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

THE BANK OF NEW YORK MELLON FKA
THE BANK OF NEW YORK AS TRUSTEE
FOR THE CERTIFICATEHOLDERS OF
CWABS INC., ASSET-BACKED
CERTIFICATES, SERIES 2007-11,

**CASE NO.: 16CV31758
WRIT OF EXECUTION**

Plaintiff,
vs.

DANIEL S. FIELD; QUICK COLLECT,
INC.; RAY KLEIN, INC., DBA
PROFESSIONAL CREDIT SERVICE; GAIL
G. PIOSEO; ROBERT L. PIOSEO; ACCOUNT
COLLECTION BUREAU, INC.; UNITED
STATES OF AMERICA; OREGON
AFFORDABLE HOUSING ASSISTANCE
CORPORATION; PARTIES IN
POSSESSION.

Defendants.

TO THE SHERIFF OF LANE COUNTY OREGON:

WHEREAS, on February 10, 2017, 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 February 10, 2017, a true copy of the General Judgment of Foreclosure is attached hereto and made a part hereof.

Judgment Creditor

THE BANK OF NEW YORK MELLON FKA THE
BANK OF NEW YORK AS TRUSTEE FOR THE

CERTIFICATEHOLDERS OF CWABS INC., ASSET-
BACKED CERTIFICATES, SERIES 2007-11

Judgment Creditor Address: c/o ZBS LAW, LLP
121 SW Salmon Street 11th Floor
Portland, OR 97204

NOW THEREFORE IN THE NAME OF THE STATE OF OREGON, you are
commanded to sell the real property as by said General Judgment of Foreclosure according to law
(subject to redemption) all of the interest that the borrower Daniel S. Field had on the 8th day of
March 2007, the date of the Mortgage, and also all of the interest that borrower had thereafter, in
the real property described in the Judgment as:

LOT 12, BLOCK 6, EDGEWOOD ESTATES SECOND ADDITION, as platted and
recorded in Book 28, Page 1, Lane County Oregon Plat Records, in Lane County, Oregon.

The street address of the real property to be levied upon is 420 East 41st Avenue, Eugene,
OR 97405.

THE TOTAL AMOUNT OF EXECUTION REQUESTED HEREON, STATED AS OF
THE DATE OF SUBMISSION (July 29, 2022) IS AS FOLLOWS:

Base Judgment and Interest: \$236,774.17

Lenders Fees and Costs: \$907.00

Attorney Fees and Costs: \$2,600.00

Pre-Judgment Interest from
01/20/17– 02/10/17 at 5.25%

(\$22.58 per diem) \$474.18

Post-Judgment Interest from
2/11/2017 – 07/29/2022 at 9.0%

(\$59.36 per diem) \$118,423.20

1 Total due as of July 29, 2022: \$359,178.55, with interest to continue to accrue at 9.0%
2 (\$59.36 per diem) until the date of sale.

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

4 **AUG - 1 2022**

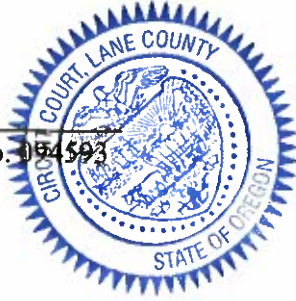
5 By: Gregory

Gregory
court clerk

6 Submitted by:

7 */s/ Amber L. Labrecque*

8 Amber L. Labrecque, OSB No. ~~154593~~



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

THE BANK OF NEW YORK MELLON FKA
THE BANK OF NEW YORK, AS TRUSTEE FOR
THE CERTIFICATEHOLDERS OF THE CWABS,
INC., ASSET-BACKED CERTIFICATES,
SERIES 2007-11,

Case No. 16CV31758

Plaintiff,

GENERAL JUDGMENT OF
FORECLOSURE AND SALE

vs.

DANIEL S. FIELD; QUICK COLLECT, INC.;
RAY KLEIN, INC., DBA PROFESSIONAL
CREDIT SERVICE; GAIL G. PIOSO; ROBERT L.
PIOSO; ACCOUNT COLLECTION BUREAU,
INC.; UNITED STATES OF AMERICA;
OREGON AFFORDABLE HOUSING
ASSISTANCE CORPORATION; PARTIES IN
POSSESSION,

Defendants.

