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

REVERSE MORTGAGE FUNDING LLC,

Plaintiff,

vs.

UNKNOWN HEIRS OF NADINE MELBA STEELE; JEFFERY ROY COCKMAN, TERRY ALLEN COCKMAN, LAURIE ANN INGRAM, UNITED STATES OF AMERICA, STATE OF OREGON, OREGON DEPARTMENT OF STATE LANDS, CITY OF EUGENE, CAROL COCKMAN, JADENE EFFIE GROTEFEND, AND OCCUPANTS OF THE PREMISES,

Defendants.

Case No.: 17CV43117

WRIT OF EXECUTION IN FORECLOSURE

**TO THE LANE COUNTY SHERIFF:**

A Judgment of Foreclosure was entered and docketed in this case on May 7, 2021. A true copy of the Judgment is attached hereto. The Judgment was entered in favor of the Plaintiff:

REVERSE MORTGAGE FUNDING LLC  
c/o John Thomas  
Attorney for Plaintiff  
McCarthy & Holthus, LLP  
920 SW 3rd Ave, 1st Floor  
Portland, OR 97204

With the adjudicated amount due of \$272,250.02, plus post judgment interest at the statutory rate of 9.0% per annum from May 8, 2021 to February 28, 2022 in the amount of \$19,870.52, and continuing with a per diem of \$67.13, currently totaling \$292,120.54.

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 December 4, 2007, the date of the Deed of Trust, and also the interest that the Defendant  
5 had thereafter, in the real property described as follows:

6           LOT 12, BLOCK 1, ELLENDALE, AS PLATTED AND RECORDED IN VOLUME  
7           21, PAGE 28, LANE COUNTY, OREGON PLAT RECORDS, IN LANE COUNTY,  
8           OREGON

8 and commonly known as: 2455 Van Buren St., Eugene, OR 97405.

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

14           **DATED:** 14<sup>th</sup> day of March, 2022.

Court Clerk  
Title

By: C. Edwards



19 Dated: 3/10/22 and submitted by:

20 McCarthy & Holthus, LLP

21 s/ John Thomas

22 John Thomas OSB No. 024691

23 Michael Scott OSB No. 973947

24 920 SW 3rd Ave, 1st Floor

25 Portland, OR 97204

26 Phone: (971) 201-3200

27 Fax: (971) 201-3202

28 jthomas@mccarthyholthus.com

Of Attorneys for Plaintiff

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

REVERSE MORTGAGE FUNDING LLC,

Case No.: 17CV43117

Plaintiff,

vs.

GENERAL JUDGMENT OF  
FORECLOSURE

UNKNOWN HEIRS OF NADINE MELBA  
STEELE; JEFFERY ROY COCKMAN;  
TERRY ALLEN COCKMAN; LAURIE  
ANN INGRAM; UNITED STATES OF  
AMERICA; STATE OF OREGON,  
OREGON DEPARTMENT OF STATE  
LANDS; CITY OF EUGENE; CAROL  
COCKMAN; JADENE EFFIE  
GROTEFEND; AND OCCUPANTS OF  
THE PREMISES,

Defendants.

1.

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

- a. Defendants UNKNOWN HEIRS OF NADINE MELBA STEELE; JEFFERY ROY COCKMAN; TERRY ALLEN COCKMAN; LAURIE ANN INGRAM; UNITED STATES OF AMERICA; CAROL COCKMAN; JADENE EFFIE GROTEFEND; AND OCCUPANTS OF THE PREMISES ("Defaulted Defendants") were duly served with process and failed to appear; the default has been entered against Defaulted Defendants, and it appearing that Defaulted Defendants are not incapacitated, protected persons, respondents as defined in ORS 125.005, minors, or in the military service of the United States;
- b. Stipulated Settlements with regard to Defendants STATE OF OREGON; OREGON DEPARTMENT OF STATE LANDS, and CITY OF EUGENE have been submitted contemporaneously ("Stipulating Defendants") (collectively Defaulted and Stipulating

1 Defendants are referred to as "Defendants");

2 2.

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

- 4 a. The real property to which this judgment relates is located and situated in Lane County,  
5 Oregon, and is commonly known as 2455 Van Buren St. , Eugene , OR 97405 (the "Subject  
6 Property"), legally described as shown in the attached *Exhibit 1*.
- 7 b. Plaintiff is entitled to enforce the note dated December 4, 2007 and made, delivered, and  
8 executed by NADINE MELBA STEELE to Columbia River Bank in the amount of  
9 \$360,000.00 (the "Note"). The Note was transferred to Plaintiff by delivery of possession  
10 and by indorsement set forth on the Note.
- 11 c. A deed of trust was made, executed, and delivered by NADINE MELBA STEELE on or  
12 about December 4, 2007 (the "Deed of Trust"). The Deed of Trust was recorded on  
13 December 10, 2007 as Instrument No. 2007-081333 in the official records of Lane County,  
14 Oregon. The Deed of Trust is a valid and perfected lien against all of the Property for and  
15 securing the Amount Due. The lien of the Plaintiff is superior to any interest, lien, or claim  
16 of the Defendants and shall remain in effect until issuance of a Sheriff's Deed.
- 17 d. The Borrower failed to make the payment that was due for December 15, 2015 and has not  
18 cured the default. The amount of debt secured by the Deed of Trust that is now due and  
19 owing is comprised of the following amounts (the "Amount Due"):

- 20 a) Unpaid principal balance: \$212,059.40
- 21 b) Prejudgment interest accruing from \$14,785.67  
22 7/17/2017 through 2/28/2021 and  
23 continuing until the entry of  
judgment at the current Note rate of  
2.97%:
- 24 c) Additional amounts due under the \$37,457.55  
25 terms of the loan:
- 26 d) Attorney fees and costs: \$7,862.40
- 27 e) Prevailing party fee (ORS 20.190 \$85.00  
28 (1)(a)):

