. (COMMONLY KNOWN AS INTEREST F & G).

1 The property is commonly known as 65690 Adventure Ct. Units 105F and 105G (also known as
2 unit #103) Bend, OR 97701 ("Property").

3 To satisfy the general judgment listed below; all amounts owed to Plaintiff by Defendant
4 Reagin which accrued from date of judgment to date of sale; and the cost of this writ, making
5 due return within 60 days after you receive this writ. The proceeds from the sale shall be applied
6 in accordance with the judgment.

7 The balance as of April 8, 2019, exclusive of post judgment attorney fees and post
8 judgment dues and assessments is as follows:

9		
10	1. Principal Amount:	\$ 63,907.66
11	2. Amount of Costs and Disbursements:	\$ 1,416.25
12	3. Pre-Judgment Interest:	\$ 13,338.18
13	4. Amount of Attorney Fees:	\$ 957.00
14	5. Amount of Post-Judgment Interest on the Lien Principal and Prejudgment Interest (through April 8, 2019):	\$ 1,694.55
15	6. Amount of Post-Judgment Interest on Attorney Fees and Costs (through April 8, 2019):	\$ 201.50
16	7. Total amount through April 8, 2019: (Per diem thereafter \$25.28)	\$ 81,515.14

17 The mailing address of the judgment creditor is:

18 **The Residence Club at Pronghorn Villas**
19 **Condominiums Owners' Association**
20 c/o Vial Fotheringham LLP
21 Attn: Noam Amir-Brownstein
17355 SW Boones Ferry Rd., Suite A
Lake Oswego, OR 97035

22
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25
26 Submitted by:
VIAL FOTHERINGHAM LLP

27 By: 
28 Noam Amir-Brownstein, OSB# 142726
Of Attorneys for Plaintiff

Signed: 4/10/2019 01:21 PM


Trial Court Administrator Jeffrey E. Hall



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

THE RESIDENCE CLUB AT
PRONGHORN VILLAS
CONDOMINIUMS OWNERS'
ASSOCIATION, an Oregon non-profit
corporation,

Plaintiff,

v.

ROBERT REAGIN; AND PARTIES IN
POSSESSION OR CLAIMING A RIGHT
TO POSSESSION,

Defendants.

Case No. 18CV27190

**CORRECTED GENERAL
JUDGMENT OF FORECLOSURE**

This judgment is being submitted solely to correct the name of the Plaintiff in the case caption as "The Residence Club at Pronghorn Villas Condominiums Owners Association."

Based on the Order of Default against Defendants Robert Reagin ("Reagin"), and Parties in Possession or Claiming a Right to Possession ("Parties") (together "Defendants"), and the records and files herein;

**NOW, THEREFORE, IT IS HEREBY ORDERED AND ADJUDGED AND
DECREED AS TO PLAINTIFF'S CLAIM FOR RELIEF AGAINST DEFENDANTS
ROBERT REAGIN AND PARTIES IN POSSESSION OR CLAIMING A RIGHT TO
POSSESSION FOR FORECLOSURE OF THE HOMEOWNER ASSOCIATION LIEN:**

1. The real property to which the judgment relates (hereinafter the "Property") is situated in Deschutes County, Oregon is commonly known as 65690 Adventure Ct. Units 105F and 105G (also known as unit #103) Bend, OR 97701 and is legally described as follows:

PAGE 1 of 6 - GENERAL DEFAULT JUDGMENT OF FORECLOSURE OF HOMEOWNER
ASSOCIATION LIEN - P10069-100 and 101

1 An undivided 2/12 interest in Unit 105 RESIDENCE CLUB AT
2 PRONGHORN VILLAS CONDOMINIUMS, Recorded August 23, 2005
3 as Document No. 2005-56018 Deschutes County, Oregon, described in
4 and subject to that certain Condominium Declaration of Ownership and
5 Fractional Plan for the Residence Club at Pronghorn Villas
6 Condominiums recorded August 23, 2005 in Volume 2005, Page 56019,
7 Deschutes County Official Records, and rerecorded September 6, 2005 in
8 Volume 2005, Page 59517, together with the limited and general common
9 elements as set forth therein, appertaining to said unit. (COMMONLY
10 KNOWN AS INTEREST F & G).

