

LANE COUNTY
OFFICE OF LANE COUNTY COUNSEL
125 East 8th Avenue
Eugene, Oregon 97401
(541) 6882-4222 • Fax (541) 682-3803

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

LANE COUNTY, a Political Subdivision
of the State of Oregon,

Plaintiff,

v.

JIM C. RAMSEY,
a.k.a. Jimmie C. Ramsey; and

HIDEKO N. WISE,

Defendants.

Case No.: 21CV07262

**WRIT OF EXECUTION IN
FORECLOSURE**

TO: THE SHERIFF OF LANE COUNTY, OREGON

1.

WHEREAS, on October 29, 2021, in the above-entitled court, a General Judgment of
Foreclosure (the "Judgment") was entered and docketed in the above-entitled cause.

2.

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 real property upon execution
(subject to redemption) all of the interest which the defendants had on October 29, 2021, and also all
of the interest which the defendants had thereafter, in the real property described in the Judgment to
satisfy the Judgment to satisfy the money award as follows:

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LANE COUNTY
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125 East 8th Avenue
Eugene, Oregon 97401
(541) 6682-4222 • Fax (541) 682-3803

Plaintiff Lane County's Principal Judgment

1		
2	Unpaid Principal	\$85,045
3	Prejudgment Interest	\$2,316
4	TOTAL JUDGMENT MONEY AWARD	\$87,361

3.

In addition to this amount, Plaintiffs are entitled to the continued accrual of post-judgment interest at the legal rate of 9% per annum, \$21.54 per diem for Plaintiff Lane County from October 29, 2021 to the date the real property subject to the Judgment is sold by the Lane County Sheriff at its foreclosure auction, plus costs of this writ, sheriff's fees and sale costs, and all other recoverable costs pursuant to law.

4.

The real property subject to this writ of execution is situated in Lane County, Oregon; is described as Map and Tax lots 19-12-03-40-1700 and 19-12-03-10-1113 located at, and adjacent to, 4990 N. Loftus Road, Florence, Oregon ("Property") and is legally described in Exhibits A and B.

The Judgment Creditors' names and addresses are:

Lane County Public Works
Land Management Division
3050 N Delta Highway
Eugene, OR 97408

6.

The Judgment Creditors' names and addresses for the purpose of this Writ are:

Lane County Public Works
Land Management Division
c/o Sebastian Tapia
125 E. 8th Avenue
Eugene, Oregon 97401

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THEREFORE, in the name of the State of Oregon, you are hereby commanded to seize and sell the above-described Property, in the manner prescribed by law; or so much thereof as may be necessary to satisfy the Judgment of Money Award, interest, fees, and costs.

MAKE RETURN HEREOF within 60 days after you receive this writ. DATED this 14 date of October, 2022

Newton
Circuit Court Clerk



Submitted by:
/s/ Sebastian Tapia; Dated: October 10, 2022
Sebastian Tapia, OSB #043761
Lane County Office of Legal Counsel
125 East 8th Avenue
Eugene, OR 97401
Email. sebastian.tapia@lanecountyor.gov
Of Attorneys for Plaintiff Lane County

1
2 IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR LANE COUNTY

3 **LANE COUNTY, a Political**
4 **Subdivision of the State of Oregon,**

5 Plaintiff,

6 v.

7 **JIM C. RAMSEY,**
8 **a.k.a Jimmie C. Ramsey; and**

9 **HIDEKO N. WISE;**

10 Defendants.

Case No.: 21CV07262

**GENERAL JUDGMENT OF
DEFAULT AND MONEY
AWARD**

11 THIS MATTER coming to be heard on the Plaintiff's Motion for a General Judgment of
12 Default, and good cause appearing and the court being fully advised in on the premises;

13 IT IS HEREBY ORDERED AND ADJUDGED that a General Judgment of Default shall
14 be entered as to Defendants Jim C. Ramsey and Hideko N. Wise.

15 IT IS FURTHER ORDERED, ADJUDGED, and DECREED:

16 1. A final judgment and money award is entered in favor of Plaintiff Lane County and
17 against Defendants Jim C. Ramsey and Hideko N. Wise in this action as set out below under Money
18 Award.

19 2. The real property to which this general judgment of default relates (hereinafter the
20 "Property") is situated in Lane County, Oregon; is described as Map and Tax lots 19-12-03-40-
21 1700 and 19-12-03-10-1113 located at, and adjacent to, 4990 N. Loftus Road, Florence,
22 Oregon, and their legal description is given in exhibits A and B, which are attached hereto.
23

24 3. Plaintiff Lane County's recorded nuisance lien, issued pursuant to Lane Code
25 Chapters 5 and 11, recorded with Lane County Deeds and Records on November 1, 2019 and
26

1 identified as Reception No. 2019-049904 and again on January 8, 2021 and identified as Reception
2 No. 2021-001319, is a valid and perfected lien against the Property outstanding and owing to
3 Plaintiff Lane County. Plaintiff Lane County is entitled to 9 percent interest from the date of
4 recording.

