

FILED

JUL 13 2022

CIRCUIT COURT
MULTNOMAH COUNTY, OREGON

Court clerk has not verified the figures in this writ. If you have questions regarding this writ, please contact your legal counsel, the issuing attorney or company. Debtor may contest this writ by filing a claim of exemption.

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

COPPERFIELD ADULT CONDOMINIUM
HOMEOWNERS ASSOCIATION, an
Oregon non-profit corporation,

Plaintiff,

v.

NANCY LYNK; AND PARTIES IN
POSSESSION OR CLAIMING A RIGHT TO
POSSESSION,

Defendants.

Case No. 21CV27077

**WRIT OF EXECUTION IN
FORECLOSURE OF
RESIDENTIAL REAL
PROPERTY**

TO THE SHERIFF OF MULTNOMAH COUNTY:

WHEREAS, on February 5, 2022, in the above-entitled court, a General Judgment of Foreclosure was enrolled and docketed in the above-entitled cause, a true copy of which is attached hereto and made part hereof.

NOW, THEREFORE, IN THE NAME OF THE STATE OF OREGON, you are hereby commanded to sell, in the manner prescribed by law for the sale of residential real property upon execution (subject to redemption), all of the interest which the Defendants or their predecessors interest had on February 1, 2017, the date the condominium association lien was recorded, and also all of the interest which the Defendants had thereafter, in the real property described in the judgment, described as follows:

Unit No. 2, Building No. R, COPPERFIELD CONDOMINIUM, in the City of Portland, County of Multnomah and State of Oregon, according to the plat filed December 28, 1973 in Book 1206, Page 64 of Plat Records, TOGETHER WITH an undivided interest in the general and limited common elements as set forth in Declaration of Unit Ownership recorded December 28, 1973, Book 965, Page 992, Deed Records, amended by instrument recorded September 26, 1974 in Book 1008,

Page 1603 and by instrument recorded February 11, 1976 in Book 1087, Page 800, and by instrument recorded April 12, 1976 in Book 1097, Page 1269, and by instrument recorded September 13, 1976 in Book 1126, Page 1370.

The property is commonly known as 2742 SE 138th Ave, #123, Portland, Oregon 97236 ("Property").

To satisfy the general judgment listed below; all amounts owed to Plaintiff by Defendants which accrued from date of judgment to date of sale; and the cost of this writ, making due return within sixty (60) days after you receive this writ. The proceeds from the sale shall be applied in accordance with the judgments.

The balance as of June 20, 2022, exclusive of post judgment attorney fees and post judgment dues and assessments is as follows:

1. Principal Amount due on General Judgment of Foreclosure:	\$42,357.68
2. Amount of Costs and Disbursements:	\$1,184.33
3. Amount of Attorney Fees:	\$9,716.83
4. Amount of Post-Judgment Interest on February 5, 2022 Judgment Principal Balance (through June 20, 2022): (\$13.93 per day – 135 days (12% per annum))	\$1,879.98
5. Amount of Post-judgment interest on February 5, 2022 Judgment Attorney Fees and Costs (through June 20, 2022): (\$2.69 per day – 135 days (9% per annum))	\$362.87
6. Total amount through June 20, 2022: (Per diem thereafter \$16.62)	\$55,501.69

The mailing address of the judgment creditor is:

Copperfield Adult Condominium Homeowners Association
c/o Vial Fotheringham LLP
Attn: C. Sarah Lappin
17355 SW Boones Ferry Rd., Suite A
Lake Oswego, OR 97035



[Handwritten Signature] 7-13-22
CLERK

Submitted by:
VIAL FOTHERINGHAM LLP
C. Sarah Lappin, OSB# 077070
Of Attorneys for Plaintiff

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

COPPERFIELD ADULT CONDOMINIUM
HOMEOWNERS ASSOCIATION, an
Oregon non-profit corporation,

Plaintiff,

v.

NANCY LYNK; AND PARTIES IN
POSSESSION OR CLAIMING A RIGHT TO
POSSESSION,

Defendants.

Case No. 21CV27077

**CERTIFICATE OF READINESS
UTCR 5.100**

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

1. 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.
2. Each opposing 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, [role and name of objecting party] agreed to independently file any remaining objection.

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

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 20th day of June, 2022.

VIAL FOTHERINGHAM LLP

By: *C. Sarah Lappin*

C. Sarah Lappin, OSB #077070

Attorney for Plaintiff

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

COPPERFIELD ADULT
CONDOMINIUM HOMEOWNERS
ASSOCIATION, an Oregon non-profit
corporation,

Plaintiff,

Case No. 21CV27077

**GENERAL JUDGMENT OF
FORECLOSURE**

v.

NANCY LYNK; AND PARTIES IN
POSSESSION OR CLAIMING A RIGHT
TO POSSESSION,

Defendants.

