

**RECEIVED**  
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NOV - 5 2021

**COLUMBIA COUNTY  
SHERIFF'S OFFICE**

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

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

Plaintiff,

vs.

UNKNOWN HEIRS AND DEVISEES OF  
MARILYN JEAN EGEMO AKA MARILYN  
J. EGEMO AKA MARILYN EGEMO,  
UNKNOWN HEIRS AND DEVISEES OF  
RICHARD ALAN EGEMO AKA RICHARD  
A. EGEMO AKA RICHARD EGEMO; KARI  
EGEMO, STATE OF OREGON, UNITED  
STATES OF AMERICA, OCCUPANTS OF  
THE PROPERTY,

Defendants.

Case No.: 20CV04212

WRIT OF EXECUTION IN  
FORECLOSURE

**TO THE COLUMBIA COUNTY SHERIFF:**

A Judgment of Foreclosure was entered and docketed in this case on September 20, 2021.

A true copy of the Judgment is attached hereto. The Judgment was entered in favor of the  
Plaintiff:

NATIONSTAR MORTGAGE LLC D/B/A CHAMPION MORTGAGE COMPANY  
c/o Jeremy Clifford  
Attorney for Plaintiff

McCarthy & Holthus, LLP  
920 SW 3rd Ave, 1st Floor  
Portland, OR 97204

With the adjudicated amount due of \$155,537.93, plus post judgment interest at the statutory rate  
of 9.0% per annum from September 20, 2021 to 10/19/21 in the amount of \$1,073.85, and  
continuing with a per diem of \$38.35, currently totaling \$156,611.78.

1           **NOW, THEREFORE, IN THE NAME OF THE STATE OF OREGON**, you are  
2 hereby commanded to sell, in the manner prescribed by law for the sale of real property on  
3 execution (subject to redemption of 180 days), all of the interest that the Defendant had on or  
4 about May 22, 2007, the date of the Deed of Trust, and also the interest that the Defendant had  
5 thereafter, in the real property described as follows:

6           BEGINNING AT A POINT WHICH IS SOUTH 26°50' WEST 800 FEET AND  
7 NORTH 63°10' WEST 200 FEET FROM THE INITIAL POINT OF MOECK'S  
8 ADDITION TO THE CITY OF RAINIER, COLUMBIA COUNTY, OREGON;  
9 THENCE NORTH 26°50' EAST 10 FEET; THENCE NORTH 63°10' WEST 100  
10 FEET; THENCE SOUTH 26°50' WEST 10 FEET; THENCE NORTH 6 55'  
11 WEST 15 FEET; THENCE SOUTH 58°09' WEST 51.67 FEET; THENCE  
12 SOUTH 62°55' EAST 141.66 FEET; THENCE NORTH 26°50' EAST TO THE  
13 POINT OF THE BEGINNING.

14 and commonly known as: 313 Lasalle Drive, Rainier, OR 97048.

15           Sale of the property is to satisfy the sum listed above, plus the costs incurred in  
16 performing this Writ. Pursuant to ORS 18.872, you are authorized to continue execution under  
17 the writ and delay making a return on the writ to no later than 150 days from receipt of the writ.  
18 You are to make the return within 60 days after you receive this Writ. Should the sale be  
19 continued, the writ may be automatically extended for 30 days.

20           In compliance with Oregon House Bill 2009, the subject property is vacant per the vacant  
21 property inspections provided in the entered judgment as *Exhibit 2*.

