

19CV48647

I hereby certify this copy to be a true, full, and exact copy of the original now on file in my office.
Trial Court Admin.

Mary Collier
6-21-22



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

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

WILLIAM M. HARRIMAN and MARTIN A. HARRIMAN, as Co-Personal Representatives of the Estate of Lucien Mills Harriman,

Plaintiffs,

v.

MICHELLE CRIPPEN; BEVERLY GEORGE, individually, and as the Personal Representative of the Estate of Robert George; UNKNOWN HEIRS OF WAYNE GEORGE, individually; and ALL OTHER PERSONS OR PARTIES UNKNOWN claiming any right, title, lien, or interest in the property described in this Complaint herein,

Defendants.

Case No. 19CV48647

AMENDED WRIT OF EXECUTION

Ex Parte

Fee Authority: ORS 21.234(2) [\$47]

TO: **SHERIFF OF LINN COUNTY:**

1. On March 3, 2021, a General Judgment of Foreclosure and Money Award was entered in the registered for this case in the above-entitled Court, and on March 22, 2021, an Amended (Corrected) General Judgment of Foreclosure and Money Award was entered in the register for this case in the above-entitled Court, in favor of Plaintiffs and against the Defendants (the "Judgment"). As part of the Judgment, the rights and the interests of the parties were declared by the Court.

2. On March 18, 2021, a Supplemental Judgment and Money Award was entered in the register for this case in the above-entitled Court, in favor of Plaintiffs and against Defendant Michelle Crippen (the "Supplemental Judgment"). The Supplemental Judgment entered a money award against Defendant Michelle Crippen for Plaintiffs' costs, disbursements, reasonable attorney fees, prevailing party fee, and post-judgment collection costs.

3. As part of the Judgment and Supplemental Judgment, money awards were entered against Defendant Michelle Crippen, and the total sum of these money awards as of the date of delivering this Amended Writ of Execution to the Court is \$79,866.76, consisting of the following amounts:

Money Award – General Judgment

3.1. The amount awarded in the General Judgment and Money Award consisting of the following amounts:

- 3.1.1. Principal Amount of Judgment: **\$29,484.63.**
- 3.1.2. Unpaid account posting and close fee in the sum of: **\$142.00.**
- 3.1.3. Pre-judgment interest at the contract rate of 5% per annum simple interest on the principal amount from 12/30/19 through the date of entry of judgment, 3/3/2021, or \$4.0390 per day, in the sum of: **\$1,732.73.**
- 3.1.4. Cost of the Beneficiary exemption affidavit in the sum of **\$120.00.**
- 3.1.5. Cost of Foreclosure Guarantee: **\$321.00.**
- 3.1.6. Unpaid Property Taxes paid by Plaintiffs: **\$5,593.16.**
- 3.1.7. Additional unpaid property taxes, including interest to June 15, 2022, on Account Nos. 299111 (the property) 505129 (the manufactured dwelling) and in the total sum of \$5,639.52, plus additional interest accruing at the statutory rate (1.333 % per month). The purchaser at the Sheriff's Sale takes the Real Property including the Manufactured Dwelling subject to any unpaid property taxes and the lien in favor of Linn County for such unpaid property taxes.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

Post-judgment Interest – General Judgment

3.2. Post-judgment interest on the sum of ¶¶ 3.1.1 through 3.1.6 above at the statutory rate of 9% per annum simple interest from the date of entry of judgment until paid in full is **\$4,278.23** as of June 10, 2022, the date the request for issuance of this writ was delivered to the court administrator. Post-judgment interest continues to accrue on the Judgment at **\$9.22032** per day.

Money Award – Supplemental Judgment

3.3. The amount awarded in the Supplemental Judgment and Money Award in the total sum of **\$34,387.85**, consisting of the following amounts:

3.3.1. Plaintiffs’ reasonable attorney fees in the sum of \$27,133.99.

3.3.2. Plaintiffs’ costs and disbursements in the sum of \$2,908.86.

3.3.3. Plaintiffs’ prevailing party fee in the amount of \$345.00.

3.3.4. Post-judgment collection costs in the amount of \$4,000.00.

Post-judgment Interest – Supplemental Judgment

3.4. Post-judgment interest on the sum of ¶ 3.3 above at the statutory rate of 9% per annum simple interest from the date of entry of judgment until paid in full is **\$3,807.16** as of June 10, 2022, the date the request for issuance of this writ was delivered to the court administrator. Post-judgment interest continues to accrue on the Supplemental Judgment at **\$8.47920** per day.

