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SEP 28 2022

JOSEPHINE CO SHERIFF

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

HMC ASSETS, LLC SOLELY IN ITS
CAPACITY AS SEPARATE TRUSTEE OF
CAM XI TRUST,
Plaintiff,

vs.

UNKNOWN HEIRS AND DEVISEES OF
COLLEEN WICKMAN, a deceased individual;
MARCIA FUDGE, SOLELY IN HER
CAPACITY AS SECRETARY FOR THE
UNITED STATES DEPARTMENT OF
HOUSING AND URBAN DEVELOPMENT;
AND ALL OTHER UNKNOWN PARTIES
CLAIMING ANY RIGHT, TITLE, LIEN OR
INTEREST IN THE REAL PROPERTY
COMMONLY KNOWN AS 315 NE B ST,
GRANTS PASS, OR 97526,

Defendants.

**CASE NO.: 22CV13142
WRIT OF EXECUTION**

TO THE SHERIFF OF JOSEPHINE COUNTY OREGON:

WHEREAS, on September 8, 2022, by consideration of the JOSEPHINE County Circuit Court, there was executed a General Judgment of Foreclosure. The General Judgment of Foreclosure was duly enrolled and docketed in the Court Administrator's Office in said County on September 8, 2022, a true copy of the General Judgment of Foreclosure is attached hereto and made a part hereof.

1 Judgment Creditor HMC ASSETS, LLC SOLELY IN ITS CAPACITY AS
2 SEPARATE TRUSTEE OF CAM XI TRUST
3 Judgment Creditor Address: c/o ZBS LAW, LLP
4 5 Centerpointe Dr. Suite 400
5 Lake Oswego, OR 97035

6 NOW THEREFORE IN THE NAME OF THE STATE OF OREGON, you are
7 commanded to sell the real property pursuant to said General Judgment of Foreclosure according
8 to law (subject to redemption) all of the interest that the borrowers had on the 18th day of
9 December, 2006, the date of the Mortgage, and also all of the interest that borrower had thereafter,
10 in the real property described in the Judgment as:

11 The land referred to herein below is situated in the County of Josephine, State of Oregon, and is
12 described as follows:

13 ALL THAT PART OF LOT 1 BLOCK 18, ORIGINAL TOWNSITE, CITY OF GRANTS
14 PASS, JOSEPHINE COUNTY, OREGON, LYING EASTERLY OF SKUNK CREEK. ALSO:
15 THE WEST 34.80 FEET OF LOT 2, BLOCK 18, BOUNDARY LINE ADDITION, IN THE CITY
16 OF GRANTS PASS, JOSEPHINE COUNTY, OREGON. ALSO: THE NORTH HALF OF
17 ALLEY LYING SOUTH OF AND ADJACENT TO THAT PORTION OF THE HEREIN
18 DESCRIBED PROPERTY LYING IN BLOCK 18, BOUNDARY LINE ADDITION, AS
19 VACATED BY CITY ORDINANCE NO. 3802.

20 The street address of the real property to be levied upon is 315 NE B St, Grants Pass, OR
21 97526.

22 THE TOTAL AMOUNT OF EXECUTION REQUESTED HEREON, STATED AS OF
23 THE DATE OF SUBMISSION (September 9, 2022) IS AS FOLLOWS:

24 Principal Balance, Interest, Fees & Cost:	\$219,842.20
25 Attorney Fees and Costs:	\$6,801.75
26 Prevailing Party Fee:	\$300.00
27 Pre-Judgment Interest from	
28 09/01/2022 – 09/07/2022 at 1.790%	

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(\$17.73 x 7 days) \$124.11

Post-Judgment Interest from

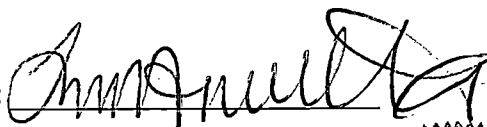
09/08/2022 at 9.0%

(\$55.99 per diem) \$111.98

Total due as of September 9, 2022: \$227,180.04, with interest to continue to accrue at 9% (\$55.99 per diem) until the date of sale.