22           DATED: 22 day of Oct, 2021.



23           Cathleen B. Callahan  
24 Title

25 By: Circuit Court Judge,  
26 Cathleen B. Callahan

1 Dated: 10/14/2021 and submitted by:

2 McCarthy & Holthus, LLP

3 s/ John Thomas

4 

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John Thomas OSB No. 024691

5 920 SW 3rd Ave, 1st Floor

6 Portland, OR 97204

7 Phone: (971) 201-3200

8 Fax: (971) 201-3202

9 jthomas@mccarthyholthus.com

10 Of Attorneys for Plaintiff

## EXHIBIT " 1 "

A TRACT OF LAND SITUATE IN THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 7 NORTH, RANGE 2 WEST, WILLAMETTE MERIDIAN, COLUMBIA COUNTY, OREGON, MORE PARTICULARLY, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH IS SOUTH 26° 50' 00" WEST 800 FEET AND NORTH 63° 10' 00" WEST 200 FEET FROM THE INITIAL POINT OF MOECK'S ADDITION TO THE CITY OF RAINIER, COLUMBIA COUNTY, OREGON; THENCE NORTH 26° 50' EAST 10 FEET; THENCE NORTH 63° 10' 00" WEST 100 FEET; THENCE SOUTH 26° 50' 00" WEST 10 FEET; THENCE NORTH 62° 55' 00" WEST 15 FEET; THENCE SOUTH 58° 09' 00" WEST 51.67 FEET; THENCE SOUTH 62°,55' 00" EAST 141.66 FEET; THENCE NORTH 26° 50' 00" EAST TO THE POINT OF BEGINNING.

# EXHIBIT 2

**Inspection Results**

**Champion Mortgage**  
 MARILYN EGEMO  
 313 LASALLE DRIVE  
 RAINIER, OR 97048

**ATTN:** Daily File  
**Loan #:** [REDACTED]  
**Loan Type:** HECM  
**Insp Type:** PI  
**Insp Chg:** 20  
**Inv#:** [REDACTED]

**Occupancy Information**      **Property Condition**

**Occ:** VAC  
**For Sale:** NO  
  
**Occupied By:**  
**How Verified:** VISUAL

**Condition:** FAIR  
**Prop Type:** SING FAM  
**Construction:** FRAME  
**Neighborhood:** STABLE  
**House Color:** Gray/Green  
**Garage:** NONE  
**# of Stories:** 2 STORY  
**Est Value:** 100K

**Vacancy Information**      **Damage / Hazards**

**Elect On:** Unk  
**Gas On:** Unk  
**Water On:** Unk  
**Pers. Prop:** Yes  
**Pool On-Site:** Unk  
**Pool Secure:**  
**Prop Secure:** Yes  
**Ht of Grass:** 4

*Checked only if noted*  
  
**Storm:**                      **Neglect:**  
**Flood:**                      **Vandalism:**  
**Fire:**                        **Roof Leak:**  
**Freeze:**                    **Env Haz:**  
**Mold:**                       **Other:**  
**FTV Date:** 5/24/2021

**Interview Information**

**Interviewee:**  
**Home Phone:**  
**Work Phone:**  
**Reason Del:**  
**Attitude:**  
**Income Type:**  
**Income Amt:**

**Tenant Name:**  
**Rent Paid To:**  
**Tenant Phone:**  
**Oblig Type:**  
**Oblig Name:**  
**Oblig Bal:**  
**Oblig Pmt:**

**Inspection Information**

**Date Insp:** 6/20/2021 01:18 pm  
**Returned:** 6/21/2021  
**Reps Initials:** TN-NV  
  
**Wint'd:**  
  
**Sec'd:** 6/11/2021

**Comments:**  
 Lockbox onsite, no view of meters or pool from public right of way, debris onsite  
  
**Recommend:**

[Overview](#) | [Send Message](#) | [Forward Item](#) | [4 photos](#)

NFC

Loan #: [REDACTED]

Inspection

National Field Representatives, Inc.

Inspected: 6/20/2021

Address: 313 LASALLE DRIVE, RAINIER, OR 97048



Property Condition



Property Condition



Property Condition

06/20/2021 1:03:00 PM  
Title Vacant Evaluation

Client: [REDACTED]  
 PE: [REDACTED]  
 Address: 313 LASALLE DRIVE  
 City: Rainier, Oregon 97048

This is to certify that the photographs submitted are accurate and that the subject property was inspected and that the information was provided to the lender. The lender is responsible for the use of the information provided. The lender is not responsible for the accuracy of the information provided. The lender is not responsible for the accuracy of the information provided.

*Jillian Carpenter* 06/20/2021  
 Jillian Carpenter

Please reference and email the report and photos to the lender on need.

Property Condition

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FOR THE COUNTY OF COLUMBIA

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

Plaintiff,

vs.

UNKNOWN HEIRS AND DEVISEES OF  
MARILYN JEAN EGEMO AKA  
MARILYN J. EGEMO AKA MARILYN  
EGEMO; UNKNOWN HEIRS AND  
DEVISEES OF RICHARD ALAN EGEMO  
AKA RICHARD A. EGEMO AKA  
RICHARD EGEMO; KARI EGEMO;  
STATE OF OREGON; UNITED STATES  
OF AMERICA; OCCUPANTS OF THE  
PROPERTY,

Defendants.

