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

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

Case No. 19CV41684

**WRIT OF EXECUTION**

Plaintiff,

v.

MELANIE JUNKER, CO-PERSONAL  
REPRESENTATIVE OF THE ESTATE OF  
KATHRYN H. OLMSTEAD; KIM  
OLMSTEAD, CO-PERSONAL  
REPRESENTATIVE OF THE ESTATE OF  
KATHRYN H. OLMSTEAD; MELANIE  
JUNKER; KIM OLMSTEAD; JILL  
TOWNSEND; MELINDA KIRK; WILLIAM  
KIRK; SAMUEL KIRK; GREGORY KIRK;  
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 1021 W 10th  
STREET, THE DALLES, OREGON, 97058,

Defendant.

TO THE WASCO COUNTY SHERIFF:

On April 29, 2021, a General Judgment of Foreclosure and Declaration of Amount Due by Default was entered by the Wasco 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

1 TRUST COMPANY, N.A. AS TRUSTEE FOR MORTGAGE ASSETS MANAGEMENT  
2 SERIES I TRUST c/o Aldridge Pite, LLP, 1050 SW 6<sup>th</sup> Avenue, Suite 1100, Portland, OR  
3 97204.

4 The real property to be sold at public auction is commonly known as 1021 W 10TH  
5 STREET, THE DALLES, OREGON, 97058 (“Subject Property”), and legally described as:

6 LOTS D, E AND F, BLOCK 109, FORT DALLES MILITARY RESERVATION TO  
7 DALLES CITY, IN CITY OF THE DALLES, WASCO COUNTY, STATE OF OREGON.  
8 ALSO TOGETHER WITH THAT PORTION OF VACATED ALLEY THAT WOULD  
9 ATTACH THERETO BY OPERATION OF LAW.

10 The total amount due and owing on the Judgment as of October 22, 2021;

11 Judgment:	Principal	\$267,351.32
12 Pre-Judgment:	Interest (5.8%,\$32.67/day)	\$0.00
13	Attorney Fees	\$2,690.00
14	Costs	\$2,722.30
15	Prevailing Party Fee	\$325.00
16 Post-Judgment:	Interest (9%,\$67.40/day)	\$11,862.58
17	Attorney Fees	\$260.00
18	Costs	\$0.00
19		

20 **TOTAL: \$285,211.20**

21 In the name of the State of Oregon, you are hereby directed to proceed to notice for sale  
22 and sell the Subject Property. After the sale, you are directed to issue a certificate of sale to the  
23 purchaser and file a return on the writ of execution, depositing the sale proceeds with the Court.  
24 Further, you are directed to execute, after the time for redemption has elapsed, a deed to the  
25 holder of the certificate of sale.  
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By the signature of the attorney for the judgment creditor, the person that requested issuance of the Writ hereby authorizes the sheriff to continue execution under the Writ and delay making a return on the writ to a date up to 150 days after receipt.



*Michael J. Page*  
Nov. 5<sup>th</sup>, 2021

Presented by:

ALDRIDGE PITE, LLP

By: /s/ Michael J. Page  
Michael J. Page, OSB #194328  
(503) 345-9459  
(503) 222-2260 (Facsimile)  
mpage@aldridgepite.com  
1050 SW 6th Ave, Suite 1100  
Portland, OR 97204

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

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

Plaintiff,

v.

MELANIE JUNKER, CO-PERSONAL  
REPRESENTATIVE OF THE ESTATE OF  
KATHRYN H. OLMSTEAD; KIM  
OLMSTEAD, CO-PERSONAL  
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KATHRYN H. OLMSTEAD; MELANIE  
JUNKER; KIM OLMSTEAD; JILL  
TOWNSEND; MELINDA KIRK; WILLIAM  
KIRK; SAMUEL KIRK; GREGORY KIRK;  
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 1021 W 10th  
STREET, THE DALLES, OREGON, 97058,

Defendants.