4. A certified copy of the Judgment and Supplemental Judgment is attached hereto as **Exhibits 1 and 2**, respectively, and are incorporated herein by this reference as though fully set forth.

5. In addition, the Judgment foreclosed the lien of Plaintiffs’ trust deed against the real property described in ¶ 9 below and declared the rights and priorities of the Plaintiffs and the Defendants in the Real Property including tenements, hereditments, and fixtures as stated in the trust deed, specifically the 1973 Marlette manufactured dwelling with Serial Nos.

1 H24362DW530511A and H24362DW530511B (**Manufactured Dwelling**), as set forth in ¶¶ 6
2 through 28 of the Judgment.

3 6. Plaintiffs' interest in the Real Property including the Manufactured Dwelling is
4 prior in right, time, and interest of Defendant Michelle Crippen; Defendant Beverly George,
5 individually and as Personal Representative of the Estate of Robert L. George; the Unknown Heirs
6 of Wayne George, individually; and all other persons or parties unknown claiming any right, title,
7 lien, or interest in the Real Property including the Manufactured Dwelling, which is the subject of
8 this case, including any persons or parties who are occupying the Real Property including the
9 Manufactured Dwelling and who are not specifically named as party defendants.

10 7. The purchaser at the Sheriff's Sale takes the Real Property including the
11 Manufactured Dwelling subject to any unpaid property taxes and the lien in favor of Linn County
12 for such unpaid property taxes.

13 8. The lien of the Trust Deed is foreclosed, and the Real Property including the
14 Manufactured Dwelling shall be sold by the Sheriff of Linn County, in the manner prescribed by
15 law (**Sheriff's Sale**).

16 * * * * *

17 **NOW, THEREFORE**, in the name of the State of Oregon, you are hereby commanded to
18 sell the Real Property including tenements, hereditments, and fixtures as stated in the trust deed,
19 specifically the 1973 Marlette manufactured dwelling with Serial Nos. H24362DW530511A and
20 H24362DW530511B, situated in Linn County, Oregon, in the manner provided for by law, making
21 due return within sixty (60) days after you receive this Writ.

22 9. The physical address of the real property is 40985 Highway 228, Sweet Home,
23 Oregon 97386, and is more particularly described in **Exhibit A** attached hereto and incorporated
24 herein by this reference.

25 10. To satisfy the Money Awards described in ¶¶ 3.1 through 3.4 above, the proceeds
26 from said sale shall be applied as set forth in the paragraphs below.

1 **Proceeds from Sale of Real Property**

2 11. The Proceeds of the Sheriff's Sale received from the sale of the Real Property
3 including the Manufactured Dwelling by the Sheriff of Linn County shall be applied in accordance
4 with the following priority:

5 11.1. First, toward the costs of the sale of the Real Property by the Sheriff;

6 11.2. Second, toward Plaintiffs' costs of retaking, preserving, and selling the
7 Property in accordance with proof;

8 11.3. Third, toward all post-judgment interest accrued on the money awards in
9 the Judgment and Supplemental Judgment entered in favor of Plaintiffs and against
10 Defendant Crippen provided for in ¶¶ 3.2 and 3.4 above.

11 11.4. Fourth, toward the award for Plaintiffs' costs, disbursements, reasonable
12 attorney fees, prevailing party fees, and post-judgment collection costs provided for in
13 paragraph 3.3 above.

14 11.5. Fifth, toward the award for Plaintiffs' unpaid account posting and close fees
15 in the sum of \$142.00 in ¶ 3.1.2 above; cost of the beneficiary exemption affidavit in the
16 sum of \$120.00 in ¶ 3.1.4 above; cost of foreclosure guarantee in the sum of \$321.00 in ¶
17 3.1.5 above; and unpaid property taxes paid by Plaintiffs in the sum of \$5,593.16 in ¶ 3.1.6
18 above.

