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

U.S. BANK NATIONAL ASSOCIATION,  
NOT IN ITS INDIVIDUAL CAPACITY BUT  
SOLELY AS TRUSTEE FOR THE RMAC  
TRUST, SERIES 2016-CTT,

Plaintiff,

v.

THE ESTATE OF DONALD GENE  
DENVER; THE UNKNOWN HEIRS,  
ASSIGNS AND DEVISEES OF DONALD  
GENE DENVER; ELLEN DENVER; KEITH  
DENVER; DENNIS DENVER; SECRETARY  
OF HOUSING AND URBAN  
DEVELOPMENT; OREGON  
DEPARTMENT OF REVENUE; AND ALL  
OTHER PERSONS OR PARTIES  
UNKNOWN CLAIMING ANY RIGHT,  
TITLE, LIEN, OR INTEREST IN THE REAL  
PROPERTY COMMONLY KNOWN AS 820  
ALDER ST, SWEET HOME, OR 97386,

Defendant.

Case No. 20CV13033

**AMENDED WRIT OF EXECUTION**

2021 AUG 12 AM 10:35

TO THE LINN COUNTY SHERIFF:

On April 6, 2021, a General Judgment of Foreclosure and Declaration of Amount Due by Default was entered by the Linn 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: U.S. BANK NATIONAL ASSOCIATION, NOT IN ITS INDIVIDUAL CAPACITY BUT SOLELY AS TRUSTEE FOR

1 THE RMAC TRUST, SERIES 2016-CTT c/o Aldridge Pite, LLP, 111 SW Columbia St., Ste.  
2 950, Portland, OR 97201.

3 The real property to be sold at public auction is commonly known as 820 ALDER ST,  
4 SWEET HOME, OR 97386 ("Subject Property"), and legally described as:

5 BEGINNING AT A 1/2 INCH IRON ROD ON THE SOUTH LINE OF AND SOUTH  
6 89° 53' EAST, 622.59 FEET FROM THE SOUTHWEST CORNER OF THE JOHN T. AMES  
7 DONATION LAND CLAIM NO. 46 IN TOWNSHIP 13 SOUTH, RANGE 1 EAST,  
8 WILLAMETTE MERIDIAN IN LINN COUNTY, OREGON; RUNNING THENCE NORTH  
9 0° 39' WEST, 234.75 FEET TO THE SOUTHEAST CORNER OF BLOCK 4, CHERRY  
10 GROVE ADDITION TO THE CITY OF SWEET HOME, OREGON; THENCE SOUTH 89°  
11 58'

12 EAST, 60.00 FEET; THENCE SOUTH 0° 39' EAST TO THE CENTER OF THE  
13 COUNTY ROAD; THENCE ALONG THE CENTER OF SAID COUNTY ROAD TO A  
14 POINT SOUTH 0° 39' EAST, 82 FEET FROM THE POINT OF BEGINNING; THENCE  
15 NORTH 0° 39' WEST, 82 FEET TO THE POINT OF BEGINNING.  
16

17 The total amount due and owing on the Judgment as of June 1, 2021;

18 Judgment:	Principal	\$153,651.18
19 Pre-Judgment:	Interest(1.2000%,\$3.775/day)	\$109.48 (3/8/2021 through 4/6/2021)
20	Attorney Fees	\$5,160.00
21	Costs	\$2,510.79
22	Prevailing Party Fee	\$325.00
23 Post-Judgment:	Interest(9%,\$39.98/day)	\$2,238.68 (4/6/2021 through 6/1/2021)
24	Attorney Fees	\$370.00
25	Costs	\$0.00

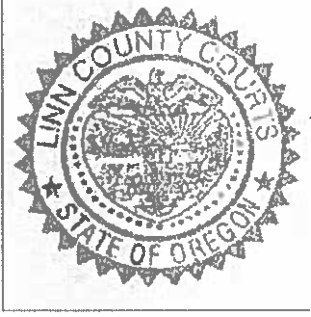
26 **TOTAL: \$164,365.12**

Page 2 – WRIT OF EXECUTION

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

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

Signed: 6/1/2021 03:31 PM



*Cynthia Mitchell*  
Cynthia Mitchell, Administrative Authority

12 Presented by:  
13 ALDRIDGE PITE, LLP

15 By:     /s/ Christina M. Andreoni      
16 Christina M. Andreoni, OSB #160875  
17 (858) 750-7600  
18 (503) 222-2260 (facsimile)  
19 [candreoni@aldridgepite.com](mailto:candreoni@aldridgepite.com)  
20 111 SW Columbia Street, Suite 950  
21 Portland, OR 97201