This matter coming regularly before the Court on this day, and it appearing from the record that an Order for Default was entered against Defendants NANCY LYNK; and PARTIES IN POSSESSION OR CLAIMING A RIGHT TO POSSESSION, ("Defendants"):

IT IS HEREBY ORDERED AND ADJUDGED:

1. The real property to which this judgment relates is situated in Multnomah County, Oregon and is legally described as:

Unit No. 2, Building No. R, COPPERFIELD CONDOMINIUM, in the City of Portland, County of Multnomah and State of Oregon, according to the plat filed December 28, 1973 in Book 1206, Page 64 of Plat Records, TOGETHER WITH an undivided interest in the general and limited common elements as set forth in Declaration of Unit Ownership recorded December 28, 1973, Book 965, Page 992, Deed Records, amended by instrument recorded September 26, 1974 in Book 1008, Page 1603 and by instrument recorded February 11, 1976 in Book 1087, Page 800, and by instrument recorded April 12, 1976 in Book 1097, Page 1269, and by instrument recorded September 13, 1976 in Book 1126, Page 1370.

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2 and is more commonly known as 2742 SE 138th Ave, #123, Portland, Oregon 97236 ("Property").

3 2. Plaintiff's Claim of Lien ("Lien"), recorded on February 1, 2017, in the real
4 property records of Multnomah County, Oregon as Instrument No. 2017-013598, is a valid and
5 subsisting lien against all of the property for the amount of Plaintiff's judgment as provided
6 herein. Plaintiff's lien is a continuing lien and the amount increases as additional unpaid
7 assessments accrue.
8

9 3. The interest of each of the Defendants subject to this judgment and any successor
10 in interest in the property is foreclosed and terminated excepting only any statutory right of
11 redemption as provided by Oregon law.

12 4. The Plaintiff's Lien is superior to any interest, lien, or claim of the remaining
13 Defendants, and shall remain in effect until issuance of a Sheriff's Deed.

14 5. The Property is hereby ordered to be sold by the Multnomah County Sheriff's
15 Office in accordance with the process for sale upon execution.

16 6. Plaintiff, or any junior lien holders, may become purchaser at the sale of the
17 property.
18

19 7. The purchaser at the sale is entitled to exclusive and immediate possession of the
20 Property from and after the date of the sale and is entitled to such remedies as are available at law
21 or in equity to secure possession.

22 8. The purchaser at the sale may apply to the Court for a writ of assistance if any
23 Defendant or any person holding possession under or through such Defendants shall refuse to
24 surrender possession to the purchaser immediately on the purchaser's demand for possession.
25

1 9. The proceeds of sale shall be applied first toward the costs of the sale; then to any
2 assessments of the Plaintiff and attorney fees which shall accrue from the date of judgment to the
3 date of sale; then toward satisfaction of Plaintiff's judgment awarded herein; and the surplus, if
4 any, to the party or parties who may establish their right thereto.

5 10. Since the amount of the lien referenced herein includes only assessments, attorney
6 fees, and costs incurred to the date of judgment, and regular assessments, fees and costs increase
7 the balance of the lien, Plaintiff shall be entitled to apply to the Court for one or more
8 supplemental judgment(s) for assessments, fees and costs which accrue through the date of sale,
9 but are not included in this judgment.

11 11. Plaintiff is now due and owing the following amounts:

Lien Principal:	\$37,089.97
Pre-judgment Interest:	\$5,267.71
Total:	\$42,357.68

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

Attorney Fees (on Plaintiff's first claim):		\$9,716.83
Costs:		\$839.33
Photocopies:	\$9.33	
Postage and Shipping:	\$1.00	
Foreclosure Guarantee and Date Down:	\$300.00	
Filing Fees:	\$283.00	
Recording Costs:	\$91.00	
Process Service Fees:	\$155.00	
Prevailing Party Fee:		\$345.00
Total:		\$10,901.16

13 13. Post-judgment simple interest for all past-due assessments shall accrue from the
14 date of judgment at the rate of twelve percent (12%) per annum until paid, and post judgment
15

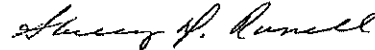
1 interest on all attorney fees and costs shall accrue from the date of judgment at the rate of nine
2 percent (9%) until paid.

3 14. The amounts declared due in paragraphs 11, 12, and 13 of this judgment shall
4 collectively declare the secured amount due under this Judgment of Foreclosure.

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

8 16. The court shall retain jurisdiction to enter such additional order, judgment or
9 decree necessary to enforce this judgment, the writ of execution or for the purchaser at the
10 foreclosure sale to obtain possession.
11

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13 1/31/2022 2:03:22 PM

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16 **Circuit Court Judge Shelley D. Russell**

17 **SUBMITTED BY:**

18 C. Sarah Lappin, OSB# 077070
19 csl@vf-law.com
20 *Attorney for Plaintiff*

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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, [role and name of objecting party] agreed to independently file any remaining objection.

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

3 5. This is a proposed judgment that includes an award of punitive damages and
4 notice has been served on the Director of the Crime Victims' Assistance Section as required by
5 subsection (5) of this rule.

6 6. Other: _____

7 DATED this 28th day of October, 2021.

8 **VIAL FOTHERINGHAM LLP**

9
10 By: s/ C. Sarah Lappin
11 C. Sarah Lappin, OSB# 077070
12 *Attorney for Plaintiff*
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