19 11.6. Sixth, toward the amount awarded Plaintiffs for pre-judgment interest
20 against Defendant Crippen provided for in ¶ 3.1.3 above.

21 11.7. Seventh, toward the amount awarded Plaintiffs as principal against
22 Defendant Crippen in paragraph 3.1.1 above.

23 11.8. Eighth, any surplus to the Clerk of the Court for disbursement in accordance
24 with the further order of the Court in the manner provided for by law, and among the
25 Defendants in accordance with their interest as established in this case.

26 12. The mailing address for the judgment creditors are:

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

William M. Harriman, Co-Personal Representative
of the Estate of Lucien Mills Harriman
15807 NE 19th Court
Vancouver, WA 98686-1473

Martin A. Harriman, Co-Personal Representative
of the Estate of Lucien Mills Harriman
33555 Emigrant Trail
Shingletown, CA 96088-9725

DATED: 6/13/2022 10:52:32 AM, 2022.

COURT ADMINISTRATOR

By: *Ambree Enyaet*
Deputy Administrative Authority



EXHIBIT "A"
LEGAL DESCRIPTION

An are of land in the Northeast 1/4 of Section 2, Township 14 South, Range 1 West, Willamette Meridian, Linn County Oregon being more particularly described as follows:

The land described in Linn County Deed MF Volume 64 Page 986.

EXCEPTING the following:

Beginning at a 1/2 inch iron pipe bearing North 41° 19' 02" West 392.08 feet from the a 5/8 inch iron rod marking the PT 111+00 of Highway 228 and being a corner of Parcel 1 of Partition Plat 1995-90 in the Northeast 1/4 of Section 2, Township 14 South, Range 1 West, Willamette Meridian, Linn County Oregon; thence North 99.86 feet to a 5/8 inch iron rod with yellow plastic cap; thence South 89° 12' 00" East 393.29? feet to the Westerly right-of-way of Highway 228; thence along said West right-of-way along the arc of a 1879.85 foot radius curve to the right 107.84 feet (chord bears South 22° 58' 25" West 107.83 feet) to a 1 inch axle; thence North 89° 12' 00" West 351.58 feet to the Point of Beginning.

MORE ACCURATELY DESCRIBED AS:

An area of land in the Northeast 1/4 of Section 2, Township 14 South, Range 1 West, Willamette Meridian, Linn County Oregon being more particularly described as follows:

Beginning on the West line of and North 328.0 feet from the Northwest corner of the Northeast quarter of the Northeast quarter of Section 2, Township 14 South, Range 1 West of the Willamette Meridian, in Linn County, Oregon; and running thence South 328.0 feet to the Southwest corner of said Northeast quarter of the Northeast quarter of Section 2; thence North 88°57' East along the South line of the Northeast quarter of the Northeast quarter of said Section 2, a distance of 895.04 feet to a 5/8" iron rod which bears South 88°57' West, 436.36 feet from the Southeast corner of the Northeast quarter of the Northeast quarter of said Section 2; thence North 39°31' East 91.64 feet to a 1/2" iron pipe; thence South 89°12' East 382 feet, more or less, to the centerline of the State Secondary Highway; thence Northerly along said centerline to a point which bears North 88°57' East of the place of beginning; thence South 88°57' West, parallel to the South line of the Northeast quarter of the Northeast quarter of said Section 2, a distance of 1440 feet, more or less, to the Place of Beginning.

EXCEPTING the following:

Beginning at a 1/2 inch iron pipe bearing North 41° 19' 02" West 392.08 feet from the a 5/8 inch iron rod marking the PT 111+00 of Highway 228 and being a corner of Parcel 1 of Partition Plat 1995-90 in the Northeast 1/4 of Section 2, Township 14 South, Range 1 West, Willamette Meridian, Linn County Oregon; thence North 99.86 feet to a 5/8 inch iron rod with yellow plastic cap; thence South 89° 12' 00" East 393.29? feet to the Westerly right-of-way of Highway 228; thence along said West right-of-way along the arc of a 1879.85 foot radius curve to the right 107.84 feet (chord bears South 22° 58' 25" West 107.83 feet) to a 1 inch axle; thence North 89° 12' 00" West 351.58 feet to the Point of Beginning.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

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

WILLIAM M. HARRIMAN and MARTIN A. HARRIMAN, as Co-Personal Representatives of the Estate of Lucien Mills Harriman,

Plaintiffs,

v.

