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

REVERSE MORTGAGE FUNDING, LLC,

Case No. 19CV45090

Plaintiff,

**WRIT OF EXECUTION**

v.

THE ESTATE OF ELMA JEAN YATES;  
THE UNKNOWN HEIRS, ASSIGNS AND  
DEVISEES OF ELMA JEAN YATES;  
DONALD YATES; RONALD YATES; THE  
SECRETARY OF HOUSING AND URBAN  
DEVELOPMENT; AND ALL OTHER  
PERSONS OR PARTIES UNKNOWN  
CLAIMING ANY RIGHT, TITLE, LIEN, OR  
INTEREST IN THE REAL PROPERTY  
COMMONLY KNOWN AS 421 BALL  
ROAD, EAGLE POINT, OR 97524,

Defendant.

TO THE JACKSON COUNTY SHERIFF:

On May 19, 2022, a General Judgment of Foreclosure and Declaration of Amount Due by Default was entered by the Jackson County Circuit Court, foreclosing Plaintiff's Deed of Trust and directing that the property subject to the Deed of Trust be sold to satisfy the unpaid debt due to Plaintiff.

The mailing address for the judgment creditor is Reverse Mortgage Funding, LLC c/o Aldridge Pite, LLP, 1050 SW 6<sup>th</sup> Avenue, Suite 1100, Portland, OR 97204.

The real property to be sold at public auction is commonly known as 421 Ball Road, Eagle Point, OR 97524 ("Subject Property"), and legally described as:

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TRACT A:

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 22 IN TOWNSHIP 35 SOUTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN IN JACKSON COUNTY, OREGON; THENCE EAST ALONG THE SOUTH LINE OF SAID TRACT 99.0 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH PARALLEL WITH THE WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER 660.0 FEET TO THE NORTH LINE THEREOF; THENCE EAST ALONG THE NORTH LINE OF SAID TRACT 33.0 FEET; THENCE SOUTH PARALLEL WITH THE WEST LINE OF SAID TRACT 660.0 FEET TO THE SOUTH LINE THEREOF; THENCE WEST 33.0 FEET TO THE TRUE POINT OF BEGINNING.

TRACT B:

BEGINNING AT A POINT 132.0 FEET EAST OF THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 22 IN TOWNSHIP 35 SOUTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN IN JACKSON COUNTY, OREGON; THENCE EAST 66.0 FEET; THENCE NORTH 660.0 FEET; THENCE WEST 66.0 FEET; THENCE SOUTH 660.0 FEET TO THE POINT OF BEGINNING.

The total amount due and owing on the Judgment as of October 19, 2022

Judgment:	Principal	\$261,544.38
Pre-Judgment:	Interest(2.64%,\$18.91 p/day)	\$794.22(4/8/2022 through May 19, 2022)
	Attorney Fees	\$7,725.00

1	Costs	\$4,117.04	
2	Prevailing Party Fee	\$325.00	
3	Post-Judgment: Interest(9.000%, \$67.75 p/day)	\$10,365.81	(5/20/2022 through
4		10/19/2022)	
5	Attorney Fees	\$0.00	
6	Costs	\$260.00	

7 **TOTAL: \$285,131.45**

8 In the name of the State of Oregon, you are hereby directed to proceed to notice for sale  
9 and sell the Subject Property. After the sale, you are directed to issue a certificate of sale to the  
10 purchaser and file a return on the writ of execution, depositing the sale proceeds with the Court.  
11 Further, you are directed to execute, after the time for redemption has elapsed, a deed to the  
12 holder of the certificate of sale.

13 By the signature of the attorney for the judgment creditor, the person that requested  
14 issuance of the Writ hereby authorizes the sheriff to continue execution under the Writ and delay  
15 making a return on the writ to a date up to 150 days after receipt.

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18 By: *Michael J. Page*  
19 Circuit Court Clerk

19 Presented by:  
20 ALDRIDGE PITE, LLP

21  
22 By: /s/ Michael J. Page  
23 Michael J. Page OSB #194328  
24 Of Attorneys for Plaintiff  
25 (858) 750-7600  
26 (503) 222-2260 (facsimile)  
orecourtnotices@aldridgepite.com

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

REVERSE MORTGAGE FUNDING, LLC,

Case No. 19CV45090

Plaintiff,

**GENERAL JUDGMENT OF  
FORECLOSURE AND DECLARATION OF  
AMOUNT DUE BY DEFAULT**

v.

ORCP Rule 69

THE ESTATE OF ELMA JEAN YATES;  
THE UNKNOWN HEIRS, ASSIGNS AND  
DEVISEES OF ELMA JEAN YATES;  
DONALD YATES; RONALD YATES; THE  
SECRETARY OF HOUSING AND URBAN  
DEVELOPMENT; and ALL OTHER  
PERSONS OR PARTIES UNKNOWN  
CLAIMING ANY RIGHT, TITLE, LIEN, OR  
INTEREST IN THE REAL PROPERTY  
COMMONLY KNOWN AS 421 BALL  
ROAD, EAGLE POINT, OR 97524,

THIS IS A JUDGMENT OF FORECLOSURE  
AND DOES NOT CONSTITUTE A MONEY  
AWARD AGAINST ANY DEFENDANT

Defendants.