Case No. 19CV41684

**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 Melanie Junker, Co-Personal Representative of The Estate of Kathryn H. Olmstead, Kim Olmstead, Co-Personal Representative of The Estate of Kathryn H. Olmstead, Melanie Junker, Kim Olmstead, Jill Townsend, Melinda Kirk, William Kirk, Samuel Kirk, Gregory Kirk, 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 1021 W 10th Street, The Dalles, Oregon,

Page 1 – GENERAL JUDGMENT AND DECLARATION OF AMOUNT DUE BY DEFAULT

1 97058, the records on file herein, and pursuant to the Motion for General Judgment and  
2 Declaration of Amount Due by Default by Plaintiff Bank of New York Mellon Trust Company,  
3 N.A. as Trustee for Mortgage Assets Management Series I Trust (“Plaintiff”),

4 **IT IS HEREBY ADJUDGED:**

5 1. Plaintiff’s security interest in the real property located at 1021 W 10th Street, The  
6 Dalles, Oregon, 97058 (“Subject Property”), as evidenced by the Deed of Trust recorded August  
7 28, 2007 in the official records of Wasco County as instrument number 2007-004497 (“Deed of  
8 Trust”), is a viable first priority lien, superior to the interests of all the Defendants. All rights,  
9 claims, ownerships, liens, titles and demands of all Defendants are subsequent to Plaintiff’s lien  
10 as created by the Note and Deed of Trust. The Subject Property is legally described as follows:

11 Lots D, E and F, Block 109, FORT DALLES MILITARY  
12 RESERVATION TO DALLES CITY, in City of The Dalles, Wasco  
13 County, State of Oregon. ALSO TOGETHER WITH that portion of  
vacated alley that would attach thereto by operation of law.

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

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

21 4. Plaintiff is owed reasonable attorney fees plus the remaining flat rate fees for an  
22 uncontested execution on the Judgment, pursuant to the Note and Deed of Trust and ORCP Rule  
23 68(C), which amount may be added to the outstanding obligation due and owing under the Note  
24 and Deed of Trust and recovered from the proceeds of the sheriff’s sale. Pursuant to the Deed of  
25 Trust, these fees continue to accrue to the date of the execution sale. This amount to be satisfied  
26

1 by sale of the Subject Property as directed under this Judgment;

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

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

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

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

23 DECLARATION OF AMOUNT DUE BY DEFAULT

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 \$267,351.32.

2 2. Simple interest at the variable rate currently at 5.8000% (\$32.67 *per diem*) after  
3 April 30, 2021, through the date of judgment.

4 3. Attorney fees of \$2,690.00, plus \$260.00, through the date of sale.

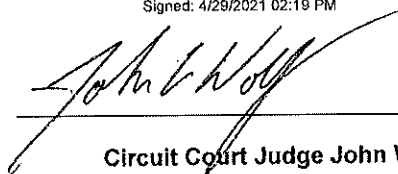
5 4. Costs of \$2,722.30, plus costs accrued through the date of sale.

6 5. Prevailing party fee: \$325.00.

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

9 **IT IS SO ADJUDGED**

Signed: 4/29/2021 02:19 PM

  
Circuit Court Judge John Wolf

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16 **CERTIFICATE OF READINESS**

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

- 18 1.  Each party affected by this order or judgment has stipulated to the order or judgment,  
19 as shown by each party's signature on the document being submitted.
- 20 2.  Each party affected by this order or judgment has approved the order or judgment, as  
21 shown by each party's signature on the document being submitted or by written  
confirmation of approval sent to me.
- 22 3.  I have served a copy of this order or judgment on all parties entitled to service and:
  - 23 a.  No objection has been served on me;
  - 24 b.  I received objections that I could not resolve with a party despite reasonable  
25 efforts to do so. I have filed a copy of the objections I received and indicated  
which objections remain unresolved.
  - 26 c.  After conferring about objections, [ **role and name of objecting party**]

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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: \_\_\_\_\_

Presented By:  
ALDRIDGE PITE, LLP

/s/ Michael J. Page  
Michael Page OSB #194328  
*Of Attorneys for Plaintiff*  
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Date: April 21, 2021

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Portland, OR 97201