MICHELLE CRIPPEN; BEVERLY GEORGE, individually, and as the Personal Representative of the Estate of Robert George; UNKNOWN HEIRS OF WAYNE GEORGE, individually; and ALL OTHER PERSONS OR PARTIES UNKNOWN claiming any right, title, lien, or interest in the property described in this Complaint herein,

Defendants.

Case No. 19CV48647

GENERAL JUDGMENT OF FORECLOSURE AND MONEY AWARD

Ex parte

This matter came before the Court on Plaintiffs' Motion for Entry of General Judgment of Foreclosure and Money Award (**Motion**). It appears to the Court from the allegations of the Complaint, the Declaration of Julia I. Manela submitted in support of the Motion, and the records and files herein:

A. Plaintiffs filed their complaint for breach of contract and foreclosure of trust deed on November 8, 2019.

///

1 **B.** Defendant Michelle Crippen was properly served with true copies of the
2 Summons and the Complaint by personal service pursuant to ORCP 7 D(2)(a) on January 9,
3 2020, and failed to file an appearance or an answer and has not pleaded or otherwise responded
4 to the summons, although the time for doing so has expired. Defendant Beverly George,
5 individually, was properly served with true copies of the Summons and the Complaint by
6 personal service pursuant to ORCP 7 D(2)(a) on December 26, 2019, and failed to file an
7 appearance or an answer and has not pleaded or otherwise responded to the summons, although
8 the time for doing so has expired. An order of default was entered on April 2, 2020, against
9 Defendants Michelle Crippen and Beverly George, individually.

10 **C.** Defendant Beverly George, as the Personal Representative of the Estate of Robert
11 George, was properly served with true copies of the Summons and the Complaint by personal
12 service pursuant to ORCP 7 D(2)(a) on April 9, 2020, and failed to file an appearance or an
13 answer and has not pleaded or otherwise responded to the summons, although the time for doing
14 so has expired. The Unknown Heirs were properly served by publication of summons pursuant
15 to ORCP 7 D(6) and ORCP 20 I on March 18, 2020; March 25, 2020; April 1, 2020; and April 8,
16 2020, and failed to file an appearance or an answer and has not pleaded or otherwise responded
17 to the summons, although the time for doing so has expired. The Unknown Parties were served
18 by publication of summons pursuant to ORCP 7 D(6) and ORCP 20 J on March 18, 2020; March
19 25, 2020; April 1, 2020; and April 8, 2020, and failed to file an appearance or an answer and has
20 not pleaded or otherwise responded to the summons, although the time for doing so has expired.
21 An order of default was entered on June 8, 2020, against Defendants Beverly George, as
22 Personal Representative of the Estate of Robert George; the Unknown Heirs of Wayne George;
23 and All Other Persons or Parties Unknown.

24 **D.** The underlying action arises out of a contract.

25 **E.** Plaintiffs will separately apply for their reasonable attorney fees, costs, and
26 disbursements in accordance with ORCP 68.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

F. The Court being fully advised:

IT IS HEREBY ORDERED THAT JUDGMENT BE ENTERED as follows:

1. Plaintiffs are awarded a general judgment of foreclosure and money award as set forth below.

2. Plaintiffs are awarded their reasonable attorney fees, costs, and disbursements to be applied for separately in accordance with ORCP 68.