11 2. Plaintiff's lien recorded on September 30, 2015 as Document No. 2015-
12 040255 in the official records of Deschutes, Oregon is a valid and perfected continuing
13 lien against all of the Property for the following amounts:

- 14 a. Through June 29, 2018 for assessments, interest and late fees, and attorney fees
15 and costs incurred prior to the complaint being prepared in this action, Plaintiff is
16 due and owing the following amounts:

Lien Principle:	\$54,910.26
Pre-judgment Interest:	\$10,228.76
Total:	\$65,139.02

- 17 b. Continuing assessments, late fees, and interest now due and owing to Plaintiff
18 from June 29, 2018 to January 18, 2019:

Assessments and Late fees:	\$8,997.40
Pre-judgment interest:	\$3,109.42
Total:	\$12,106.82

- 19 c. Attorney Fees and Costs from June 29, 2018 through January 18, 2019 are
20 awarded to Plaintiff as follows:

1	Attorney Fees (on Plaintiff's first claim):	\$957.00
2	Costs:	
3		
4	Filing Fee:	\$560.00
5	Photocopies:	\$2.25
6	Process Server Cost:	\$431.00
7	Recording Fee:	\$93.00
8	E-filing Cost:	\$5.00
9		
10	Prevailing Party Fee:	\$325.00
11	Cost Subtotal:	\$1,416.25
12	Total:	\$2,373.25
13		

14
15 for a total amount due through January 18, 2019, of \$79,619.09.

16 3. Post-judgment simple interest on the aggregate of all amounts declared due above
17 shall accrue from the date of judgment at the rate of (12%) per annum on the amount of monthly
18 and special assessments, late fees, fines and prejudgment interest, and shall accrue at the rate of
19 nine percent (9%) per annum on attorney fees, costs and disbursements, from date of entry of
20 judgment until paid.
21

22 4. Since the amount of the lien referenced herein includes only assessments, attorney
23 fees, and costs incurred through January 18, 2019, and regular assessments, attorney fees and
24 costs increase the balance of the lien, Plaintiff shall be entitled to apply to the Court for one or
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28 PAGE 3 of 6 - GENERAL DEFAULT JUDGMENT OF FORECLOSURE OF HOMEOWNER
ASSOCIATION LIEN - P10069-100 and 101

Vinl Fotheringham LLP
17355 SW Boones Ferry Rd., Ste. A
Lake Oswego, OR 97035/503-684-4111/503-598-7758 FAX
vinl@vfl-law.com

Exhibit A
Page 3 of 8

1 more supplemental judgment(s) for assessments, attorney fees and costs which accrue through
2 the date of sale but are not included in this judgment.

3 5. The amounts declared due in paragraphs 2, 3, and 4 of this judgment shall
4 collectively declare the secured amount due under this Judgment of Foreclosure.
5

6 6. The lien of the Plaintiff is superior to any interest, lien, or claim of
7 Defendants, and shall remain in effect until issuance of a Sheriff's Deed.

8 7. Plaintiff's lien is foreclosed and all interest which the Defendants have on,
9 or before January 18, 2019 in the real property shall be sold by the Deschutes County
10 Sheriff to satisfy any and all amounts due and owing its Lien as determined herein and in
11 accordance to the process for sale upon execution.
12

13 8. The interest of all remaining Defendants and any successors in interest, in
14 the Property is ordered foreclosed and terminated by Sheriff's sale upon entry of this
15 General Judgment of Foreclosure, expecting only any statutory right of redemption as
16 provided by Oregon Law.
17

18 9. The proceeds of sale shall be applied first to the costs of sale; second to
19 satisfaction of Plaintiff's judgment awarded in this matter; to any assessments of the
20 Plaintiff which shall accrue from January 18, 2019 to the date of sale; with surplus, if
21 any, to the Defendants in the priority as their interest may appear or to the clerk of the
22 court to be distributed to such party of parties as may establish a right thereto.
23

