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

FLAGSTAR BANK, FSB,  
Plaintiff,  
vs.

**CASE NO.: 19CV49386**  
**WRIT OF EXECUTION**

ALL UNKNOWN HEIRS AND DEVISEES  
OF THE ESTATE OF CLARENCE C.  
KREAMIER, a deceased individual; NANCY  
KREAMIER, a potential heir to the Estate of  
Clarence C. Kreamier; and ALL OTHER  
UNKNOWN PARTIES CLAIMING ANY  
RIGHT, TITLE, LIEN OR INTEREST IN THE  
REAL PROPERTY COMMONLY KNOWN  
AS 110 S 16th St, Cottage Grove, OR 97424,  
Defendants.

TO THE SHERIFF OF LANE COUNTY OREGON:

WHEREAS, on October 11, 2021, by consideration of the Lane County Circuit Court, there was entered a General Judgment of Foreclosure. Said General Judgment of Foreclosure was duly enrolled and docketed in the Court Administrator's Office in said County on October 11, 2021, a true copy of the General Judgment of Foreclosure is attached hereto and made a part hereof.

Judgment Creditor: FLAGSTAR BANK, FSB  
Judgment Creditor Address: c/o ZBS LAW, LLP  
5 Centerpointe Dr. Suite 400  
Lake Oswego, OR 97035

1 NOW THEREFORE IN THE NAME OF THE STATE OF OREGON, you are  
2 commanded to sell the real property as by said General Judgment of Foreclosure according to law  
3 (subject to redemption) all of the interest that the borrower Clarence C Kreamier, had on the 4<sup>th</sup>  
4 day of August 2018, the date of the Mortgage, and also all of the interest that borrower had  
5 thereafter, in the real property described in the Judgment as:

6  
7 The land referred to herein below is situated in the County of Lane, State of Oregon, and is  
8 described as follows:

9  
10 Beginning at a point 163.5 feet North of the Southwest corner of Lot 6, LANDESS  
11 ACREAGE, as platted and recorded in Volume 2, Page 61, Lane County Oregon Plat  
12 Records, and on the West line of said Lot 6; thence East 113.0 feet parallel with the South  
13 line of said Lot 6; thence North parallel with the West line of Lot 6, 82.0 feet to the North  
14 line of said Lot 6; thence West 113.0 feet to the Northwest corner of said Lot 6; thence  
15 South 82.0 feet to the point of beginning, in Lane County, Oregon.

16 The street address of the real property to be levied upon is 110 S. 16th Street, Cottage  
17 Grove, OR 97424.

18 THE TOTAL AMOUNT OF EXECUTION REQUESTED HEREON, STATED AS OF  
19 THE DATE OF SUBMISSION (October 26, 2021) IS AS FOLLOWS:

20	Base Judgment and Interest:	\$238,646.14
21	Attorney Fees and Costs:	\$7,311.20
22	Prevailing Party Fee	\$300.00
23	Pre-Judgment Interest from	
24	04/24/2021 – 10/11/2021	\$4,269.87
25	Post-Judgment Interest from	
26	10/12/2021 – 10/26/2021 at 9.0%	
27	(\$61.77 per diem)	\$926.55

1 Total due as of October 26, 2021: \$251,453.76, with interest to continue to accrue at  
2 9.0% (\$61.77 per diem) until the date of sale.

3 The proceeds of sale shall be applied, delivered, and distributed according to ORS 18.950.

4  
5  
6 Submitted by:

7 /s/ Amber L. Labrecque

8 Amber L. Labrecque, OSB #11111111



Cebay Edwards  
Court Clerk  
OCT 27 2021

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4 **IN THE CIRCUIT COURT OF THE STATE OF OREGON**  
5 **FOR THE COUNTY OF LANE**  
6

7 FLAGSTAR BANK, FSB,

8 Plaintiff,

9 vs.

10 ALL UNKNOWN HEIRS AND DEVISEES  
11 OF THE ESTATE OF CLARENCE C.  
12 KREAMIER, a deceased individual; NANCY  
13 KREAMIER, a potential heir to the Estate of  
14 Clarence C. Kreamier; and ALL OTHER  
15 UNKNOWN PARTIES CLAIMING ANY  
16 RIGHT, TITLE, LIEN OR INTEREST IN THE  
17 REAL PROPERTY COMMONLY KNOWN  
18 AS 110 S 16th St, Cottage Grove, OR 97424,

19 Defendants.

CASE NO. 19CV49386

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

20 Based upon the Motion for a General Judgment of Foreclosure filed by Plaintiff,  
21 FLAGSTAR BANK, FSB (“Plaintiff”) and against defendants All Unknown Heirs and Devisees of  
22 the Estate of Clarence C. Kreamier, a deceased individual and Nancy Kreamier, a potential heir to the  
23 Estate of Clarence C. Kreamier, collectively (“Defendants”), and that Plaintiff has filed a Statement  
24 for Attorney Fees, Costs, and Disbursements,

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

26 **1.**

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

1 Defendants were defaulted on June 18, 2020.

2 2.

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

4 3.

