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LINCOLN COUNTY SHERIFF'S OFFICE  
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**IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF LINCOLN**

PALISADES CONDOMINIUM UNIT  
OWNERS' ASSOCIATION, an Oregon non-  
profit corporation,

Plaintiff,

v.

DANIELLA THIEN, an Individual; STATE  
OF OREGON; AND PARTIES IN  
POSSESSION OR CLAIMING A RIGHT TO  
POSSESSION;

Defendants.

Case No. 19CV49187

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

**TO THE SHERIFF OF LINCOLN COUNTY:**

WHEREAS, on June 15, 2021, in the above-entitled court, a Corrected General Default Judgment was enrolled and docketed in the above-entitled cause, a true copy of which is attached hereto and made part hereof as *Exhibit A*.

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 Daniella Thien ("Thien") or her predecessors interest had on September 11, 2019, the date the condominium owners' association lien was recorded, and also all of the interest which the Defendant Thien had thereafter, in the real property described in the judgment, described as follows:

Unit 8, PALISADES CONDOMINIUM, in the City of Lincoln City, in Lincoln County, Oregon, together with the undivided interest in the general and limited common elements appurtenant thereto as more fully set forth and described in the

1 Declaration of Unit Ownership recorded March 15, 1982 in Microfilm Volume  
2 131, Page 228, Lincoln County Records.

3 The property is commonly known as 5801 NE Voyage Avenue #8, Lincoln City, Oregon 97367  
4 ("Property").

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

9 The balance as of July 2, 2021, exclusive of post judgment attorney fees and post  
10 judgment dues and assessments is as follows:

11	1. Principal Amount:	\$ 16,873.15
12	2. Amount of Costs and Disbursements:	\$ 893.21
13	3. Amount of Attorney Fees:	\$ 5,012.75
14	4. Amount of Post-Judgment Interest (through July 2, 2021):	\$ 97.26
15	5. Total amount through July 2, 2021: (Per diem thereafter \$6.08)	\$ 22,876.37

16 The mailing address of the judgment creditor is:

17 Palisades Condominium Unit Owners' Association  
18 c/o Vial Fotheringham LLP  
19 Attn: Gregory B. Coxey, OSB# 032959  
17355 SW Boones Ferry Rd., Suite A  
Lake Oswego, OR 97035

Signed: 7/2/2021 02:43 PM



*St. Jell.*

Circuit Court Clerk Steven Zalewski

23 Submitted by:

24 VIAL FOTHERINGHAM LLP

25  
26 By: /s/ Gregory B. Coxey  
27 Gregory B. Coxey, OSB# 032959  
28 Of Attorneys for Plaintiff

Lincoln County Circuit Clerk  
Certified to be a true  
and correct  
copy of the original

*St. Jell.*



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

PALISADES CONDOMINIUM UNIT )  
OWNERS' ASSOCIATION, an Oregon non- )  
profit corporation, )  
Plaintiff, )  
v. )  
DANIELLA THIEN, an Individual; STATE )  
OF OREGON; AND PARTIES IN )  
POSSESSION OR CLAIMING A RIGHT TO )  
POSSESSION, )  
Defendants. )

Case No. 19CV49187  
**CORRECTED GENERAL  
DEFAULT JUDGMENT**

Based on the motion of Plaintiff, the affidavit of Gregory B. Coxey, and the records and files herein;

IT APPEARING that Defendants DANIELLA THIEN and PARTIES IN POSSESSION OR CLAIMING A RIGHT TO POSSESSION (collectively "Defendants"), were duly served with the Summons and Complaint in this matter more than thirty (30) days ago, and that none of the Defendants were, at the time of service, nor are any of the Defendants now, in the military service of the United States, a minor, incompetent or incapacitated person, and the Court having entered an Order of Default against Defendants and finding generally in favor of Plaintiff and against Defendants on Plaintiff's Complaint, and the Court being fully advised in the premises;

///

1 NOW, THEREFORE, IT IS HEREBY ORDERED AND ADJUDGED THAT:

2 1. Plaintiff, PALISADES CONDOMINIUM UNIT OWNERS' ASSOCIATION, be  
3 awarded judgment against defendant DANIELLA THIEN, in the sum of \$22,779.11, which  
4 includes \$16,873.15 in past due assessments and late fees, together with interest at the rate of  
5 eighteen percent (10%) per annum through May 13, 2021, and attorney fees of \$5,012.75, and  
6 costs and disbursements of \$893.21; Post judgment interest on attorney fees and costs shall  
7 accrue on all such sums awarded herein from date of entry of judgment until paid at the simple  
8 interest rate of nine percent (9%) per annum; and

9 2. Plaintiff's lien against the real property legally described as:

10 Unit 8, PALISADES CONDOMINIUM, in the City of Lincoln City, in Lincoln  
11 County, Oregon, together with the undivided interest in the general and limited  
12 common elements appurtenant thereto as more fully set forth and described in the  
13 Declaration of Unit Ownership recorded March 15, 1982 in Microfilm Volume

14 and more commonly known as 5801 NE Voyage Avenue #8, Lincoln City, Oregon 97367 (the  
15 "Property"), as referenced in Plaintiff's Notice of Condominium Association Claim of Lien  
16 recorded on September 11, 2019 in the real property records of Lincoln County, Oregon as  
17 Document No. 2019-08745, is a valid and subsisting lien that is senior in priority to any interest  
18 that defendants DANIELLA THIEN and PARTIES IN POSSESSION OR CLAIMING A  
19 RIGHT TO POSSESSION may hold, and is also senior in priority to the interest of any and all  
20 persons acquiring any right, title, estate, lien or interest in or to the Property or any part thereof  
21 subsequent to September 11, 2019, the date Plaintiff's lien was perfected, and that all such  
22 persons are forever barred and estopped from claiming or asserting any right, title, lien or interest  
23 in or to the Property or any part thereof, save and except for the right of redemption as allowed  
24 by law; and

25 3. Plaintiff's lien is foreclosed and all interest which the Defendant DANIELLA  
26 THIEN has or had in the Property shall be sold by the Sheriff of Lincoln County, Oregon, in the  
27 manner prescribed by law and in accordance with the practice of this Court; and

28 ///

1           4.       The proceeds of sale shall be applied first towards the costs of sale, then to any  
2 assessments of the Plaintiff and attorney fees which shall accrue from the date of judgment to the  
3 date of sale, then towards satisfaction of Plaintiff's judgment awarded herein, and any surplus to  
4 the party or parties who may establish their right thereto; and

5           5.       In the event the proceeds from the sale do not satisfy the balance of the lien, the  
6 remaining amounts shall be satisfied by the sale of other property of Defendant DANIELLA  
7 THIEN; and

8           6.       Defendants DANIELLA THIEN and PARTIES IN POSSESSION OR  
9 CLAIMING A RIGHT TO POSSESSION, as well as all persons claiming through or under said  
10 defendants as purchasers, encumbrancers, or otherwise, are forever foreclosed of all interest, lien  
11 or claim in the real property described above and every portion thereof, save except for the right  
12 of redemption as allowed by law; and

13           7.       Plaintiff or any other party to this suit may become the purchaser at the sale of the  
14 real property; and

15           8.       Since the amount of the lien awarded herein includes only assessments, attorney  
16 fees and costs incurred to the date of judgment and regular assessments, fees and costs increase  
17 the balance of the lien, Plaintiff shall be entitled to apply *ex parte* to the Court for one or more  
18 supplemental judgment(s) for assessments, fees and costs which accrue through the date of sale  
19 but are not included in this judgment.

20 ///

**MONEY AWARD**

1. Judgment Creditor: Palisades Condominium Unit Owners' Association,  
an Oregon non-profit corporation

2. Attorney for Judgment Creditor: Gregory B. Coxey  
17355 SW Boones Ferry Road, Suite A  
Lake Oswego, OR 97035  
Portland, OR 97223

3. Judgment Debtor: Daniella Thien  
5801 NE Voyage Avenue #8  
Lincoln City OR 97367  
DOB: 12/xx/1986  
Social Security: xxx-xx-6497

4. Judgment Debtor's Attorney: Unknown

5. Amount of Money Award: \$16,873.15

6. Post Judgment Simple Interest: Shall accrue at the rate of ten (10%) per annum on  
the amount of money award and prejudgment interest,  
and shall accrue at the rate of nine percent (9%) per  
annum on attorney fees, costs and disbursements, from  
the date of entry of judgment until paid.

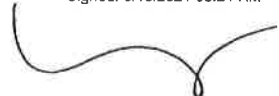
7. Plaintiff is awarded Costs and Disbursements as follows:

On Plaintiff's First Claim: \$893.21

8. Plaintiff is awarded Attorney Fees as follows:

On Plaintiff's First Claim: \$5,012.75

Signed: 6/15/2021 08:21 AM



**Circuit Court Judge Marcia Buckley**

**SUBMITTED BY:**

By: /s/ Gregory B. Coxey  
Gregory B. Coxey, OSB# 032959  
Of Attorneys for Plaintiff  
17355 SW Boones Ferry Road, Suite A  
Lake Oswego, OR 97035  
(503) 684-4111

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POSSESSION OR CLAIMING A RIGHT TO )  
POSSESSION, )  
  
Defendants. )

Case No. 19CV49187

**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 11th day of June, 2021.

**VIAL FOTHERINGHAM, LLP**

By: /s/ Gregory B. Coxey  
Gregory B. Coxey, OSB #032959  
*Attorney for Plaintiff*