24 10. Plaintiff is entitled to an award of its attorney fees costs and disbursements
25 in an amount to be determined under ORCP 68 for purposes of execution.
26

27 PAGE 4 of 6 --GENERAL DEFAULT JUDGMENT OF FORECLOSURE OF HOMEOWNER
28 ASSOCIATION LIEN - P10069-100 and 101

Vial Fotheringham LLP
17355 SW Boones Ferry Rd., Ste. A
Lake Oswego, OR 97035/503-684-4111/503-598-7758 FAX
vial@vial-law.com

1 11. Defendants, as well as all persons claiming through or under Defendants
2 as purchasers, encumbrances, or otherwise, are forever foreclosed of all interest, lien or
3 claim in the real property described above and every portion thereof, excepting any
4 statutory right of the redemption as Defendants, or any of them may have therein.
5

6 12. Plaintiff may become purchaser at the sale of the Property and may credit
7 bid up to the aggregate amount of its judgment plus interest and any costs of sale
8 advanced by Plaintiff from the date of judgment until sale.
9

10 13. The purchaser at the sale is entitled to exclusive and immediate possession
11 of the Property from and after the date of sale and is entitled to such remedies as are
12 available at law or in equity to secure possession.

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

17 15. The General Judgment shall have the same effect as a writ of assistance if
18 Defendant(s), or any of them, or any other party of person shall refuse to surrender
19 possession to the purchaser immediately on the purchaser's demand for possession.
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28 PAGE 5 of 6 --GENERAL DEFAULT JUDGMENT OF FORECLOSURE OF HOMEOWNER
ASSOCIATION LIEN - P10069-100 and 101

Vial Fotheringham LLP
17355 SW Boones Ferry Rd., Ste. A
Lake Oswego, OR 97035/503-684-1111/503-598-7758 FAX
vial@viallaw.com

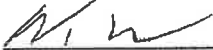
1 16. This Court shall retain jurisdiction to enter such additional order,
2 judgment or decree necessary to enforce this judgment or for the purchaser at the
3 foreclosure sale to obtain possession.
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8 NUNC PRO TUNC
9 Jan 23, 2019

Signed: 4/22/2019 03:47 PM


Circuit Court Judge Bethany P. Flint

10 Submitted by:
11 Attorneys for Plaintiff,
12 VIAL FOTHERINGHAM LLP

13 By: 
14 Noam Amir-Brownstein, OSB #142726
15 *Of Attorneys for Plaintiff*
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28 PAGE 6 of 6 -GENERAL DEFAULT JUDGMENT OF FORECLOSURE OF HOMEOWNER
ASSOCIATION LIEN - P10069-100 and 101

Vial Fotheringham LLP
17355 SW Boones Ferry Rd., Ste. A
Lake Oswego, OR 97035/503-684-1111/503-598-7758 FAX
nby@vflaw.com

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

THE RESIDENCE CLUB AT
PRONGHORN VILLAS
CONDOMINIUMS OWNERS'
ASSOCIATION, an Oregon non-profit
corporation,

Plaintiff,

v.

ROBERT REAGIN; AND PARTIES IN
POSSESSION OR CLAIMING A
RIGHT TO POSSESSION,

Defendants.

Case No. 18CV27190

CERTIFICATE OF READINESS

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

- 1. 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.
- 2. Each opposing 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.
- 3. I have served a copy of this order or judgment on each party entitled to service and:
 - a. No objection has been served on me.

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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: _____

DATED this 28th day of March, 2019.

VIAL FOTHERINGHAM, LLP

By: 
Noam Amir-Brownstein, OSB #142726
Attorney for Plaintiff

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

MORGAN MEADOWS HOMEOWNERS
ASSOCIATION, an Oregon non-profit
corporation,

Plaintiff,

v.

ROBERT REAGIN; AND PARTIES IN
POSSESSION OR CLAIMING A RIGHT
TO POSSESSION,

Defendants.