### REGISTER OF ACTIONS

CASE NO. 20CV13033

**U.S. Bank National Association, Not In Its Individual Capacity but Solely vs The Estate Of Donald Gene Denver, The Unknown Heirs, Assigns And Devisees Of Donald Gene Denver, Ellen Denver, Keith Denver, Dennis Denveretal.**

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Case Type: **Property - Foreclosure**  
Date Filed: **03/19/2020**  
Location: **Linn**

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PARTY INFORMATION

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		Attorneys
<b>Defendant</b>	<b>All Other Persons</b> 820 Alder St Sweet Home, OR 97386	
<b>Defendant</b>	<b>Denver, Dennis</b>	
<b>Defendant</b>	<b>Denver, Ellen</b>	
<b>Defendant</b>	<b>Denver, Keith</b>	
<b>Defendant</b>	<b>Oregon Department of Revenue</b>	
<b>Defendant</b>	<b>Secretary Of Housing And Urban Development</b>	
<b>Defendant</b>	<b>The Estate Of Donald Gene Denver</b>	
<b>Defendant</b>	<b>The Unknown Heirs, Assigns And Devisees Of Donald Gene Denver,</b>	
<b>Plaintiff</b>	<b>U.S. Bank National Association, Not In Its Individual Capacity but Solely</b>	<b>Christina M Andreoni</b> <i>Retained</i> (858) 750-7600(W)

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EVENTS & ORDERS OF THE COURT

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<b>DISPOSITIONS</b>			
04/06/2021	<b>Judgment - General</b> (Judicial Officer: McHill, Thomas A) Party(The Estate Of Donald Gene Denver, The Unknown Heirs, Assigns And Devisees Of Donald Gene Denver,; Denver, Ellen; Denver, Keith; C Created: 04/06/2021 1:51 PM		
<b>OTHER EVENTS AND HEARINGS</b>			
03/19/2020	<b>Complaint</b> Created: 03/20/2020 8:10 AM		
03/19/2020	<b>Service</b>		
	The Estate Of Donald Gene Denver	Served	04/22/2020
	The Unknown Heirs, Assigns And Devisees Of Donald Gene Denver	Served	04/22/2020
	Denver, Ellen	Served	05/14/2020
	Denver, Keith	Served	04/22/2020
	Denver, Dennis	Served	04/29/2020
	Secretary Of Housing And Urban Development	Served	04/27/2020
	Oregon Department of Revenue	Served	01/26/2021
	All Other Persons	Served	04/22/2020
	Created: 03/20/2020 8:10 AM		
04/16/2020	<b>Motion - Service by Publication</b> Created: 04/16/2020 9:38 AM		
04/16/2020	<b>Declaration</b> Created: 04/16/2020 9:38 AM		
04/16/2020	<b>Order - Service By Publication</b> (Judicial Officer: McHill, Thomas A ) Signed: 04/16/2020 Created: 04/16/2020 9:55 AM		
04/30/2020	<b>Proof - Service</b> served 4/22/20 Created: 04/30/2020 2:54 PM		
04/30/2020	<b>Summons</b> Created: 04/30/2020 2:54 PM		

05/06/2020 **Summons**  
Created: 05/06/2020 10:45 AM

05/06/2020 **Affidavit/Declaration - Mailing**  
*signed 4/27/20*  
Created: 05/06/2020 10:46 AM

05/06/2020 **Affidavit/Declaration - Mailing**  
*signed 4/29/20*  
Created: 05/06/2020 10:46 AM

05/06/2020 **Affidavit/Declaration - Mailing**  
*signed 4/30/20*  
Created: 05/06/2020 10:46 AM

05/08/2020 **Summons**  
Created: 05/11/2020 8:21 AM

05/08/2020 **Proof of Service - Substitute**  
*ss 4/28/20, mailed 4/29/20*  
Created: 05/11/2020 8:21 AM

