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CIRCUIT COURT OF THE STATE OF OREGON FOR UNION COUNTY

<p>MATTHEW AND EMILY BLAKE,</p> <p style="text-align: right;">Plaintiffs,</p> <p style="text-align: center;">vs.</p> <p>FRED WALLENDER, individually and as Trustee of the Fred D. Wallender Revocable Living Trust U/T/A dated June 7, 2019</p> <p style="text-align: right;">Defendants.</p>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p>No. 22CV03601</p> <p>GENERAL JUDGMENT DEFAULT</p>
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This matter came before this Court on motion of Plaintiffs, appearing by and through their attorney, J. Glenn Null of Mammen & Null, Lawyers, LLC, for a general judgment default against Defendants, Fred Wallender, Individually and as Trustee of the Fred D. Wallender Revocable Living Trust U/T/A dated June 7, 2019. It appearing from the records that Fred D. Wallender, was duly served with summons and complaint in Union County, Oregon on Monday, January 31, 2022 at 11:06 AM by Union County Sheriff Deputy Lani Jones. Defendants have not answered nor made any appearance herein, although the time provided for appearance has expired; and

It further appearing that Defendants Fred Wallender, Individually and as Trustee of the Fred D. Wallender Revocable Living Trust U/T/A Dated June 7, 2019 were not at the time of service, nor are now, in the military service of the United States, a minor, or an incapacitated person; and

The Court having entered an order of default against Defendants and finding in favor of Plaintiffs and against Defendants on Plaintiffs' complaint; now, therefore, it is hereby

ORDERED AND ADJUDGED that Plaintiffs, Matthew and Emily Blake, have judgment against Defendants, Fred Wallender, Individually and as Trustee of the Fred D. Wallender Revocable Living Trust U/T/A Dated June 7, 2019, for:

/////

1 (1) \$257,000.00 as the unpaid principal and interest; plus reasonable attorney fees as submitted
2 by counsel; and Plaintiffs' costs and disbursements, collectively referred to as the "Amount
3 Due";

4 (2) Plaintiffs' lien is superior to any interest, lien or claim of Defendants upon the real property
5 commonly known as 63170 Hamilton Rd., Cove, Oregon (hereafter "Property") and legally
6 known as:

7 A portion of Parcels 1 and 2 of Partition Plate 20190005T, filed as Microfilm Number
8 20190913T in Slides 454 and 455, Plat Cabinet "E", plat records of Union County,
9 Oregon, situated in the Southeast quarter of Section 23, Township 2 South, Range 3 9
East of the Willamette Meridian, more particularly described as follows:

10 Beginning at a point on the South line of the Southeast quarter of said Section 23, said
11 point which bears West 12,941.89 feet from the corner common to Section 19, 20, 29
and 30 of Township 2 South, Range 40 East of the Willamette Meridian.

12 Thence: West, along said South line, a distance of 307.65 feet,

13 Thence: North, a distance of 114.00 feet,

14 Thence: North 43°42'37" East, a distance of 61.80 feet,

15 Thence: North, a distance of 221.38 feet,

16 Thence: East, a distance of 365.00 feet,

17 Thence: South, a distance of 380 feet, more or less, to said South line of the Southeast
18 quarter of Section 23,

19 Thence: West, a distance of 100 feet, to the Point of Beginning.

20 (02S39 9308; Ref. No. 19169)

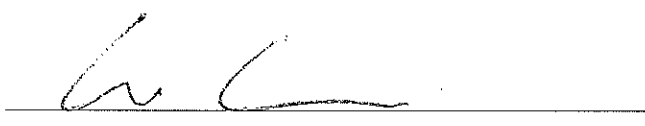
21 (3) Foreclosure of Plaintiffs' Trust Deed lien, and ordering the sale of the Property by the
22 Sheriff of Union County in the manner prescribed by law;

23 (4) Plaintiffs shall be permitted to be a bidder and purchaser at the foreclosure sale;

24 (5) Application of proceeds shall be applied first to the costs of sale, then toward satisfaction of
25 Plaintiffs' judgment, and any surplus to be disbursed to the party or parties who establish
26 their right thereto;

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(6) An Order directing the Sheriff, after the time for redemption has elapsed, to execute a deed to the purchaser of the Property at the sale of their successor and assigns; and
(7) Immediate possession of the Property shall be given to the purchaser at the Sheriff's Sale.



Wes Williams, Circuit Court Judge

5/27/2022 4:48:41 PM

SUBMITTED BY:

/s/ J. Glenn Null

J. Glenn Null OSB #040961
Attorney for Plaintiffs
P.O. Box 477
1602 Sixth Street
La Grande, OR 97850
(541) 963-5259 (Voice)
(541) 963-2500 (Fax)

1 CERTIFICATE OF SIGNATURE READINESS

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

- 3 1. Each opposing party affected by this order or judgment has stipulated to the order or
- 4 judgment, as shown by each opposing party's signature on the document being
- 5 submitted.
- 6 2. Each opposing party affected by this order or judgment has approved the order or
- 7 judgment, as shown by signature on the document above.
- 8 3. I have served a copy of this order or judgment on all parties entitled to service and:
 - 9 a. No objection has been served on me within the 3 days provided for by UTCR
 - 10 5.100 + 3 days for emailing as provided in ORCP 10.
 - 11 b. I received objections that I could not resolve with the opposing party despite
 - 12 reasonable efforts to do so. I have filed a copy of the objections I received and
 - 13 indicated which objections remain unresolved.
 - 14 c. After conferring about objections, the opposing party, namely
 - 15 _____ agreed to independently
 - 16 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/order.
- 19 6. Service is not required pursuant to subsection (3) of this rule, or by statute, rule, or
- 20 otherwise, to wit: To the best of my knowledge and belief this is an uncontested
- 21 probate and protective proceeding;
- 22 7. This is a proposed judgment that includes an award of punitive damages and notice has
- 23 been served on the Director of the Crime Victims' Assistance Section as required by
- 24 subsection (4) of this rule.

19 Dated: May 27, 2022 _____

/s/ J. Glenn Null

J. Glenn Null, OSB #040961
Attorney for Plaintiffs