Based upon the Court’s Order of Default against defendants The Estate of Elma Jean Yates, The Unknown Heirs, Assigns and Devisees of Elma Jean Yates, Donald Yates, Ronald Yates, The Secretary of Housing and Urban Development, and All Other Persons or Parties Unknown claiming any right, title, lien, or interest in The Real Property commonly known as 421 Ball Road, Eagle Point, OR 97524, the records on file herein, and pursuant to the Motion for General Judgment and Declaration of Amount Due by Default by Plaintiff Reverse Mortgage Funding, LLC (“Plaintiff”),

**IT IS HEREBY ADJUDGED:**

1. Plaintiff’s security interest in the real property located at 421 Ball Road, Eagle Point, OR 97524 (“Subject Property”), as evidenced by the Deed of Trust recorded April 7, 2008

1 in the official records of Jackson County as instrument number 2008-013123 (“Deed of Trust”),  
2 is a viable first priority lien, superior to the interests of all the Defendants. All rights, claims,  
3 ownerships, liens, titles and demands of all Defendants are subsequent to Plaintiff’s lien as  
4 created by the Note and Deed of Trust. The Subject Property is legally described as follows:

5 TRACT A:

6 COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHEAST  
7 QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHEAST  
8 QUARTER OF SECTION 22 IN TOWNSHIP 35 SOUTH, RANGE 1 WEST  
9 OF THE WILLAMETTE MERIDIAN IN JACKSON COUNTY, OREGON;  
10 THENCE EAST ALONG THE SOUTH LINE OF SAID TRACT 99.0 FEET TO  
11 THE TRUE POINT OF BEGINNING; THENCE NORTH PARALLEL WITH  
12 THE WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST  
13 QUARTER OF THE NORTHEAST QUARTER 660.0 FEET TO THE NORTH  
14 LINE THEREOF; THENCE EAST ALONG THE NORTH LINE OF SAID  
15 TRACT 33.0 FEET; THENCE SOUTH PARALLEL WITH THE WEST LINE  
16 OF SAID TRACT 660.0 FEET TO THE SOUTH LINE THEREOF; THENCE  
17 WEST 33.0 FEET TO THE TRUE POINT OF BEGINNING.

18 TRACT B:

19 BEGINNING AT A POINT 132.0 FEET EAST OF THE SOUTHWEST  
20 CORNER OF THE NORTHEAST QUARTER OF THE SOUTHWEST  
21 QUARTER OF THE NORTHWEST QUARTER OF SECTION 22 IN  
22 TOWNSHIP 35 SOUTH, RANGE 1 WEST OF THE WILLAMETTE  
23 MERIDIAN IN JACKSON COUNTY, OREGON; THENCE EAST 66.0 FEET;  
24 THENCE NORTH 660.0 FEET; THENCE WEST 66.0 FEET; THENCE  
25 SOUTH 660.0 FEET TO THE POINT OF BEGINNING.

26 2. The Deed of Trust is foreclosed and upon entry of this Judgment the court  
administrator shall upon request of Plaintiff issue a writ of execution for the sale, by the Sheriff,  
in the manner provided by law;

3. Plaintiff has submitted a Declaration of Amount Due and is owed the total amount  
due under the Note and Deed of Trust and any future advances and/or fees that may be made or  
incurred pursuant to the terms of the Note and Deed of Trust up to the date of the execution sale.  
This amount is to be satisfied by sale of the Subject Property as directed under this Judgment;

4. Plaintiff is owed reasonable attorney fees plus the remaining flat rate fees for an  
uncontested execution on the Judgment, pursuant to the Note and Deed of Trust and ORCP Rule

1 68(C), which amount may be added to the outstanding obligation due and owing under the Note  
2 and Deed of Trust and recovered from the proceeds of the sheriff's sale. Pursuant to the Deed of  
3 Trust, these fees continue to accrue to the date of the execution sale. This amount to be satisfied  
4 by sale of the Subject Property as directed under this Judgment;

5 5. Plaintiff is owed costs of suit pursuant to the Note and Deed of Trust, ORCP Rule  
6 68(A)(2) and ORS 20.115(4), which may be added to the outstanding obligation due and owing  
7 under the Note and Deed of Trust and recovered from the proceeds of the sheriff's sale. Pursuant  
8 to the Deed of Trust, these costs continue to accrue to the date of the execution sale. This  
9 amount to be satisfied by sale of the Subject Property as directed under this Judgment;

10 6. Plaintiff is owed the prevailing party fee of \$325.00, this amount to be satisfied by  
11 sale of the Subject Property as directed under this Judgment.

12 7. The Sheriff shall make a return on the writ of execution to the court administrator  
13 along with the proceeds of the sale, if any. The proceeds of the sale, if any, shall be applied first  
14 toward the costs of the sale; then toward the satisfaction of Plaintiff's Judgment of Foreclosure  
15 awarded herein; and the surplus, if any, to the clerk of the court to be distributed to such party or  
16 parties as may establish their right thereto. The Defendants and all persons claiming through or  
17 under Defendants, whether lien claimants, judgment creditors, claimants arising under junior  
18 mortgages or deeds of trust, purchasers, encumbrances or otherwise, shall be barred and  
19 foreclosed from all rights, claims, interest or equity of redemption in the Subject Property and  
20 every part of the Subject Property when the time for redemption has elapsed;

21 8. Plaintiff or any other party to this action may become a purchaser at the  
22 foreclosure sale, and such purchaser shall be immediately let into possession of the subject  
23 property, until redemption of the property, if any. The purchaser at the foreclosure sale or any  
24 successor in interest may apply to this Court for a writ of assistance to gain possession of the  
25 subject property if Defendants or any other party or person refuses to surrender possession;

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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.

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: \_\_\_\_\_

Presented By:  
ALDRIDGE PITE, LLP

/s/ Michael J. Page  
Michael J. Page, OSB #194328  
*Of Attorneys for Plaintiff*  
(858) 750-7600  
(503) 222-2260 (Facsimile)  
orecourtnotices@aldridgepite.com

Date: May 16, 2022