Case No. 18CV27190

**GENERAL JUDGMENT OF
FORECLOSURE**

Based on the Order of Default against Defendants Robert Reagin (“Reagin”), and Parties in Possession or Claiming a Right to Possession (“Parties”) (together “Defendants”), and the records and files herein;

**NOW, THEREFORE, IT IS HEREBY ORDERED AND ADJUDGED AND
DECREED AS TO PLAINTIFF’S CLAIM FOR RELIEF AGAINST DEFENDANTS
ROBERT REAGIN AND PARTIES IN POSSESSION OR CLAIMING A RIGHT TO
POSSESSION FOR FORECLOSURE OF THE HOMEOWNER ASSOCIATION LIEN:**

1. The real property to which the judgment relates (hereinafter the “Property”) is situated in Deschutes County, Oregon is commonly known as 65690 Adventure Ct. Units 105F and 105G (also known as unit #103) Bend, OR 97701 and is legally described as follows:

1 An undivided 2/12 interest in Unit 105 RESIDENCE CLUB AT
2 PRONGHORN VILLAS CONDOMINIUMS, Recorded August 23, 2005
3 as Document No. 2005-56018 Deschutes County, Oregon, described in
4 and subject to that certain Condominium Declaration of Ownership and
5 Fractional Plan for the Residence Club at Pronghorn Villas
6 Condominiums recorded August 23, 2005 in Volume 2005, Page 56019,
7 Deschutes County Official Records, and rerecorded September 6, 2005 in
8 Volume 2005, Page 59517, together with the limited and general common
9 elements as set forth therein, appertaining to said unit. (COMMONLY
10 KNOWN AS INTEREST F & G).

11 2. Plaintiff's lien recorded on September 30, 2015 as Document No. 2015-
12 040255 in the official records of Deschutes, Oregon is a valid and perfected continuing
13 lien against all of the Property for the following amounts:

- 14 a. Through June 29, 2018 for assessments, interest and late fees, and attorney fees
15 and costs incurred prior to the complaint being prepared in this action, Plaintiff is
16 due and owing the following amounts:

Lien Principle:	\$54,910.26
Pre-judgment Interest:	\$10,228.76
Total:	\$65,139.02

- 17 b. Continuing assessments, late fees, and interest now due and owing to Plaintiff
18 from June 29, 2018 to January 18, 2019:

Assessments and Late fees:	\$8,997.40
Pre-judgment interest:	\$3,109.42
Total:	\$12,106.82

- 19 c. Attorney Fees and Costs from June 29, 2018 through January 18, 2019 are
20 awarded to Plaintiff as follows:

Attorney Fees (on Plaintiff's first claim):	\$957.00
Costs:	
Filing Fee:	\$560.00
Photocopies:	\$2.25
Process Server Cost:	\$431.00
Recording Fee:	\$93.00
E-filing Cost:	\$5.00
Prevailing Party Fee:	\$325.00
Cost Subtotal:	\$1,416.25
Total:	\$2,373.25

for a total amount due through January 18, 2019, of \$79,619.09.

3. Post-judgment simple interest on the aggregate of all amounts declared due above shall accrue from the date of judgment at the rate of (12%) per annum on the amount of monthly and special assessments, late fees, fines and prejudgment interest, and shall accrue at the rate of nine percent (9%) per annum on attorney fees, costs and disbursements, from date of entry of judgment until paid.

4. Since the amount of the lien referenced herein includes only assessments, attorney fees, and costs incurred through January 18, 2019, and regular assessments, attorney fees and costs increase the balance of the lien, Plaintiff shall be entitled to apply to the Court for one or

1 more supplemental judgment(s) for assessments, attorney fees and costs which accrue through
2 the date of sale but are not included in this judgment.

3
4 5. The amounts declared due in paragraphs 2, 3, and 4 of this judgment shall
5 collectively declare the secured amount due under this Judgment of Foreclosure.

6 6. The lien of the Plaintiff is superior to any interest, lien, or claim of
7 Defendants, and shall remain in effect until issuance of a Sheriff's Deed.