5 4. Defaulting Defendants claim an interest in the Property by reason of the following
6 valid and perfected liens:

7 Defendant	Type of Interest	Further Information
8 Jim C. Ramsey, tenants in common, but with rights of survivorship	Owner of Record of tax lot 1700 and 1113	Bargain and Sale Deed recorded on January 9, 1995 as Reception No. 95-01061, Lane County, Oregon
9 Hideko N. Wise, tenants in common, but with rights of survivorship	Owner of Record of tax lot 1700 and 1113	Bargain and Sale Deed recorded on January 9, 1995 as Reception No. 95-01060, Lane County, Oregon

10
11
12 5. The liens of Plaintiff are superior to any interest, lien, or claim of Defendants Rim
13 C. Ramsey and Hideko N. Wise, and shall remain in effect until issuance of a Sheriff's Deed.
14 Plaintiff is entitled to have the same foreclosed and the Property sold at foreclosure sale by the
15 Lane County Sheriff to satisfy any and all amounts due and owing to Plaintiffs as set forth herein
16 and in accordance with the process for sale upon execution and the proceeds of sale shall be applied
17 first to the costs of sale, second to satisfaction of Plaintiffs' Amount Due as award in a General
18 Judgment, with the surplus, if any, to the defendants in the priority as their interest may appear or
19 to the clerk of the court to distribute to such party or parties as may establish their right thereto.

20
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22 6. The interest of Defendants Jim C. Ramsey and Hideko N. Wise and any successor
23 in interest in the Property is ordered foreclosed and terminated by Sheriff's sale.

24
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26 7. Plaintiff Lane County may become purchaser at the sale of the Property and may

1 credit bid up to the aggregate amount of both Plaintiffs' amount of their General Judgment plus
2 interest and any costs of sale advanced by Plaintiff Lane County from the date of judgment until
3 sale.

4 8. The purchaser at the sale is entitled to exclusive and immediate possession of the
5 Property from and after the date of the sale and is entitled to such remedies as are available at law
6 or in equity to secure possession.

7 9. Defendants Jim C. Ramsey and Hideko N. Wise are entitled to receive distributions
8 of surplus proceeds in the priority as deemed by the Court after application of the costs of sale and
9 satisfaction of Plaintiff's Amount Due as awarded in a General Judgment.

10 10. This Court shall retain jurisdiction to enter such additional order, judgment, or
11 decree necessary to enforce this judgment or for the purchaser at the foreclosure sale to obtain
12 possession.

13 **MONEY AWARD**

14
15 A. Judgment Creditor: Lane County Land Management
16 Division
17 c/o Lane County Office of Legal
18 Counsel
125 E. 8th Avenue
Eugene, OR 97401

19 B. Judgment Creditor's Lawyer: Sebastian Tapia, OSB #043761
20 Lane County Office of Legal
21 Counsel
125 E. 8th Avenue
Eugene, OR 97401
sebastian.tapia@co.lane.or.us

22 C. Person Other than Judgment
23 Creditor Entitled to Any
24 Portion of Judgment: None

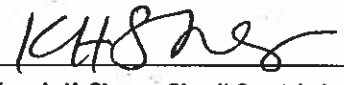
25 D. Judgment Debtor 1: Jim C. Ramsey
26 4990 N. Loftus Rd.
Florence, OR 97439
DOB: **-*-1955
SSN: **-*-8190

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- E. Judgment Debtor 2: Hideko N. Wise
89391 Shore Crest Dr.
Florence, OR 97439
DOB: **-**-1929
SSN:***-**-9826
- F. Judgment Debtors' Lawyer: Pro Se
- G. Judgment Amount: \$87,361
- H. Prejudgment Interest: Prejudgment interest at the rate of 9% per annum from date of recording to the date of the date of this complaint.
- I. Postjudgment Interest: Simple interest at the rate of 9% per annum, to be compounded annually from the date of entry of this money judgment until paid.
- J. Total Money Judgment: \$87,361

DATED THIS 29th day of October, 2021

10/29/2021 10:37:05 AM



Kamala H. Shugar, Circuit Court Judge

General Judgment of Default and Money Award
Submitted by:
s/ Sebastian Tapia
Sebastian Tapia, OSB #043761
sebastian.tapia@co.lane.or.us
Of Attorneys for Plaintiff Lane County