05/08/2020 **Summons**  
Created: 05/11/2020 8:21 AM

05/08/2020 **Return - Service (Not Served)**  
Created: 05/11/2020 8:21 AM

05/11/2020 **Return - Service (Not Served)**  
Created: 05/11/2020 3:18 PM

05/11/2020 **Return - Service (Not Served)**  
Created: 05/11/2020 3:18 PM

05/11/2020 **Summons**  
Created: 05/11/2020 3:18 PM

05/22/2020 **Proof - Service**  
*served 5/14/20*  
Created: 05/22/2020 8:38 AM

05/22/2020 **Notice - Rule 7 - 63 Day**  
Created: 05/22/2020 9:37 AM

06/17/2020 **Motion - Continue as Pending Case**  
Created: 06/17/2020 8:55 AM

06/17/2020 **Declaration**  
Created: 06/17/2020 8:55 AM

06/17/2020 **Affidavit/Declaration - Mailing**  
Created: 06/17/2020 8:55 AM

06/18/2020 **Order - Rule 7 Service Postponement Granted** (Judicial Officer: McHill, Thomas A )  
*continued for 90 days*  
Signed Date: 06/18/2020  
Created: 06/18/2020 10:05 AM

06/18/2020 **Order - Rule 7 Appearance Postponement Granted** (Judicial Officer: McHill, Thomas A )  
*continued for 90 days*  
Signed Date: 06/18/2020  
Created: 06/18/2020 10:06 AM

09/14/2020 **Motion - Continuance**  
*Second*  
Created: 09/14/2020 4:37 PM

09/14/2020 **Declaration**  
Created: 09/14/2020 4:37 PM

09/14/2020 **Affidavit/Declaration - Mailing**  
Created: 09/14/2020 4:37 PM

09/15/2020 **Order - Rule 7 Service Postponement Granted** (Judicial Officer: Delsman, David E )  
*continued until January 4, 2021*  
Signed Date: 09/15/2020  
Created: 09/16/2020 2:14 PM

09/15/2020 **Order - Rule 7 Appearance Postponement Granted** (Judicial Officer: Delsman, David E )  
*continued until January 4, 2021*  
Signed Date: 09/15/2020  
Created: 09/16/2020 2:16 PM

10/29/2020 **Affidavit/Declaration - Mailing**  
*mailed 10/16/20, no summons*  
Created: 10/29/2020 9:57 AM

12/14/2020 **Motion - Continuance**  
*Third*  
Created: 12/14/2020 1:13 PM

12/14/2020 **Declaration**  
Created: 12/14/2020 1:13 PM

12/14/2020 **Order - Rule 7 Service Postponement Granted** (Judicial Officer: McHill, Thomas A )  
*continued until June 11, 2021*  
Signed Date: 12/14/2020  
Created: 12/14/2020 4:02 PM

12/14/2020 **Order - Rule 7 Appearance Postponement Granted** (Judicial Officer: McHill, Thomas A )  
*continued until June 11, 2021*  
Signed Date: 12/14/2020  
Created: 12/14/2020 4:03 PM

01/06/2021 **Motion**  
*to Set Aside the Order of Abatement and Reinstate the Case*  
Created: 01/06/2021 1:43 PM

01/06/2021 **Declaration**  
Created: 01/06/2021 1:43 PM

01/06/2021 **Affidavit/Declaration - Mailing**  
Created: 01/06/2021 1:43 PM

01/07/2021 **Order - Setting Aside** (Judicial Officer: McHill, Thomas A )

