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

BANK OF NEW YORK MELLON TRUST
COMPANY, N.A. AS TRUSTEE FOR
MORTGAGE ASSETS MANAGEMENT
SERIES I TRUST,

Case No. 19CV45858

WRIT OF EXECUTION

Plaintiff,

v.

THE ESTATE OF JAMES N. JILLSON; THE
UNKNOWN HEIRS, ASSIGNS AND
DEVISEES OF JAMES N. JILLSON;
EDWARD E. JILLSON; PLAT OF
WOODLAND TERRACE ; THE
SECRETARY OF HOUSING AND URBAN
DEVELOPMENT; and ALL OTHER
PERSONS OR PARTIES UNKNOWN
CLAIMING ANY RIGHT, TITLE, LIEN, OR
INTEREST IN THE REAL PROPERTY
COMMONLY KNOWN AS 87515
RHODOWOOD DRIVE, FLORENCE, OR
97439,

Defendant.

TO THE LANE COUNTY SHERIFF:

On July 1, 2020, a General Judgment of Foreclosure and Declaration of Amount Due by Default was entered by the LANE 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: BANK OF NEW YORK MELLON TRUST COMPANY, N.A. AS TRUSTEE FOR MORTGAGE ASSETS MANAGEMENT SERIES I TRUST c/o Aldridge Pite, LLP, 111 SW Columbia St., Ste. 950, Portland, OR 97201.

Page 1 – WRIT OF EXECUTION

1 The real property to be sold at public auction is commonly known as 87515 Rhodowood
2 Drive, Florence, OR 97439 ("Subject Property"), and legally described as:

3 LOT 16, BLOCK 2, WOODLAND TERRACE, AS PLATTED AND
4 RECORDED IN FILE 73, SLIDE 465, LANE COUNTY OREGON PLAT
5 RECORDS, IN LANE COUNTY, OREGON.

6 The total amount due and owing on the Judgment as of September 8, 2021;

7	Judgment:	Principal	\$195,980.91
8	Pre-Judgment:	Interest (3.0800%, \$16.54/day)	\$512.66 (6/1/2020 through 7/1/2020)
9		Attorney Fees	\$3,435.00
10		Costs	\$3,221.40
11		Prevailing Party Fee	\$325.00
12	Post-Judgment:	Interest (9.000%, \$50.24/day)	\$21,802.43 (7/2/20 through 9/8/21)
13		Attorney Fees	\$260.00
14		Costs	\$0.00

15 **TOTAL: \$225,537.41**

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

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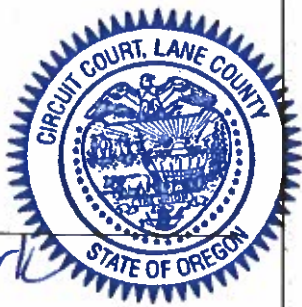
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1 By the signature of the attorney for the judgment creditor, the person that requested
2 issuance of the Writ hereby authorizes the sheriff to continue execution under the Writ and delay
3 making a return on the writ to a date up to 150 days after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

4
5 SEP 15 2021

6
7 By: *Peace*
8 Court Clerk 

9 Presented by:
10 ALDRIDGE PITE, LLP
11
12 By: /s/ Michael J. Page
13 Michael J. Page OSB #194328
14 *of Attorneys for Judgment Creditor*
15 (858) 750-7600
16 (503) 222-2260 (facsimile)
17 orecourtnotices@aldridgepite.com
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**IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF LANE**

**BANK OF NEW YORK MELLON TRUST
COMPANY, N.A. AS TRUSTEE FOR
MORTGAGE ASSETS MANAGEMENT
SERIES I TRUST,**

Plaintiff,

v.