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

SEP 12 2022

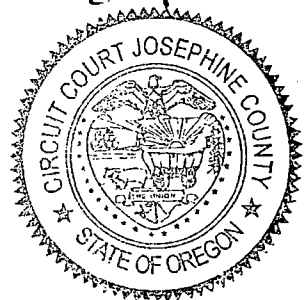
By: 

Court Clerk

Submitted by:

/s/ Amber L. Labrecque

Amber L. Labrecque, OSB No. 094593



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

HMC ASSETS, LLC SOLELY IN ITS
CAPACITY AS SEPARATE TRUSTEE OF
CAM XI TRUST,

Plaintiff,

vs.

UNKNOWN HEIRS AND DEVISEES OF
COLLEEN WICKMAN, a deceased individual;
MARCIA FUDGE, SOLELY IN HER
CAPACITY AS SECRETARY FOR THE
UNITED STATES DEPARTMENT OF
HOUSING AND URBAN DEVELOPMENT;
AND ALL OTHER UNKNOWN PARTIES
CLAIMING ANY RIGHT, TITLE, LIEN OR
INTEREST IN THE REAL PROPERTY
COMMONLY KNOWN AS 315 NE B ST,
GRANTS PASS, OR 97526,

Defendants.

CASE NO. 22CV13142

**GENERAL JUDGMENT OF
FORECLOSURE BY DEFAULT
(WITHOUT MONEY AWARD –
JUDGMENT DOES NOT
CREATE A LIEN)**

Based upon the Motion for a General Judgment of Foreclosure filed by Plaintiff HMC ASSETS, LLC SOLELY IN ITS CAPACITY AS SEPARATE TRUSTEE OF CAM XI TRUST (“Plaintiff”) and against defendants UNKNOWN HEIRS AND DEVISEES OF COLLEEN WICKMAN, a deceased individual and MARCIA FUDGE, SOLELY IN HER CAPACITY AS SECRETARY FOR THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, collectively (“Defendants”) and that Plaintiff has filed a Statement for Attorney Fees, Costs, and Disbursements.

IT IS HEREBY ORDERED AND ADJUDGED:

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1.

Plaintiff is awarded judgment against Defendants and all persons claiming through or under Defendants, as purchasers, encumbrances, or otherwise, are forever foreclosed of all interest, lien or claim in the real property described above and every portion thereof excepting only any satisfactory right of redemption as Defendants, or any of them, may have therein. UNKNOWN HEIRS AND DEVISEES OF COLLEEN WICKMAN, a deceased individual and MARCIA FUDGE, SOLELY IN HER CAPACITY AS SECRETARY FOR THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT were defaulted on August 5, 2022. ALL OTHER UNKNOWN PARTIES CLAIMING ANY RIGHT, TITLE, LIEN OR INTEREST IN THE REAL PROPERTY COMMONLY KNOWN AS 315 NE B ST, GRANTS PASS, OR 97526 was dismissed on August 5, 2022.

2.

Writ of execution upon this General Judgment of Foreclosure shall issue.

3.

The Deed of Trust executed by Borrower Colleen Wickman on December 18, 2006 and recorded on December 22, 2006, in the Josephine County Recorder's Office as Instrument No. 2006-025716, is a valid mortgage lien for the amount of Plaintiff's judgment set forth below against all the real property, located in Josephine County, Oregon commonly referred to as 315 NE B St, Grants Pass, OR 97526, with a legal description as follows:

ALL THAT PART OF LOT 1 BLOCK 18, ORIGINAL TOWNSITE, CITY OF GRANTS PASS, JOSEPHINE COUNTY, OREGON, LYING EASTERLY OF SKUNK CREEK. ALSO: THE WEST 34.80 FEET OF LOT 2, BLOCK 18, BOUNDARY LINE ADDITION, IN THE CITY OF GRANTS PASS, JOSEPHINE COUNTY, OREGON. ALSO: THE NORTH HALF OF ALLEY LYING SOUTH OF AND ADJACENT TO THAT PORTION OF THE HEREIN DESCRIBED PROPERTY LYING IN BLOCK 18, BOUNDARY LINE ADDITION, AS VACATED BY CITY ORDINANCE NO. 3802.

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4.

Said mortgage lien is superior to any interest, lien or claim of the Defendants in the real property, and all other interest in the property gained by him thereafter, or so much interest as may be necessary to satisfy the judgment of the Plaintiff shall be sold by the Sheriff of Josephine County, Oregon in the manner provided by law and in accordance with the practice of this Court.

5.