First Claim for Relief (Breach of Contract)

3. Plaintiffs are entitled to a money award against **Defendant Michelle Crippen** with respect to the total now due and owing on the Note (a true copy of which is attached to the Complaint as Exhibit 2) and the Trust Deed (a true copy of which is attached to the Complaint as exhibit 3), as of the date of the last partial payment, December 30, 2019, in the sum of **\$41,103.09**, consisting of the following amounts:

3.1. Unpaid principal in the sum of \$29,484.63; *plus*

3.2. Unpaid account posting and close fee in the sum of \$142.00; *plus*

3.3. Unpaid pre-judgment interest on the principal sum at the contract rate of 5 percent per annum from December 30, 2019, through March 1, 2021, in the sum of \$1,724.65, plus interest accruing at the rate of \$4.0390 per day until the date of entry of judgment; *plus*

3.4. The cost of the beneficiary exemption affidavit in the sum of \$120; *plus*

3.5. The cost of the foreclosure guarantee in the sum of \$321; *plus*

3.6. Property taxes paid by Plaintiffs in the total sum of \$5,593.16.

3.7. Additional unpaid property taxes, including interest to March 16, 2021, on Account Nos. 299111 (the property) 505129 (the manufactured home) and in the total sum of \$3,717.65, consisting of the following amounts:

3.7.1. Account No. 299111:

Tax Year 2019-2020: \$1,563.74

1		Tax Year 2020-2021:	\$1,389.17
2	3.7.2.	Account No. 505129:	
3		Tax Year 2019-2020:	\$404.85
4		Tax Year 2020-2021:	\$359.89.

Interest continues to accrue on these unpaid property taxes.

4. Plaintiffs are entitled to their reasonable attorney fees, costs, and disbursements to be determined in accordance with ORCP 68.

5. Plaintiffs are entitled to post-judgment interest on the amounts provided for in paragraphs 3.1 through 4 above at the statutory rate of 9% per annum from the date of entry of judgment until paid.

Second Claim for Relief Foreclosure of Trust Deed.

6. In accordance with ORS 28.010, 28.020, and 28.030, the Court declares the rights and interests of the parties in accordance with the contentions of the Plaintiffs as set forth in paragraphs 7 through 27 below.

7. Prior to June 4, 2014, Lucien Mills and Catherine V. Harriman were the owners of certain real property located at 40985 Highway 228, Sweet Home, Oregon 97386, in Linn County, Oregon (the **Property**), more particularly described on **Exhibit A** attached hereto and incorporated herein by this reference as though fully set forth.

8. On or about June 4, 2014, Lucien Mills Harriman and Catherine V. Harriman sold the Property to Defendant Crippen.

9. On or about June 4, 2014, in consideration for the sale of the Property, Defendant Crippen signed a promissory note payable to Lucien Mills Harriman and Catherine V. Harriman in the amount of \$69,900, payable in monthly installments with an interest rate of 5% per annum with the balance due in full on June 6, 2019. A copy of the Installment Note is attached to the Complaint on file herein as Exhibit 2 (the **Note**).

10. On or about June 4, 2014, Defendant Crippen executed a Trust Deed to secure the Note. The Trust Deed was duly recorded in the books and records of Linn County, Oregon, on

1 June 6, 2014, at Recording No. 2014-06624. A copy of the Trust Deed is attached to the
2 Complaint on file herein as Exhibit 3 (the **Trust Deed**).

3 11. A collection escrow was set up through Santiam Escrow for collection of
4 Defendant Crippen's payments.

5 12. Catherine V. Harriman died on May 19, 2015. At that time, she was married to
6 Lucien Mills Harriman.

7 13. Lucien Mills Harriman (**Decedent**) died on April 10, 2019. A petition for the
8 probate of will and appointment of co-personal representatives was filed on June 26, 2019, in
9 Linn County Circuit Court Case No. 19PB04960. The will was admitted to probate and William
10 M. Harriman and Martin M. Harriman were appointed as Co-Personal Representatives of the
11 Estate on June 27, 2019.

12 14. Defendants Beverly George, individually and as Personal Representative of the
13 Estate of Robert George, and Wayne George, individually may claim some interest in the
14 Property by reason of a General Judgment and Money Award in Linn County Circuit Court Case
15 No. 15CV12611 entered October 26, 2015, which both awards a money award and imposes a
16 constructive trust on the Property (**Constructive Trust Judgment**). On or about May 18, 2015,
17 Beverly George recorded a lis pendens in the real property records of Linn County at Recording
18 No. 2015-07105 related to Case No. 15CV12611. During service of the Summons and
19 Complaint on Defendant Wayne George, Plaintiffs discovered that Defendant Wayne George
20 passed away on January 2, 2017. On February 21, 2020, the Court granted Plaintiffs' motions to:
21 (1) substitute Defendant Wayne George with the Unknown Heirs of Wayne George; and (2)
22 amend the caption to reflect the substitution.