Default having been entered against Defendant(s), Daniel S. Field, Gail G. Pioso, Ray Klein, Inc., dba Professional Credit Service, Account Collection Bureau, Inc., United States Department of Justice, Oregon Affordable Housing Assistance Corporation and Quick Collect, Inc. and Defendant(s), Parties in Possession and Robert L. Pioso, having been dismissed:

1 - GENERAL JUDGMENT OF FORECLOSURE AND
SALE
S&S No. 16-118162

SHAPIRO & SUTHERLAND, LLC
1499 SE Tech Center Place, Suite 255, Vancouver, WA 98683
Telephone (360)260-2253 (800)970-5647
Fax (360)260-2285
ksutherland@togs.com

1 It is hereby

2 **ORDERED AND ADJUDGED:**

3 1. The real property to which this judgment relates (hereafter the "Property") is situated in
4 Lane County, Oregon is commonly known as 420 East 41st Avenue, Eugene, OR 97405 and
5 is legally described as follows:

6 Lot 12, Block 6, EDGEWOOD ESTATES SECOND ADDITION, as platted and
7 recorded in Book 28, Page 1, Lane County Oregon Plat Records, in Lane County,
8 Oregon.

9 2. The Deed of Trust executed and delivered by Defendant, Daniel S. Field ("Borrower") on or
10 about March 8, 2007 and recorded on March 23, 2007 as Reception No. 2007-019477 in the
11 official records of Lane County, Oregon, is a valid and perfected lien against all of the
12 Property for the amount of Plaintiff's judgment as provided herein.

13 3. The Plaintiff is the holder of the original note dated March 8, 2007 and made by Daniel S.
14 Field in the amount of \$158,000.00. A copy of the Note was attached to the complaint as
15 Exhibit. Plaintiff is the holder of the Note and the beneficial interest in the Deed of Trust
16 (together the "Loan").

17 4. The interest of each of the Defendant(s) subject to this Judgment and any successor in
18 interest in the Property is foreclosed and terminated excepting only any statutory right of
19 redemption as provided by Oregon law.
20

21 //

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25 2 - GENERAL JUDGMENT OF FORECLOSURE AND
26 SALE
27 S&S No. 16-118162

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- 1 5. The lien of the Plaintiff is superior to any interest, lien, or claim of the remaining
2 Defendants and shall remain in effect until issuance of a Sheriff's Deed. Upon Motion to
3 the Court and good cause shown, Plaintiff may move to rescind the foreclosure judgment
4 and to reinstate the Loan prior to the Sheriff's sale, returning the parties to their prejudgment
5 interests and priorities.
6
7 6. The Defendant(s) are not entitled to a homestead exception as against Plaintiff's judgment.
8
9 7. All of the rights, title and interest that Borrower(s) had as of the date of the Deed of Trust or
10 thereafter acquired in the subject Property, is hereby ordered to be sold by the Lane County
11 Sheriff's Office in accordance with the process for sale upon execution, and the proceeds of
12 sale shall be applied; first to the costs of sale; second to satisfaction of the amounts awarded
13 Plaintiff herein; with the surplus, if any, to the Defendants in the priority as their interest
14 may appear or to the clerk of the court to be distributed to such party of parties as may
15 establish their right thereto.
16
17 8. Plaintiff or any junior lienholders may become purchaser at the sale of the Property.
18
19 9. The purchaser at the sale is entitled to exclusive and immediate possession of the Property
20 from and after the date of the sale and is entitled to such remedies as are available at law or
21 in equity to secure possession.
22
23 10. The purchaser at the sale may apply to the Court for a writ of assistance if any Defendant or
any person holding possession under or through such Defendant(s) shall refuse to surrender
possession to the purchaser immediately on the purchaser's demand for possession.

24 //

25 3 - GENERAL JUDGMENT OF FORECLOSURE AND
26 SALE
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1 11. Under the terms of the Loan there is now due and owing to Plaintiff the following amounts:

2	Principal		\$167,120.70	
3	Prejudgment interest at 5.25% through			\$47,291.62
4	January 19, 2017			
5	(accruing thereafter until entry of judgment			
6	at \$22.58 per diem			
7	Late Charges		\$1,468.46	
8	Other Costs and fees (recoverable)		20,893.39	
9	Appraisal/BPO	\$115.00		
10	Property Inspections	\$13.00		
11	Escrow Balance from Previous Servicer	\$20,765.39		
12		Subtotal		\$189,482.55
13		Total plus Prejudgment Interest		\$236,774.17

12 12. Attorney Fees and Costs are awarded to Plaintiff as follows:

13	Costs			\$907.00
14	Filing Fee		\$531.00	
15	Lis Pendens Recording Fee		\$52.00	
16	Service Costs		\$324.00	
17	Attorney fees			\$2,600.00
18	Total			\$3,507.00

18 13. Post judgment interest on the aggregate of all amounts declared due above shall accrue from
19 the date of judgment at the legal rate of 9% per annum pursuant to ORS 82.010.