#23394-U OFFICIAL RECORD OF DESCRIPTIONS OF REAL PROPERTIES

19.12.03.4
97-04
I700

OFFICE OF COUNTY ASSESSOR, LANE COUNTY, OREGON

YEAR	TAX LOT	SECTION	TOWNSHIP	RANGE E. OR W.	DEED RECORD	ACRES REMAINING	
	No. 12-45						3
BEARING		DISTANCE	BEARING REFERENCE OR LEGAL SUBDIVISION				
1957			Beginning at a point on the S'ly margin of a 50 ft. road, said point being South 248.21 ft. & West 1632.99 ft. from the $\frac{1}{4}$ cor. between Sec's 2 & 3, Twp. 19S, R12W, WM. thence				77577 77578
1959			along the S'ly margin of said 50 ft. road to a point thence				Contract 55726
1962	S65°43'20"W	100.0 ft	to a point in the center of a creek; thence				R174/34479
1963	S.22°03'E	349.28 ft	straight line distance along the center of said creek to a point; thence				R204/85979
1974	N46°26'19"E	107.41 ft	to the point of beginning, in Lane Co. Oregon				R680/ 8967
1978	N.22°03'W	313.79 ft					R872/71169
1978							R872/71170
1978			Cont. more or less				R923/47404
1979							R973/092360.79
1988							R1495/8800853
1989							R1495/8800854
1994							R1565/8913084
							R2028/9501060*

*With Right of Survivorship

... SURVIVORSHIP

SHELTON-TURNBULL-FULLER CO. EUGENE, OREGON 97402

19.12.03.4
97-04
1700

#23394-U OFFICIAL RECORD OF DESCRIPTIONS OF REAL PROPERTIES
OFFICE OF COUNTY ASSESSOR, LANE COUNTY, OREGON

YEAR	TAX LOT	SECTION	550 209	RANGE E. OR W.	DEED RECORD	ACRES REMAINING	
	No. 12-45		3				TOWNSHIP 19 S.
BEARING		DISTANCE	BEARING REFERENCE OR LEGAL SUBDIVISION				
1957			Beginning at a point on the S'ly margin of a 50 ft. road, said point being South 248.21 ft. & West 1632.99 ft. from the $\frac{1}{4}$ cor. between Sec's 2 & 3, Twp. 19S, R12W, WM. thence				77577 77578
1959			along the S'ly margin of said 50 ft. road to a point thence				Contract 55726
1962	S65°43'20"W	100.0 ft	to a point in the center of a creek;				R174/34479
1963	S.22°03'E	349.28 ft	thence				R204/85979
1974	N46°26'15"E	107.41 ft	straight line distance along the center of said creek to a point; thence				R680/ 8967
1978	N.22°03'W	313.79 ft	to the point of beginning, in Lane Co. Oregon				R872/71169 R872/71170
1978			Cont. more or less				R923/47404
1979							R973/092360.79
1988							R1495/8800853 R1495/8800854
1989							R1565/8913084
1994							R2028/4501060*

*With Right of Survivorship
Survivorship

* * * * *

CERTIFICATE OF COMPLIANCE WITH UTCR 5.100 and ORCP 69(b)(2)

Pursuant to UTCR 5.100(2), the undersigned certifies Compliance with UTCR 5.100(1) Service Requirements: I complied with the service requirements of UTCR 5.100 as follows:

	Service of document	Mailing/Stipulation
	Served on opposing counsel at address to right not less than 3 days prior to submission to court	
	Accompanied by stipulation to the right by opposing counsel that no objection exists as to the form of the judgment or	
<u>x</u>	Mailed to <i>pro se</i> party at address to right not less than 7 days prior to submission to court, and accompanied by notice of the time period to object	P.O. Box 252, Florence, OR 97439
	Service is not required (see item 6 below)	See item 6 below

Readiness for Judicial Signatures. This proposed order or judgment is ready for judicial signature because:

No.		Reason
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 documents being submitted.
2.		Each opposing party affected by this order or judgment has approved the order of judgment, as shown by signature on the document submitted or by written confirmation of approval sent to me.
3.	X	I have served a copy of this order or judgment on all parties entitled to service and:
	X	a. No objection has been served on me.
		b. I received objections that I could not resolved with the opposing 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, one or more of the attorneys for opposing parties agreed to independently file any remaining objection(s).
4.		The relief sought is against an opposing party who has been found in default.
5.		An order of default is being requested with this proposed judgment.
6.		Service is not required pursuant to UTCR 5.100(3), or by statute, rule other otherwise.
7.		This is a proposed judgment that includes an award of punitive damages and notice has been served on the Director of Crime Victim's Assistance Section not less than 3 days prior to submission to the court as required by and at the address given in UTCR 5.100(4).

DATED: October 25th, 2021.

By /s/ Sebastian Tapia _____
Sebastian Tapia, OSB #043761
Of Attorneys for the Lane County Sheriff