23 15. Any interests of Beverly George, individually and as Personal Representative of
24 the Estate of Robert L. George, and the Unknown Heirs of Wayne George in the Property are
25 inferior and subordinate to the interest held by the Plaintiffs in the Property pursuant to the Trust
26 Deed. The Constructive Trust Judgment in Case No. 15CV12611 purports to transfer title and

1 ownership, subject to validly executed liens prior to the judgment, to Beverly George, as
2 Personal Representative of the Estate of Robert L. George, in trust for the benefit of the
3 beneficiaries of the Estate of Robert L. George. A true copy of the Constructive Trust Judgment
4 which is attached to the Complaint on file herein as Exhibit 4.

5 16. Plaintiffs complied with ORS 86.726, and recorded a true copy of the Beneficiary
6 Exemption Affidavit with the Records of Linn County at Reception No. 1019-13881 as required
7 by ORS 88.010(2)(a)(B) (**Beneficiary Exemption Affidavit**), which is attached to the
8 Complaint on file herein as Exhibit 5.

9 17. Defendant Crippen is in default under the terms of the Note and the Trust Deed in
10 one or more of the following particulars:

- 11 17.1. Failure to make installment payments when due;
- 12 17.2. Failure to make the final balloon payment on June 6, 2019; and
- 13 17.3. Failure to pay property taxes when due.

14 18. On or about August 7, 2019, Plaintiffs made written demand on Defendant
15 Crippen to pay the Note in full (the **Demand Letter**). Despite demand, Defendant Crippen
16 failed and refused to bring her obligations under the Note and the Trust Deed current and cure all
17 of the outstanding defaults in accordance with the terms of the Demand Letter.

18 19. On or about October 7, 2019, Defendant Crippen made a partial payment in the
19 amount of \$800. However, the Note was due in full on June 6, 2019.

20 20. On or about November 8, 2019, Plaintiffs filed a Complaint for breach of contract
21 and foreclosure of trust deed.

22 21. On or about November 20, 2019, Defendant Crippen made a partial payment in
23 the amount of \$750.00.

24 22. On or about December 30, 2019, Defendant Crippen made a partial payment in
25 the amount of \$750.00.

26 ///

1 23. Plaintiffs' interest in the Real Property is prior in right, time, and interest to any
2 other persons or parties unknown claiming any right, title, lien, or interest in the Real Property
3 which is the subject of this case, including any persons or parties who are occupying the Real
4 Property and who are not specifically named as party Defendants.

5 24. The lien of the Trust Deed is hereby foreclosed and the Real Property shall be
6 sold by the Sheriff of Linn County, in the manner prescribed by law (**Sheriff's Sale**).

7 25. The proceeds received from the sale of the Real Property by the Sheriff of Linn
8 County shall be applied in accordance with the following priority:

9 25.1. First, toward the costs of the sale of the Real Property by the Sheriff;

10 25.2. Second, toward Plaintiffs costs of retaking, preserving, and selling the
11 Property in accordance with proof;

12 25.3. Third, towards all post-judgment interest accrued on the money award
13 entered in favor of Plaintiffs and against Defendant Crippen;

14 25.4. Fourth, toward the award for Plaintiffs' costs, disbursements, and
15 reasonable attorney fees determined in the manner provided for in ORCP 68 against
16 Defendant Crippen;

17 25.5. Fifth, toward all pre-judgment interest accrued on the amount awarded to
18 Plaintiffs against Defendant Crippen

19 25.6. Sixth, toward the amount awarded Plaintiffs as principal against
20 Defendant Crippen;

21 1.1. Seventh, any surplus to the Clerk of the Court for disbursement in
22 accordance with the further order of the Court in the manner provided for by law, and
23 among the Defendants in accordance with their interests as established in this case.

24 26. Plaintiffs are authorized to credit bid their judgment and money award at the
25 Sheriff's Sale.