Case No.: 20CV04212

GENERAL JUDGMENT OF  
FORECLOSURE

1.

THIS MATTER came before the Court on Plaintiff's motion.

a. Defendants UNKNOWN HEIRS AND DEVISEES OF MARILYN JEAN EGEMO AKA  
MARILYN J. EGEMO AKA MARILYN EGEMO; UNKNOWN HEIRS AND DEVISEES  
OF RICHARD ALAN EGEMO AKA RICHARD A. EGEMO AKA RICHARD EGEMO;  
KARI EGEMO; STATE OF OREGON; UNITED STATES OF AMERICA; and  
OCCUPANTS OF THE PROPERTY ("Defendants") were duly served with process and  
failed to appear; the default has been entered against Defendants, and it appearing that  
Defendants are not incapacitated, protected persons, respondents as defined in ORS 125.005,  
minors, or in the military service of the United States;



IT IS HEREBY ADJUDGED that Plaintiff shall have judgment as follows:

- a. The real property to which this judgment relates is located and situated in Columbia County, Oregon, and is commonly known as 313 Lasalle Drive, Rainier, OR 97048 (the "Subject Property"), legally described as shown in the attached *Exhibit 1*, and having APN/Parcel No. 18006.
- b. The Deed of Trust recorded on the Subject Property on 5/30/2007 as Instrument No. 2007-007128 in the official records of Columbia County, Oregon, be reformed so that the correct legal description, as stated in Exhibit 1, takes the place of the incomplete legal description as stated in the Deed of Trust.
- c. The reformed Deed of Trust is a valid lien against the Subject Property and is senior to that of any and all other person(s), including, without limitation, all of the other Defendants.
- d. Plaintiff is entitled to enforce the note dated May 22, 2007 and made, delivered, and executed by MARILYN JEAN EGEMO AKA MARILYN J. EGEMO AKA MARILYN EGEMO; and RICHARD ALAN EGEMO AKA RICHARD A. EGEMO AKA RICHARD EGEMO to Seattle Mortgage Company in the amount of \$225,000.00 (the "Note"). The Note was transferred to Plaintiff by delivery of possession and by indorsement set forth on the Note.
- e. A deed of trust was made, executed, and delivered by MARILYN JEAN EGEMO AKA MARILYN J. EGEMO AKA MARILYN EGEMO; and RICHARD ALAN EGEMO AKA RICHARD A. EGEMO AKA RICHARD EGEMO on or about May 22, 2007 (the "Deed of Trust"). The Deed of Trust was recorded on May 30, 2007 as Instrument No. 2007-007128 in the official records of Columbia County, Oregon. The Deed of Trust is a valid and perfected lien against all of the Property for and securing the Amount Due. The lien of the Plaintiff is superior to any interest, lien, or claim of the Defendants and shall remain in effect until issuance of a Sheriff's Deed.

1 f. For an Order declaring that the reformed Deed of Trust is a valid lien against the Subject  
2 Property and is senior to that of any and all other person(s), including, without limitation, all  
3 of the other Defendants.

4 g. The Borrowers MARILYN JEAN EGEMO AKA MARILYN J. EGEMO AKA MARILYN  
5 EGEMO and RICHARD ALAN EGEMO AKA RICHARD A. EGEMO AKA RICHARD  
6 EGEMO passed away on 10/25/2017 and 5/19/2019, respectively and the default has not  
7 been cured. The amount of debt secured by the Deed of Trust that is now due and owing is  
8 comprised of the following amounts (the "Amount Due"):

9	a) Unpaid principal balance:	\$100,567.33
10	b) Prejudgment interest accruing	\$21,709.42
11	through 7/31/2021:	
12	c) Additional amounts due under the	\$25,811.58
	terms of the loan:	
13	d) Attorney fees and costs:	\$7,364.60
14	e) Prevailing party fee (ORS 20.190	\$85.00
15	(1)(a)):	
16	<b>Total:</b>	<b>\$155,537.93</b>

17 Pursuant to ORS 82.010 (2), post-judgment interest shall accrue on the Amount Due from the  
18 date of entry of this judgment through the sale of the Subject Property at the rate of 9.00%  
19 per annum.