8 7. Plaintiff's lien is foreclosed and all interest which the Defendants have on,
9 or before January 18, 2019 in the real property shall be sold by the Deschutes County
10 Sheriff to satisfy any and all amounts due and owing its Lien as determined herein and in
11 accordance to the process for sale upon execution.

12 8. The interest of all remaining Defendants and any successors in interest, in
13 the Property is ordered foreclosed and terminated by Sheriff's sale upon entry of this
14 General Judgment of Foreclosure, expecting only any statutory right of redemption as
15 provided by Oregon Law.

16 9. The proceeds of sale shall be applied first to the costs of sale; second to
17 satisfaction of Plaintiff's judgment awarded in this matter; to any assessments of the
18 Plaintiff which shall accrue from January 18, 2019 to the date of sale; with surplus, if
19 any, to the Defendants in the priority as their interest may appear or to the clerk of the
20 court to be distributed to such party of parties as may establish a right thereto.

21 10. Plaintiff is entitled to an award of its attorney fees costs and disbursements
22 in an amount to be determined under ORCP 68 for purposes of execution.

1 11. Defendants, as well as all persons claiming through or under Defendants
2 as purchasers, encumbrances, or otherwise, are forever foreclosed of all interest, lien or
3 claim in the real property described above and every portion thereof, excepting any
4 statutory right of the redemption as Defendants, or any of them may have therein.
5

6 12. Plaintiff may become purchaser at the sale of the Property and may credit
7 bid up to the aggregate amount of its judgment plus interest and any costs of sale
8 advanced by Plaintiff from the date of judgment until sale.
9

10 13. The purchaser at the sale is entitled to exclusive and immediate possession
11 of the Property from and after the date of sale and is entitled to such remedies as are
12 available at law or in equity to secure possession.

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

17 15. The General Judgment shall have the same effect as a writ of assistance if
18 Defendant(s), or any of them, or any other party of person shall refuse to surrender
19 possession to the purchaser immediately on the purchaser's demand for possession.
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1 16. This Court shall retain jurisdiction to enter such additional order,
2 judgment or decree necessary to enforce this judgment or for the purchaser at the
3 foreclosure sale to obtain possession.
4

Signed: 1/23/2019 02:07 PM



Circuit Court Judge A. Michael Adler

10 Submitted by:
11 Attorneys for Plaintiff,
12 **VIAL FOTHERINGHAM LLP**

13 By: /s/Noam Amir-Brownstein
14 Noam Amir-Brownstein, OSB #142726
15 *Of Attorneys for Plaintiff*

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

THE RESIDENCE CLUB AT
PRONGHORN VILLAS
CONDOMINIUMS OWNERS'
ASSOCIATION, an Oregon non-profit
corporation,

Plaintiff,

v.

ROBERT REAGIN; AND PARTIES IN
POSSESSION OR CLAIMING A
RIGHT TO POSSESSION,

Defendants.

Case No. 18CV27190

CERTIFICATE OF READINESS

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

- 1. 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.
- 2. Each opposing 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.
- 3. I have served a copy of this order or judgment on each party entitled to service and:
 - a. No objection has been served on me.

1 b. I received objections that I could not resolve with a party despite reasonable
2 efforts to do so. I have filed a copy of the objections I received and indicated
3 which objections remain unresolved.

4 c. After conferring about objections, [role and name of objecting party] agreed
5 to independently file any remaining objection.

6 4. Service is not required pursuant to subsection (3) of this rule, or by statute,
7 rule, or otherwise.

8 5. This is a proposed judgment that includes an award of punitive damages and
9 notice has been served on the Director of the Crime Victims' Assistance Section as required by
10 subsection (5) of this rule.

11 6. Other: _____

12 DATED this 21st day of January, 2019.

13 **VIAL FOTHERINGHAM, LLP**

14
15 By: /s/Noam Amir-Brownstein
16 Noam Amir-Brownstein, OSB #142726
17 *Attorney for Plaintiff*