**THE ESTATE OF JAMES N. JILLSON; THE
UNKNOWN HEIRS, ASSIGNS AND
DEVISEES OF JAMES N. JILLSON;
EDWARD E. JILLSON; PLAT OF
WOODLAND TERRACE ; THE
SECRETARY OF HOUSING AND URBAN
DEVELOPMENT; and ALL OTHER
PERSONS OR PARTIES UNKNOWN
CLAIMING ANY RIGHT, TITLE, LIEN, OR
INTEREST IN THE REAL PROPERTY
COMMONLY KNOWN AS 87515
RHODOWOOD DRIVE, FLORENCE, OR
97439,**

Defendants.

Case No. 19CV45858

**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**

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Based upon the Court's Order of Default against defendants The Estate of James N. Jillson, The Unknown Heirs, Assigns And Devisees of James N. Jillson, Edward E. Jillson, Plat of Woodland Terrace, The Secretary of Housing and Urban Development, and All Other Persons or Parties Unknown claiming any right, title, lien, or interest in The Real Property commonly known as 87515 Rhodowood Drive, Florence, OR 97439, the records on file herein, and pursuant to the Motion for General Judgment and Declaration of Amount Due by Default by Plaintiff Bank of New York Mellon Trust Company, N.A. As Trustee For Mortgage Assets Management Series I Trust ("Plaintiff"),

1 **IT IS HEREBY ADJUDGED:**

2 1. Plaintiff's security interest in the real property located at 87515 Rhodowood
3 Drive, Florence, OR 97439 ("Subject Property"), as evidenced by the Deed of Trust recorded
4 April 17, 2009 in the official records of Lane County as instrument number 2009-020167 ("Deed
5 of Trust"), is a viable first priority lien, superior to the interests of all the Defendants. All rights,
6 claims, ownerships, liens, titles and demands of all Defendants are subsequent to Plaintiff's lien
7 as created by the Note and Deed of Trust. The Subject Property is legally described as follows:

8
9 Lot 16, Block 2, WOODLAND TERRACE, as platted and recorded in File 73, Slide 465,
10 Lane County Oregon Plat Records, in Lane County, Oregon.

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

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

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

25 5. Plaintiff is owed costs of suit pursuant to the Note and Deed of Trust, ORCP Rule
26 68(A)(2) and ORS 20.115(4), which may be added to the outstanding obligation due and owing

1 under the Note and Deed of Trust and recovered from the proceeds of the sheriff's sale. Pursuant
2 to the Deed of Trust, these costs continue to accrue to the date of the execution sale. This
3 amount to be satisfied by sale of the Subject Property as directed under this Judgment;

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

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

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

20 DECLARATION OF AMOUNT DUE BY DEFAULT

21 THIS IS A JUDGMENT OF FORECLOSURE AND DOES NOT CONSTITUTE A
22 MONEY AWARD AGAINST ANY DEFENDANT

23 1. The total amount of the unpaid principal balance, interest, and other amounts
24 owed is \$195,980.91.

25 2. Simple interest at the variable rate currently at 3.0800% after May 31, 2020,
26

1 through the date of judgment.

2 3. Attorney fees of \$3,435.00, plus \$260.00 through the date of sale.

3 4. Costs of \$3,221.40, plus costs accrued through the date of sale.

4 5. Prevailing party fee: \$325.00.

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

7 **IT IS SO ADJUDGED**

Signed: 7/1/2020 02:11 PM



Charles D. Carlson, Circuit Court Judge

13 **CERTIFICATE OF READINESS**

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

- 15 1. Each party affected by this order or 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 or 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 or judgment on all parties 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 received and indicated
24 which objections remain unresolved.
25 c. After conferring about objections, [role and name of objecting party]
26 agreed to independently file any remaining objection.
- 25 4. Service is not required pursuant to subsection (3) of this rule, or by statute, rule, or
26 otherwise.

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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/ Michael J. Page

Date: June 24, 2020

Michael Page OSB #194328
Of Attorneys for Plaintiff
(858) 750-7600
(503) 222-2260 (Facsimile)
orecourtnotices@aldridgepite.com

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Portland, OR 97201