20 h. The interest of the Defendants and any successor in interest in the Subject Property is  
21 foreclosed and terminated excepting only any statutory right of redemption as provided by  
22 Oregon law.

23 i. Pursuant to 38 U.S.C. § 3720 (d), because the United States' lien is subordinate to the  
24 Plaintiff's lien and is guaranteed/insured by the FHA, the federal government does not have a  
25 28 U.S.C. § 2410(c) one-year redemption right in this case.

26 j.

27 k. The Defendants are not entitled to a homestead exception as against Plaintiff's judgment.

1 l. All right, title and interest in the Subject Property that Defendants UNKNOWN HEIRS AND  
2 DEVISEES OF MARILYN JEAN EGEMO AKA MARILYN J. EGEMO AKA MARILYN  
3 EGEMO and UNKNOWN HEIRS AND DEVISEES OF RICHARD ALAN EGEMO AKA  
4 RICHARD A. EGEMO AKA RICHARD EGEMO had as of the date of the Deed of Trust or  
5 thereafter acquired is hereby ordered to be sold by the Columbia County Sheriff's Office in  
6 accordance with the process for sale upon execution, and the proceeds of sale shall be  
7 applied:

- 8 1) First, to the costs of sale not incurred by Plaintiff;
- 9 2) Second, to the Amount Due, plus post-judgment interest accruing from the date of  
10 entry of judgment through the date of the sale and any incurred costs of sale;
- 11 3) Third, the surplus, if any, to the Defendants in the priority as their interest may  
12 appear, described *infra*, or to the clerk of the court to be distributed by the Court to  
13 such party or parties as they may establish their right thereto.

14 m. Plaintiff may become purchaser at the sale of the Subject Property and, pursuant to ORS  
15 18.936 (2), may credit bid up to the Amount Due, plus post-judgment interest accruing from  
16 the date of entry of judgment through the date of the sale and any incurred costs of sale.

17 n. The purchaser at the sale is entitled to exclusive and immediate possession of the Subject  
18 Property from and after the date of the sale and is entitled to such remedies as are available at  
19 law or in equity to secure possession. The purchaser at the sale may apply to the Court for a  
20 writ of assistance if any Defendant, other party, or other person shall refuse to surrender  
21 possession to the purchaser immediately upon the purchaser's demand for possession.

22 o. In the event the proceeds of sale are insufficient to pay the Amount Due, Plaintiff shall not be  
23 entitled to any further or other judgment, including a judgment for the deficiency.

24 p. If, before the sale, the Amount Due is brought into court and paid to the clerk, the execution,  
25 if issued, shall be recalled and the effect of the judgment as to the Amount Due shall be  
26 terminated.

1 q. In compliance with Oregon House Bill 2009, the Subject Property is vacant per the vacant  
2 property inspection attached as *Exhibit 2*.

3 r. Pursuant to ORS 18.950 (4), the apparent priority of liens subsequent and inferior to the  
4 Deed of Trust are as follows:

5 1) Defendant UNITED STATES OF AMERICA may claim an interest in the Subject  
6 Property under the terms of an additional, subordinate note and deed of trust,  
7 associated with this loan issued to the Secretary of Housing and Urban Development  
8 (the "HUD Loan") in the amount of \$225,000.00. The deed of trust associated with  
9 the HUD Loan is recorded in the official records of Columbia County recorded on  
10 May 30, 2007, as Instrument No. 2007-007129.

11 2) Defendant STATE OF OREGON has or may have a lien against the Property under  
12 the State of Oregon tax deferral program;

13  
14  
15  
16 Signed: 9/20/2021 11:03 AM

17   
18 **Circuit Court Judge Cathleen B. Callahan**

19  
20 Dated: September 15, 2021, and submitted by:

21 **McCarthy & Holthus, LLP**

22 s/ Jeremy Clifford

23 Jeremy Clifford OSB No. 142987

24 920 SW 3rd Ave, 1st Floor

25 Portland, OR 97204

26 Phone: (971) 201-3200

27 Fax: (971) 201-3202

28 jclifford@mccarthyholthus.com

Of Attorneys for Plaintiff

## EXHIBIT " 1 "

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