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

NATIONSTAR MORTGAGE LLC D/B/A  
CHAMPION MORTGAGE COMPANY,

Plaintiff,

vs.

ALL UNKNOWN HEIRS AND DEVISEES  
OF CONIUS C. CLARK, a deceased  
individual; DEBRA CLARK, as potential heir  
of CONIUS C. CLARK, a deceased individual;  
DONNA CAMPOS, as potential heir of  
CONIUS C. CLARK, a deceased individual;  
Ben Carson, solely in his capacity as Secretary  
for UNITED STATES DEPARTMENT OF  
HOUSING AND URBAN DEVELOPMENT;  
and ALL OTHER UNKNOWN PARTIES  
CLAIMING ANY RIGHT, TITLE, LIEN OR  
INTEREST IN THE REAL PROPERTY  
COMMONLY KNOWN AS 195 PEACH  
STREET, MERLIN, OR 97532,

Defendants.

**CASE NO. 18CV30618**

**AMENDED GENERAL  
JUDGMENT OF  
FORECLOSURE BY DEFAULT  
(WITHOUT MONEY AWARD –  
JUDGMENT DOES NOT  
CREATE A LIEN)**

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1 Based upon the Motion for a General Judgment of Foreclosure filed by plaintiff, Nationstar  
2 Mortgage LLC d/b/a Champion Mortgage Company ("Plaintiff") and against defendants All  
3 Unknown Heirs and Devisees of Conius C. Clark ("Heirs"), Debra Clark, as potential heir of Conius  
4 C. Clark ("Debra"), Donna Campos, as potential heir of Conius C. Clark ("Donna"), and Ben Carson,  
5 solely in his capacity as Secretary for United States Department of Housing and Urban Development  
6 ("HUD", collectively "Defendants"), and that Plaintiff has filed a Statement for Attorney Fees,  
7 Costs, and Disbursements,

8 **IT IS HEREBY ORDERED AND ADJUDGED:**

9 **1.**

10 Plaintiff is awarded judgment against Defendants and all persons claiming through or under  
11 Defendants, as purchasers, encumbrances, or otherwise, are forever foreclosed of all interest, lien  
12 or claim in the real property described above and every portion thereof excepting only any  
13 satisfactory right of redemption as Defendants, or any of them, may have therein.

14 All Other Unknown Parties claiming any right, title, lien or interest in the real property  
15 ("AOP") were dismissed November 14, 2018 from this action.

16 **2.**

17 Writ of execution upon this General Judgment of Foreclosure shall issue.

18 **3.**

19 The Deed of Trust executed by Conius C. Clark ("Borrower" or "Deceased") and recorded  
20 on December 19, 2007, in the Josephine County Recorder's Office as instrument number 2007-  
21 203754, is a valid mortgage lien for the amount of Plaintiff's judgment set forth in paragraph 1  
22 against all the real property, located in Josephine County, Oregon commonly referred to as 195  
23 Peach Street, Merlin, OR 97532 aka 211 Pleasant Valley Road, Merlin, OR, , 97532 , with a legal  
24 description as follows:

25 THE LAND REFERRED TO HEREIN IS SITUATED IN THE STATE OF OR,  
26 COUNTY OF JOSEPHINE, CITY OF MERLIN AND LOTS 10, 11, 12 AND THE  
27 NORTHWESTERLY HALF OF LOT 9, ALL IN BLOCK 4, CENTER ADDITION TO

1 MERLIN, JOSEPHINE COUNTY, OREGON. ALSO THAT PORTION OF ALLEY,  
2 VACATED BY JOSEPHINE COUNTY ORDER NO. 78-88, ENTERED JUNE 8, 1978,  
3 WHICH INURES HERETO BY OPERATION OF LAW.

4 APN 35-06-21-BB-005700

5 4.

6 Said mortgage lien is superior to any interest, lien or claim of the Defendants in the real  
7 property, and all other interest in the property gained by him thereafter, or so much interest as may  
8 be necessary to satisfy the judgment of the Plaintiff shall be sold by the Sheriff of Josephine  
9 County, Oregon in the manner provided by law and in accordance with the practice of this Court.

10 5.

11 The proceeds of sale shall first be applied to the costs of sale; then toward the satisfaction  
12 of Plaintiff's judgment awarded herein, calculated as of the date of sale; and any resulting surplus  
13 shall then be tendered to the Clerk of the Court to be distributed to such other party or parties as  
14 may establish their right thereto.