- the Order of Abatement and Reinstate the Case*  
Signed: 01/07/2021  
Created: 01/07/2021 9:42 AM
- 01/07/2021 **Order - Rule 7 Service Postponement Granted** (Judicial Officer: McHill, Thomas A )  
Signed Date: 01/07/2021  
Created: 01/07/2021 9:51 AM
- 01/07/2021 **Order - Rule 7 Appearance Postponement Granted** (Judicial Officer: McHill, Thomas A )  
Signed Date: 01/07/2021  
Created: 01/07/2021 9:57 AM
- 01/13/2021 **Affidavit/Declaration - Publication**  
*published 4/22/20, 4/29/20, 5/6/20, 5/13/20*  
Created: 01/13/2021 4:11 PM
- 01/13/2021 **Summons**  
Created: 01/13/2021 4:12 PM
- 02/02/2021 **Proof - Service**  
*Acceptance of Service by attorney Belle Na on 1/26/21*  
Created: 02/02/2021 3:26 PM
- 04/05/2021 **Summons**  
Created: 04/05/2021 1:30 PM
- 04/05/2021 **Motion - Default Order**  
Created: 04/05/2021 2:20 PM
- 04/05/2021 **Declaration**  
Created: 04/05/2021 2:20 PM
- 04/05/2021 **Affidavit/Declaration - Mailing**  
Created: 04/05/2021 2:20 PM
- 04/05/2021 **Motion - Judgment**  
Created: 04/05/2021 4:01 PM
- 04/05/2021 **Statement - Attorney Fees**  
Created: 04/05/2021 4:01 PM
- 04/05/2021 **Affidavit/Declaration Non-Military**  
Created: 04/05/2021 4:01 PM
- 04/05/2021 **Affidavit/Declaration - Mailing**  
Created: 04/05/2021 4:01 PM
- 04/05/2021 **Declaration**  
Created: 04/05/2021 4:01 PM
- 04/05/2021 **Order - Default** (Judicial Officer: McHill, Thomas A )  
Signed: 04/05/2021  
Created: 04/06/2021 1:50 PM
- 04/06/2021 **Digitized Judgment Document** (Judicial Officer: McHill, Thomas A )  
Signed Date: 04/05/2021  
Created: 04/06/2021 1:52 PM
- 04/06/2021 **Notice - Judgment Entry**  
Created: 04/06/2021 1:52 PM
- 04/06/2021 **Closed**  
Created: 04/06/2021 1:53 PM

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**FINANCIAL INFORMATION**

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	Plaintiff U.S. Bank National Association, Not In Its Individual Capacity but Solely	
	Total Financial Assessment	594.00
	Total Payments and Credits	594.00
	<b>Balance Due as of 04/07/2021</b>	<b>0.00</b>
03/20/2020	Transaction Assessment	594.00
03/20/2020	xWeb Accessed eFile      Receipt # 2020-238804	U.S. Bank National Association, Not In Its Individual Capacity but Solely      (594.00)

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

U.S. BANK NATIONAL ASSOCIATION,  
NOT IN ITS INDIVIDUAL CAPACITY BUT  
SOLELY AS TRUSTEE FOR THE RMAC  
TRUST, SERIES 2016-CTT,

Plaintiff,

v.

THE ESTATE OF DONALD GENE  
DENVER; THE UNKNOWN HEIRS,  
ASSIGNS AND DEVISEES OF DONALD  
GENE DENVER; ELLEN DENVER; KEITH  
DENVER; DENNIS DENVER; SECRETARY  
OF HOUSING AND URBAN  
DEVELOPMENT; OREGON  
DEPARTMENT OF REVENUE; and ALL  
OTHER PERSONS OR PARTIES  
UNKNOWN CLAIMING ANY RIGHT,  
TITLE, LIEN, OR INTEREST IN THE REAL  
PROPERTY COMMONLY KNOWN AS 820  
ALDER ST, SWEET HOME, OR 97386,

Defendants.

Case No. 20CV13033

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

ORCP Rule 69

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 Donald Gene Denver; The Unknown Heirs, Assigns and Devisees of Donald Gene Denver, Ellen Denver, Keith Denver, Dennis Denver, Secretary of Housing and Urban Development, Oregon Department of Revenue, and All Other Persons or Parties Unknown claiming any right, title, lien, or interest in The Real Property commonly known as 820 Alder St, Sweet Home, OR 97386, the records on file herein, and pursuant to the Motion for General Judgment and Declaration of Amount Due by Default by Plaintiff U.S. Bank National Association, Not In Its

1 Individual Capacity But Solely as Trustee for The RMAC Trust, Series 2016-CTT (“Plaintiff”),

2 **IT IS HEREBY ADJUDGED:**

3 1. Plaintiff’s security interest in the real property located at 820 Alder St, Sweet  
4 Home, OR 97386 (“Subject Property”), as evidenced by the Deed of Trust recorded March 5,  
5 1999 in the official records of Linn County as instrument number VOL 1016 PAGE 458 (“Deed  
6 of Trust”), is a viable first priority lien, superior to the interests of all the Defendants. All rights,  
7 claims, ownerships, liens, titles and demands of all Defendants are subsequent to Plaintiff’s lien  
8 as created by the Note and Deed of Trust. The Subject Property is legally described as follows:  
9