26 ///

1 27. Defendants, and each of them, and all persons claiming through or under them,
2 either as purchasers, encumbrances, or otherwise, are forever foreclosed of all interest or claims
3 in the Property, except any statutory right of redemption that said Defendants may have in the
4 Property.

5 *****

6 **MONEY AWARD**

7 **Creditors/Prevailing Party Information:**

- 8 1. Judgment Creditors: William M. Harriman, Co-Personal Representative
9 of the Estate of Lucien Mills Harriman
10 15807 NE 19th Court
 Vancouver, WA 98686-1473
- 11 Martin A. Harriman, Co-Personal Representative
12 of the Estate of Lucien Mills Harriman
 33555 Emigrant Trail
 Shingletown, CA 96088-9725
- 13 2. Attorney for Creditors: Julia I. Manela, OSB #023771
14 Watkinson Laird Rubenstein, P.C.
 1203 Willamette Street, Suite 200
15 Eugene, OR 97401

16 **Debtors/Losing Party Information:**

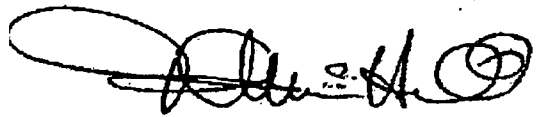
- 17 3. Judgment Debtor: Michelle Crippen
18 40985 Highway 228
 Sweet Home, OR 97386
- 19 Michelle Crippen
20 PO Box 234
 Lebanon, OR 97355
- 21 4. Year of Birth for Judgment Debtor: 1967
- 22 5. Last Four Digits of SSN: Unknown.
- 23 6. Last Four Digits of Driver's License Number
 and States of Issuance for Judgment Debtor: 2955/Oregon
- 24 7. Attorney for Judgment Debtor: None Known.
- 25 8. Other Parties Entitled to Payment: None Known
- 26 9. Principal Amount of Judgment: **\$29,484.63**

WATKINSON LAIRD
RUBENSTEIN, P.C.
1203 Willamette St
Suite 200
EUGENE, OR 97401
PHONE 541-484-2277
FAX 541-484-2282

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

- 10. Unpaid account posting and close fee in the sum of **\$142.00**
- 11. Pre-judgment interest from 12/30/20 through 3/1/2021, plus additional interest at the contract rate of 5% per annum simple interest from 12/30/19 until the date of entry of judgment, or \$4.0390 per day: **\$1,724.65**
- 12. Cost of the Beneficiary exemption affidavit in the sum of **\$120.00**
- 13. Cost of Foreclosure Guarantee: **\$321.00**
- 14. Unpaid Real Property Taxes paid by Plaintiffs: **\$5,593.16**
- 15. Additional unpaid property taxes, including interest to March 16, 2021, on Account Nos. 299111 (the property) 505129 (the manufactured home) and in the total sum of **\$3,717.65**, plus additional interest accruing at the statutory rate (1.333 % per month).
- 16. Post-judgment interest: Post-judgment interest accrues on the sum of paragraphs 9 through 15 above at the statutory rate of 9% per annum simple interest from the date of entry of judgment until paid in full.

Signed: 3/3/2021 08:00 AM



Circuit Court Judge, Thomas A. McHill

Judgment Submitted by:
WATKINSON LAIRD RUBENSTEIN, P.C.
Julia I. Manela, OSB #023771
email: jmanela@wrlaw.com
Of Attorneys for Plaintiffs

WATKINSON LAIRD
RUBENSTEIN, P.C.
1203 Willamette St
Suite 200
EUGENE, OR 97401
PHONE 541-484-2277
FAX 541-484-2282

GENERAL JUDGMENT OF FORECLOSURE AND MONEY AWARD

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

CERTIFICATE OF READINESS PURSUANT TO UTCR 5.100

A. Manner of compliance with any applicable service requirement:

- 1. Service of this judgment or order is not required pursuant to UTCR 5.100(3).
- 2. This order or judgment was served on each counsel not less than three business days (plus three days if not hand delivered) prior to submission to the court, as documented by the Certificate of Service below.
- 3. This order or judgment is accompanied by a stipulation by each counsel that no objection exists as to the judgment or order.
- 4. This order or judgment was served on a self-represented party not less than seven days (plus three days if not hand delivered) prior to the submission to the court and was accompanied by notice of the time period to object, as documented by the Certificate of Service below.