15 6.

16 Defendants and all persons claiming through or under Defendants, as purchasers,  
17 encumbrances, or otherwise, are forever foreclosed of all interest, lien or claim in the real property  
18 described above and every portion thereof excepting only any satisfactory right of redemption as  
19 Defendants may have.

20 7.

21 Plaintiff or any other party to this suit or third party purchase may become the purchaser at  
22 the sale of the real property. The purchaser is entitled to exclusive possession of the real property  
23 from and after the date of sale and is entitled to such remedies as are available at law to secure  
24 possession, including writ of assistance, if the Defendants and any other party or person shall  
25 refuse to surrender possession to the purchaser immediately on the purchaser's demand for  
26 possession.

27 ///

**SECURED DEBT**

1. Judgment Creditor: Nationstar Mortgage LLC d/b/a Champion  
Mortgage Company  
c/o Zieve, Brodnax, & Steele, LLP  
One World Trade Center  
121 Southwest Salmon St., 11<sup>th</sup> Floor  
Portland, OR 97204  
714-848-7920

2. Judgment Creditor's Attorney: Scott D. Crawford  
Jeffrey A. Myers  
Zieve, Brodnax, & Steele, LLP  
One World Trade Center  
121 Southwest Salmon St., 11<sup>th</sup> Floor  
Portland, OR 97204  
714-848-7920

3. Person or public body entitled to any portion of money award herein: None

4. Total Amount of Secured Debt:

<b>LENDERS' PRINCIPAL AND INTEREST</b>	
Principal Balance	\$ 133,766.96
Accrued interest on the principal balance through 12/31/18	\$ 30,248.00
Accrued fees on the principal balance through 12/31/18	\$ 20,133.94
Additional pre-judgment interest to accrue from 1/1/19 to the date this judgment is entered, at the note rate of 3.307% (\$12.12 <i>per diem</i> )	
Post-judgment interest to accrue on the sum of: (1) the judgment amount in section d, and (2) the additional pre-judgment interest accruing from 1/1/19 to the date of judgment. This post-judgment interest shall accrue at the statutory rate of 9.0%, from the date judgment is entered until the date of sale.	
<b>Total Principal and Interest Through 12/31/18 at the rate of 3.307% (\$12.12 per diem)</b>	<b>\$ 184,148.90</b>
<b>ATTORNEYS' FEES AND COSTS</b>	
Attorney Fees	\$ 3,700.00
Prior Attorney Fees	\$ 4,101.20
Attorney Costs	\$ 1,696.20
<b>Total Attorney Fees and Costs</b>	<b>\$ 9,497.40</b>

Prevailing Party Fee	\$ 300.00
<b>TOTAL SECURED DEBT (JUDGMENT)</b>	<b>\$ 193,946.30</b>

Interest will continue to accrue on the judgment amount at the rate of 9%. Said Judgment is meant to be for the purposes of foreclosure *only*, and is not intended to be a monetary judgment against the Borrower.

Signed: 1/30/2020 01:03 PM



**Judge Sarah E. McGlaughlin**

#### UTCR 5.100(2) CERTIFICATE OF READINESS

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

1.  Each party affected by this order of judgment has stipulated to the order or judgment, as shown by each party's signature on the document being submitted.
2.  Each party affected by this order of 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 of judgment on each party entitled to service and:
  - 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 have received and indicated which objections remained unresolved.

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

3 4.  The relief sought is against an opposing party who has been found in default.

4 5.  An order of default is being requested with this proposed judgment.

5 6.  Service is not required pursuant to subsection 3 of this rule, or by statute, rule, or  
6 otherwise.

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

11 8.  Other: \_\_\_\_\_

12 Submitted By:

13 s/ Amber L. Labrecque

14 Scott D. Crawford, OR No. 086448

15 Jeffrey A. Myers, OSB No. 094561

16 Amber L. Labrecque, OSB No. 094593

17 Attorneys for Plaintiff

18 [scrawford@zbslaw.com](mailto:scrawford@zbslaw.com)

19 [jmyers@zbslaw.com](mailto:jmyers@zbslaw.com)

20 [alabrecque@zbslaw.com](mailto:alabrecque@zbslaw.com)