5 The Deed of Trust executed by Borrower and recorded on August 10, 2018, in the Lane  
6 County Recorder's Office as Instrument #2018-037409 is a valid mortgage lien for the amount of  
7 Plaintiff's judgment set forth below against all the real property, located in Lane County, Oregon  
8 commonly referred to as 110 S. 16th Street, Cottage Grove, OR 97424, with a legal description as  
9 follows:

10  
11 The land referred to herein below is situated in the County of Lane, State of Oregon, and is  
12 described as follows:

13 Beginning at a point 163.5 feet North of the Southwest corner of Lot 6, LANDESS ACREAGE,  
14 as platted and recorded in Volume 2, Page 61, Lane County Oregon Plat Records, and on the West  
15 line of said Lot 6; thence East 113.0 feet parallel with the South line of said Lot 6; thence North  
16 parallel with the West line of Lot 6, 82.0 feet to the North line of said Lot 6; thence West 113.0  
17 feet to the Northwest corner of said Lot 6; thence South 82.0 feet to the point of beginning, in Lane  
18 County, Oregon.

19  
20 4.

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

25 5.

26 The proceeds of sale shall first be applied to the costs of sale; then toward the satisfaction  
27 of Plaintiff's judgment awarded herein, calculated as of the date of sale; and any resulting surplus  
28

1 shall then be tendered to the Clerk of the Court to be distributed to such other party or parties as  
2 may establish their right thereto.

3 **6.**

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

8 **7.**

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

15 **SECURED DEBT**

- 16
- 17 1. Judgment Creditor: Flagstar Bank, FSB  
c/o ZBS Law, LLP  
18 5 Centerpointe Dr., Suite 400  
Lake Oswego, OR 97035  
19 503-946-6558
- 20 2. Judgment Creditor's Attorney: Amber L. Labrecque  
21 ZBS Law, LLP  
5 Centerpointe Dr., Suite 400  
22 Lake Oswego, OR 97035  
503-946-6558
- 23
- 24 3. Judgment Debtor: None  
25 4. Judgment Debtor's Attorney: None  
26 5. Person or public body entitled to any portion of money award herein: None

27 **6. Total Amount of Secured Debt:**

<b>LENDERS' PRINCIPAL AND INTEREST, COSTS AND FEES</b>	
--	--

1	Principal Balance	\$ 208,287.20
2	Accrued interest on the principal balance through 04/23/2021	\$ 19,533.75
3		
4	Accrued costs and fees through 04/23/2021	\$ 10,825.19
5	Additional pre-judgment interest to accrue from 04/24/2021 to the date this judgment is entered, at the note rate of 4.375% (\$24.97 per diem)	
6	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 04/24/2021 to the date of judgment. This post-judgment interest shall accrue at the Note rate of 9.0%, from the date judgment is entered until the date of sale.	
7		
8		
9		
10	<b>Total Principal and Interest, Costs and Fees, Through 04/23/2021</b>	<b>\$ 238,646.14</b>
11		
12	<b>ATTORNEYS' FEES AND COSTS</b>	
13	Attorney Fees	\$ 4,800.00
14	Attorney Costs	\$ 2,511.20
15	<b>Total Attorney Fees and Costs</b>	<b>\$ 7,311.20</b>
16	Prevailing Party Fee	\$ 300.00
17	<b>TOTAL SECURED DEBT (JUDGMENT)</b>	<b>\$ 246,257.34</b>

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

Signed: 10/11/2021 10:35 AM

27   
28 Stephen W. Morgan, Circuit Court Judge

Submitted by:

1 s/ Amber L. Labrecque 10/01/2021  
2 Attorney for Plaintiff

3 **UTCR 5.100(2) CERTIFICATE OF READINESS**

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

- 5 1.  Each party affected by this order of judgment has stipulated to the order or judgment,  
6 as shown by each party's signature on the document being submitted.
- 7 2.  Each party affected by this order of judgment has approved the order or judgment, as  
8 shown by each party's signature on the document being submitted or by written  
9 confirmation of approval sent to me.
- 10 3.  I have served a copy of this order of judgment on each party entitled to service and:  
11 a.  No objection has been served on me.  
12 b.  I received objections that I could not resolve with a party despite reasonable  
13 efforts to do so. I have filed a copy of the objections I have received and  
14 indicated which objections remained unresolved.  
15 c.  After conferring about objections [role and name of objecting party] agreed to  
16 independently file any remaining objection.
- 17 4.  The relief sought is against an opposing party who has been found in default.
- 18 5.  An order of default is being requested with this proposed judgment.
- 19 6.  Service is not required pursuant to subsection 3 of this rule, or by statute, rule, or  
20 otherwise.
- 21 7.  This is a proposed judgment that includes an award of punitive damages and notice as  
22 been served on the Director of the Crime Victims' Assistance Section as required by  
23 subsection (5) of the rule.
- 24 8.  Other: \_\_\_\_\_

25 Submitted By:  
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s/ Amber L. Labrecque 10/01/2021  
Amber L. Labrecque, OSB No. 094593  
Attorneys for Plaintiff  
alabrecque@zbslaw.com