The proceeds of sale shall first be applied to the costs of sale; then toward the satisfaction of Plaintiff's judgment awarded herein, calculated as of the date of sale; and any resulting surplus shall then be tendered to the Clerk of the Court to be distributed to such other party or parties as may establish their right thereto.

6.

Defendants and all persons claiming through or under Defendants, as purchasers, encumbrances, or otherwise, are forever foreclosed of all interest, lien or claim in the real property described above and every portion thereof excepting only any satisfactory right of redemption as Defendants may have.

7.

Plaintiff or any other party to this suit or third party purchase may become the purchaser at the sale of the real property. The purchaser is entitled to exclusive possession of the real property from and after the date of sale and is entitled to such remedies as are available at law to secure possession, including writ of assistance, if the Defendants and any other party or person shall refuse to surrender possession to the purchaser immediately on the purchaser's demand for possession.

SECURED DEBT

1. Judgment Creditor: HMC ASSETS, LLC SOLELY IN ITS CAPACITY
AS SEPARATE TRUSTEE OF CAM XI TRUST
c/o ZBS Law, LLP
5 Centerpointe Dr., Suite 400

Lake Oswego, OR 97035
503-946-6558

2. Judgment Creditor's Attorney: Amber L. Labrecque
ZBS Law, LLP
5 Centerpointe Dr., Suite 400
Lake Oswego, OR 97035
503-946-6558

3. Person or public body entitled to any portion of money award herein: None

4. Total Amount of Secured Debt:

<u>LENDERS' PRINCIPAL AND INTEREST</u>	
Principal Balance	\$ 147,390.61
Accrued interest on the principal balance through 08/31/2022	\$ 52,200.77
Accrued costs and fees through 08/31/2022	\$ 20,250.82
Additional pre-judgment interest to accrue from 09/01/2022 to the date this judgment is entered, at the note rate of 1.790% (\$17.73 per diem)	
Post-judgment interest to accrue on the sum of: (1) the Total Secured Debt (Judgment), and (2) the additional pre-judgment interest accruing from 09/01/2022 to the date of judgment. This post-judgment interest shall accrue at the statutory rate of 9.0%, from the date judgment is entered until the date of sale.	
Total Principal and Interest Through 08/31/2022 at the rate of 1.790% (\$17.73 per diem), and costs and fees.	\$ 219,842.20
<u>CURRENT ATTORNEYS' FEES AND COSTS</u>	
Current Attorney Fees	\$ 4,525.00
Current Attorney Costs	\$ 2,276.75
<u>TOTAL ATTORNEY FEES AND COSTS</u>	\$ 6,801.75
Prevailing Party Fee	\$ 300.00
<u>TOTAL SECURED DEBT (JUDGMENT)</u>	\$ 226,943.95

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1 Interest will continue to accrue on the judgment amount at the rate of 9%. Said Judgment
2 is meant to be for the purposes of foreclosure *only*, and is not intended to be a monetary judgment
3 against the Borrower.
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12 Circuit Court Judge Pat Wolke

13 Submitted by:
14 s/ Amber L. Labrecque 09/07/2022
15 Attorney for Plaintiff

16 **UTCR 5.100(2) CERTIFICATE OF READINESS**

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

- 18 1. Each party affected by this order of judgment has stipulated to the order or judgment,
19 as shown by each party's signature on the document being submitted.
20 2. Each party affected by this order of judgment has approved the order or judgment, as
21 shown by each party's signature on the document being submitted or by written
22 confirmation of approval sent to me.
23 3. I have served a copy of this order of judgment on each party entitled to service and:
24 a. No objection has been served on me.
25 b. I received objections that I could not resolve with a party despite reasonable
26 efforts to do so. I have filed a copy of the objections I have received and
27 indicated which objections remained unresolved.
28

1 c. After conferring about objections [role and name of objecting party] agreed to
2 independently file any remaining objection.

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

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

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

7 7. This is a proposed judgment that includes an award of punitive damages and notice as
8 been served on the Director of the Crime Victims' Assistance Section as required by
9 subsection (5) of the rule.
10

11 8. Other: _____

12 Submitted By:

13 s/ Amber L. Labrecque 09/07/2022
14 Amber L. Labrecque, OSB No. 094593
15 Attorneys for Plaintiff
alabrecque@zbslaw.com
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