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25 4 - GENERAL JUDGMENT OF FORECLOSURE AND
26 SALE
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1 14. This Judgment shall not create a personal lien or liability against Borrower except as is
2 customary or necessary to execute on such Judgment and for purposes of redemption. In no
3 event should it be construed as establishing personal liability for any persons whose debt has
4 been extinguished in bankruptcy or by an In Rem order granting relief from stay, but only to
5 foreclose the deed of trust mortgage. In the event the proceeds of sale are insufficient to pay
6 the amounts due to Plaintiff, no general execution shall be issued and Plaintiff shall not be
7 entitled to any further judgment, including a judgment for deficiency.
8

9 15. Execution may issue against the subject property for the aggregate amount found due
10 Plaintiff herein as detailed in Paragraphs 11 through 13 together (together "Amounts Due").
11 Plaintiff may credit bid up to the Amounts Due plus such additional amounts as provided by
12 ORS 18.936 or other applicable law.
13

14 16. If before sale such amount, including sheriff's fees for the execution, is tendered to the
15 Court and paid to the clerk, the execution, if issued, shall be recalled and the effect of the
16 judgment as to the amounts due shall be terminated.

17 17. The Clerk of the Court is hereby ordered to issue a Writ of Execution in Foreclosure for the
18 sale of the Property. Plaintiff may credit bid the amounts determined in Paragraphs 11
19 through 13 plus such additional amounts as provided in Paragraph 16 for purposes of ORS
20 18.936.
21

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1 18. This Court shall retain jurisdiction to enter such additional order, judgment or decree
2 necessary to enforce this judgment, the writ of execution or for the purchaser at the
3 foreclosure sale to obtain possession.

4 GRANTED

5
6 DENIED
7
8
9

10 Signed: 2/8/2017 03:28 PM

11 

12
13 **R. Curtis Conover, Circuit Court Judge**

14 Submitted by:
15 Attorneys for Plaintiff,
16 SHAPIRO & SUTHERLAND, LLC

17 By: 

17 James A. Craft #090146 [jcraft@logs.com]
18 [] Kelly D. Sutherland #873575 [ksutherland@logs.com]
19 [] Cara J. Richter #094855 [crichter@logs.com]
20 [] Holger Uhl #950143 [huhl@logs.com]*
21 [] Adam R. Hollar # 093870 [ahollar@LOGS.com]*
22 [] Joshua R. Orem # 116872 [jorem@logs.com]*
23 1499 SE Tech Center Place, Suite 255, Vancouver, WA 98683
24 7632 SW Durham Road, Suite 350, Tigard, OR 97224*
25 (360)260-2253; Fax (360)260-2285

26 6 - GENERAL JUDGMENT OF FORECLOSURE AND
27 SALE
28 S&S No. 16-118162

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IN THE CIRCUIT COURT OF THE STATE OF OREGON

IN AND FOR THE COUNTY OF LANE

THE BANK OF NEW YORK MELLON FKA
THE BANK OF NEW YORK, AS TRUSTEE FOR
THE CERTIFICATEHOLDERS OF THE CWABS,
INC., ASSET-BACKED CERTIFICATES,
SERIES 2007-11

Case No. 16CV31758

Plaintiff,

CERTIFICATE OF READINESS

vs.

DANIEL S. FIELD; QUICK COLLECT, INC.;
RAY KLEIN, INC., DBA PROFESSIONAL
CREDIT SERVICE; GAIL G. PIOSO; ROBERT L.
PIOSO; ACCOUNT COLLECTION BUREAU,
INC.; UNITED STATES OF AMERICA;
OREGON AFFORDABLE HOUSING
ASSISTANCE CORPORATION; PARTIES IN
POSSESSION

Defendants.

Certificate of Readiness under UTCR 5 100

I certify that on Jan 30, 2017, this proposed judgment/order is ready
for judicial signature because:

___ Service is not required under UTCR 5.100 (1)(c) because the other party has been found in
default or an order of default is being requested with this proposed judgment/order; because
this judgment/order is submitted **ex parte** as allowed by statute or rule; or this judgment/order
is being submitted in **open court** with all parties present.

___ Each party affected by this judgment/order has **stipulated** to or **approved** the
judgment/order, as shown by the signatures on the judgment/order, or by written confirmation
sent to me.

CERTIFICATE OF READINESS
S&S No. 16-118162

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1 X I have served (complete service section below) a copy of this judgment/order and the
2 *Notice of Proposed Judgment/order* to all parties entitled to service. **And:**

3 No objection has been served on me within the 7-day time frame.

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

5 After conferring about objections, the other party agreed to file any remaining objection
with the court.

6
7 DATED: Jan 30, 2017

8 Attorneys for Plaintiff
SHAPIRO & SUTHERLAND, LLC

9
10 By: 

James A. Craft #090146 [jcraft@logs.com]
 Kelly D. Sutherland #873575 [ksutherland@logs.com]
 Cara J. Richter #094855 [crichter@logs.com]
 Holger Uhl #950143 [huhl@logs.com]*
 Adam R. Hollar # 093870 [ahollar@LOGS.com]*
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26 CERTIFICATE OF READINESS
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