1                   **Total:**   **\$272,250.02**

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

- 5 e. The interest of the Defendants and any successor in interest in the Subject Property is  
6 foreclosed and terminated excepting only any statutory right of redemption as provided by  
7 Oregon law.
- 8 f. Pursuant to 38 U.S.C. § 3720 (d), because the United States' lien is subordinate to the  
9 Plaintiff's lien and is guaranteed/insured by the FHA, the federal government does not have a  
10 28 U.S.C. § 2410(c) one-year redemption right in this case.
- 11 g. The Defendant is not entitled to a homestead exception as against Plaintiff's judgment.
- 12 h. All right, title and interest in the Subject Property that Defendant UNKNOWN HEIRS OF  
13 NADINE MELBA STEELE had as of the date of the Deed of Trust or thereafter acquired is  
14 hereby ordered to be sold by the Lane County Sheriff's Office in accordance with the process  
15 for sale upon execution, and the proceeds of sale shall be applied:
- 16       1) First, to the costs of sale not incurred by Plaintiff;
  - 17       2) Second, to the Amount Due, plus post-judgment interest accruing from the date of  
18       entry of judgment through the date of the sale and any incurred costs of sale;
  - 19       3) Third, the surplus, if any, to the Defendants in the priority as their interest may  
20       appear, described *infra*, or to the clerk of the court to be distributed by the Court to  
21       such party or parties as they may establish their right thereto.
- 22 i. Plaintiff may become purchaser at the sale of the Subject Property and, pursuant to ORS  
23 18.936 (2), may credit bid up to the Amount Due, plus post-judgment interest accruing from  
24 the date of entry of judgment through the date of the sale and any incurred costs of sale.
- 25 j. The purchaser at the sale is entitled to exclusive and immediate possession of the Subject  
26 Property from and after the date of the sale and is entitled to such remedies as are available at  
27

1 law or in equity to secure possession. The purchaser at the sale may apply to the Court for a  
2 writ of assistance if any Defendant, other party, or other person shall refuse to surrender  
3 possession to the purchaser immediately upon the purchaser's demand for possession.

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

6 l. If, before the sale, the Amount Due is brought into court and paid to the clerk, the execution,  
7 if issued, shall be recalled and the effect of the judgment as to the Amount Due shall be  
8 terminated.

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

11 1) Defendant UNITED STATES OF AMERICA may claim a junior interest in Subject  
12 Property by virtue of a deed of trust recorded on 12/10/2007 as Instrument No. 2007-  
13 081334 in the official records of Lane County, Oregon.

14 2) Defendant STATE OF OREGON may claim a junior interest in the Property by virtue  
15 of possible medical expenses on behalf of the grantor.

16 3) Defendant OREGON DEPARTMENT OF STATE LANDS may claim a junior  
17 interest in the Property by virtue of ORS 98.304.

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- 1 4) Defendant CITY OF EUGENE may claim a junior interest in Subject Property by  
2 virtue of a deed of trust recorded on 2/7/2013 as Instrument No. 2013/007951 in the  
3 official records of Lane County, Oregon.
- 4 5) Defendant CAROL COCKMAN may claim a junior interest in Subject Property by  
5 virtue of a judgment entered on 11/29/2004 as Case No. 150411107 in the circuit  
6 court of Lane County, Oregon.
- 7 6) Defendant JADENE EFFIE GROTEFEND may claim a junior interest in Subject  
8 Property by virtue of a judgment entered on 3/25/2011 as Case No. 150810948 in the  
9 circuit court of Lane County, Oregon.

10  
11 Signed: 5/7/2021 11:15 AM

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15 **Suzanne B. Chaffi, Circuit Court Judge**  
16  
17

18 I hereby certify that the requirements of UTCR 5.100 have been satisfied.

19 On 4/20/2021, a copy of the Motion For Entry Of Judgment, Declaration Of Attorney  
20 Fees And Costs For Plaintiff, Declaration Of Amounts Due, Proposed Judgment Of Foreclosure  
21 was:

22 [x] Served on:

23 State of Oregon  
24 Belle Na  
25 1162 Court Street NE  
26 Salem, OR 97301

27 Ben Miller  
28 125 E 8th Ave  
Eugene, OR 97401  
Attorney for City of Eugene

not less than 3 days prior to submission to the court.

This proposed Judgment Of Foreclosure is ready for judicial signature because:

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.

Each opposing party affected by this order or judgment has approved the order or judgment, as shown by signature on the document being submitted or by written confirmation of approval sent to me.

I have served a copy of this order or judgment on all parties entitled to service and:

No objection has been served on me.

I received objections that I could not resolve with the opposing party despite reasonable efforts to do so. I have filed a copy of the objections I received and indicated which objections remain unresolved.

After conferring about objections, \_\_\_\_\_ agreed to independently file any remaining objection.

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

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

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

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 (4) of this rule.

Other: \_\_\_\_\_

Dated: April 27, 2021, and submitted by:

**McCarthy & Holthus, LLP**

s/ Jeremy Clifford

John Thomas OSB No. 024691

Jeremy Clifford OSB No. 142987

Michael Scott OSB No. 973947

920 SW 3rd Ave, 1st Floor

Portland, OR 97204

Phone: (971) 201-3200

Fax: (971) 201-3202

jclifford@mccarthyholthus.com

Of Attorneys for Plaintiff



# EXHIBIT "1"

## **Legal Description**

LOT 12, BLOCK 1, ELLENDALE, AS PLATTED AND RECORDED IN VOLUME 21, PAGE 28, LANE COUNTY OREGON PLAT RECORDS, IN LANE COUNTY, OREGON.