B. Certificate of Service Pursuant to UTCR 5.100 (if applicable):

- NOT APPLICABLE -

I certify that on _____, I placed a true, exact, and complete copy of this proposed order/judgment in a sealed envelope, with postage paid, and deposited in the post office at Eugene, Oregon, to:

C. Readiness:

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

- 1. Each party affected by this order or judgment has stipulated to the order or judgment, as shown by each party's signature on the document being submitted.
- 2. Each 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.
 - 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, counsel for _____ agreed to independently file remaining objections.
- 4. Service is not required pursuant to subsection (3) of this rule, or by statute, rule or otherwise.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

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 1st day of March 2021.

WATKINSON LAIRD RUBENSTEIN, P.C.

By: s/ Julia I. Manela
Julia I. Manela, OSB #023771
Email: jmanela@wlrllaw.com
Of Attorneys for Plaintiffs

EXHIBIT "A"
LEGAL DESCRIPTION

An are of land in the Northeast 1/4 of Section 2, Township 14 South, Range 1 West, Willamette Meridian, Linn County Oregon being more particularly described as follows:

The land described in Linn County Deed MF Volume 64 Page 986.

EXCEPTING the following:

Beginning at a 1/2 inch iron pipe bearing North 41° 19' 02" West 392.08 feet from the a 5/8 inch iron rod marking the PT 111+00 of Highway 228 and being a corner of Parcel 1 of Partition Plat 1995-90 in the Northeast 1/4 of Section 2, Township 14 South, Range 1 West, Willamette Meridian, Linn County Oregon; thence North 99.86 feet to a 5/8 inch iron rod with yellow plastic cap; thence South 89° 12' 00" East 393.29? feet to the Westerly right-of-way of Highway 228; thence along said West right-of-way along the arc of a 1879.85 foot radius curve to the right 107.84 feet (chord bears South 22° 58' 25" West 107.83 feet) to a 1 inch axle; thence North 89° 12' 00" West 351.58 feet to the Point of Beginning.

MORE ACCURATELY DESCRIBED AS:

An area of land in the Northeast 1/4 of Section 2, Township 14 South, Range 1 West, Willamette Meridian, Linn County Oregon being more particularly described as follows:

Beginning on the West line of and North 328.0 feet from the Northwest corner of the Northeast quarter of the Northeast quarter of Section 2, Township 14 South, Range 1 West of the Willamette Meridian, in Linn County, Oregon; and running thence South 328.0 feet to the Southwest corner of said Northeast quarter of the Northeast quarter of Section 2; thence North 88°57' East along the South line of the Northeast quarter of the Northeast quarter of said Section 2, a distance of 895.04 feet to a 5/8" iron rod which bears South 88°57' West, 436.36 feet from the Southeast corner of the Northeast quarter of the Northeast quarter of said Section 2; thence North 39°31' East 91.64 feet to a 1/2" iron pipe; thence South 89°12' East 382 feet, more or less, to the centerline of the State Secondary Highway; thence Northerly along said centerline to a point which bears North 88°57' East of the place of beginning; thence South 88°57' West, parallel to the South line of the Northeast quarter of the Northeast quarter of said Section 2, a distance of 1440 feet, more or less, to the Place of Beginning.

EXCEPTING the following:

Beginning at a 1/2 inch iron pipe bearing North 41° 19' 02" West 392.08 feet from the a 5/8 inch iron rod marking the PT 111+00 of Highway 228 and being a corner of Parcel 1 of Partition Plat 1995-90 in the Northeast 1/4 of Section 2, Township 14 South, Range 1 West, Willamette Meridian, Linn County Oregon; thence North 99.86 feet to a 5/8 inch iron rod with yellow plastic cap; thence South 89° 12' 00" East 393.29? feet to the Westerly right-of-way of Highway 228; thence along said West right-of-way along the arc of a 1879.85 foot radius curve to the right 107.84 feet (chord bears South 22° 58' 25" West 107.83 feet) to a 1 inch axle; thence North 89° 12' 00" West 351.58 feet to the Point of Beginning.