10 See **Exhibit A.**

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

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

18 4. Plaintiff is owed reasonable attorney fees plus the remaining flat rate fees for an  
19 uncontested execution on the Judgment, pursuant to the Note and Deed of Trust and ORCP Rule  
20 68(C), which amount may be added to the outstanding obligation due and owing under the Note  
21 and Deed of Trust and recovered from the proceeds of the sheriff’s sale. Pursuant to the Deed of  
22 Trust, these fees continue to accrue to the date of the execution sale. This amount to be satisfied  
23 by sale of the Subject Property as directed under this Judgment;

24 5. Plaintiff is owed costs of suit pursuant to the Note and Deed of Trust, ORCP Rule  
25  
26



1 68(A)(2) and ORS 20.115(4), which may be added to the outstanding obligation due and owing  
2 under the Note and Deed of Trust and recovered from the proceeds of the sheriff's sale. Pursuant  
3 to the Deed of Trust, these costs continue to accrue to the date of the execution sale. This  
4 amount to be satisfied by sale of the Subject Property as directed under this Judgment;

5 6. Plaintiff is owed the prevailing party fee of \$325.00, this amount to be satisfied by  
6 sale of the Subject Property as directed under this Judgment.

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

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

21  
22 DECLARATION OF AMOUNT DUE BY DEFAULT

23  
24 THIS IS A JUDGMENT OF FORECLOSURE AND DOES NOT CONSTITUTE A  
25 MONEY AWARD AGAINST ANY DEFENDANT

26 1. The total amount of the unpaid principal balance, interest, and other amounts

1 owed is \$153,651.18.

2 2. Simple interest at the variable rate currently at 1.2000% (\$3.775 *per diem*) after  
3 March 8, 2021, through the date of judgment.

4 3. Attorney fees of \$5,160.00 plus \$370.00 through the date of sale.

5 4. Costs of \$2,510.79, plus costs accrued through the date of sale.

6 5. Prevailing party fee: \$325.00.

7 6. Post-judgment interest thereafter on the total amount above, #1-5, at the contract  
8 rate of interest or 9.000% per annum, whichever is greater, through the date of sale.

9 **IT IS SO ADJUDGED**

Signed: 4/5/2021 04:27 PM



13 Circuit Court Judge, Thomas A. McHill

14 **CERTIFICATE OF READINESS**

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

- 16 1.  Each party affected by this order or judgment has stipulated to the order or judgment,  
17 as shown by each party's signature on the document being submitted.
- 18 2.  Each party affected by this order or judgment has approved the order or judgment, as  
19 shown by each party's signature on the document being submitted or by written  
20 confirmation of approval sent to me.
- 21 3.  I have served a copy of this order or judgment on all parties entitled to service and:  
22 a.  No objection has been served on me;  
23 b.  I received objections that I could not resolve with a party despite reasonable  
24 efforts to do so. I have filed a copy of the objections I received and indicated  
25 which objections remain unresolved.
- 26 4.  Service is not required pursuant to subsection (3) of this rule, or by statute, rule, or

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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/ Christina M. Andreoni  
Christina M. Andreoni OSB # 160875  
*Of Attorneys for Plaintiff*  
(858) 750-7600 (503) 222-2260 (Facsimile)  
orecourtnotices@aldridgepite.com

Date: 3/18/21

Beginning at a 1/2 inch iron rod on the South line of and South 89 53' East, 622.59 feet from the Southwest corner of the John T. Ames Donation Land Claim No. 46 in Township 13 South, Range 1 East, Willamette Meridian in Linn County, Oregon; running thence North 0 39' West, 234.75 feet to the Southeast corner of Block 4, CHERRY GROVE ADDITION to the City of Sweet Home, Oregon; thence South 89 58' East, 60.00 feet; thence South 0 39' East to the center of the County road; thence along the center of said County road to a point South 0 39' East, 82 feet from the point of beginning; thence North 0 39' West, 82 feet to the point of beginning.

Exhibit A