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COLUMBIA COUNTY
SHERIFF'S OFFICE

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IN THE CIRCUIT COURT OF THE STATE OF OREGON

IN AND FOR THE COUNTY OF COLUMBIA

PENNYMAC LOAN SERVICES, LLC

Case No. 23CV35977

Plaintiff,

WRIT OF EXECUTION

vs.

UNKNOWN HEIRS AND DEVISEES OF
BEVERLY J. GILMORE-BRINSTER;
MARAIN PALMER; ANTHONY
BRINSTER; DREW BRINSTER; EVIN
BRINSTER; PARTIES IN POSSESSION

Defendants.

TO: COLUMBIA COUNTY SHERIFF

WHEREAS, on April 16, 2024, in the above-entitled court, a General Judgment of Foreclosure and Sale, with said Judgment containing therein a Declaration of Amount Due and was duly entered and docketed in the above-entitled cause

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 March 13, 2020, the date of the deed of trust, and also all of the interest which the defendants acquired thereafter, in the real property described in the judgment:

1- WRIT OF EXECUTION
LLG No. 23-128537

LOGS LEGAL GROUP LLP
1499 SE Tech Center Place, Suite 255, Vancouver, WA 98683
Telephone (360) 260-2253 (800)970-5647
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PARCEL 1 OF PARTITION PLAT NO. 1999-22, RECORDED JUNE 30, 1999, FEE NO. 99-09300, IN COLUMBIA COUNTY, OREGON. TOGETHER WITH A NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS OVER PARCEL 2 AS DISCLOSED ON THE FACE OF PARTITION PLAT NO. 1999-22.

and commonly known as 2558 Columbia Blvd, Saint Helens, OR 97051 to satisfy the sum of \$192,477.66, as of April 23, 2024, together with additional post judgment interest of 9.00% from that date (\$47.38 per day), and costs of this execution, making due return within 60 days after you receive this writ.

PennyMac Loan Services, LLC is the Judgment Creditor, and its address for purpose of this writ only is: C/O LOGS Legal Group LLP, 1499 SE Tech Center Place, Suite 255, Vancouver, WA 98683 (360) 260-2253. LOGS Legal Group LLP is the attorney for the Judgment Creditor.



CERTIFIED TO BE A TRUE AND CORRECT COPY OF THE ORIGINAL DOCUMENT
TRIAL COURT ADMINISTRATOR
COLUMBIA COUNTY OREGON
BY J. Mullen
DATED APR 30 2024

APR 30 2024

Anthony Blackman

Submitted by:
Attorneys for Plaintiff,
LOGS LEGAL GROUP LLP

By: _____

James A. Craft #090146 [jcraft@logs.com]
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2- WRIT OF EXECUTION
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IN THE CIRCUIT COURT OF THE STATE OF OREGON
IN AND FOR THE COUNTY OF COLUMBIA

PENNYMAC LOAN SERVICES, LLC,
Plaintiff,

Case No. 23CV35977

GENERAL JUDGMENT OF
FORECLOSURE AND SALE

vs.

UNKNOWN HEIRS AND DEVISEES OF
BEVERLY J. GILMORE-BRINSTER; MARAINE
PALMER; ANTHONY BRINSTER; DREW
BRINSTER; EVIN BRINSTER; PARTIES IN
POSSESSION,

Defendants.

Default having been entered against Defendant(s), Unknown Heirs and Devisees of
Beverly J. Gilmore-Brinster, Maraine Palmer, Anthony Brinster, Drew Brinster and Evin Brinster.

A Limited Judgment of Dismissal was entered as to Defendant, Parties in Possession by the Court
on December 19, 2023.

It is hereby

ORDERED AND ADJUDGED:

1 - GENERAL JUDGMENT OF FORECLOSURE AND
SALE
LLG No. 23-128537

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1 1. The real property to which this judgment relates (hereafter the "Property") is situated in
2 Columbia County, Oregon is commonly known as 2558 Columbia Blvd, Saint Helens, OR
3 97051 and is legally described as follows:

4 PARCEL 1 OF PARTITION PLAT NO. 1999-22, RECORDED JUNE 30, 1999, FEE
5 NO. 99-09300, IN COLUMBIA COUNTY, OREGON. TOGETHER WITH A NON-
6 EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS OVER PARCEL 2 AS
7 DISCLOSED ON THE FACE OF PARTITION PLAT NO. 1999-22.

8 2. The Deed of Trust executed and delivered by Defendant, Beverly J. Gilmore-Brinster, a single
9 woman ("Borrower") on or about March 13, 2020 and recorded on March 18, 2020 as
10 Instrument No. 2020-02422 in the official records of Columbia County, Oregon, is a valid and
11 perfected lien against all of the Property for the amount of Plaintiff's judgment as provided
12 herein.

13 3. The Plaintiff is the holder of the original note dated March 13, 2020 and made by Beverly J.
14 Gilmore-Brinster in the amount of \$182,000.00. A copy of the Note was attached to the
15 complaint as Exhibit. Plaintiff is the holder of the Note and the beneficial interest in the Deed
16 of Trust (together the "Loan").

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

20 5. The lien of the Plaintiff is superior to any interest, lien, or claim of the remaining Defendants
21 and shall remain in effect until issuance of a Sheriff's Deed. Upon Motion to the Court and
22 good cause shown, Plaintiff may move to rescind the foreclosure judgment and to reinstate
23

24 2 - GENERAL JUDGMENT OF FORECLOSURE AND
25 SALE
26 LLG No. 23-128537

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1 the Loan prior to the Sheriff's sale, returning the parties to their prejudgment interests and
2 priorities.

3 6. The Defendant(s) are not entitled to a homestead exception as against Plaintiff's judgment.

4 7. All of the rights, title and interest that Borrower(s) had as of the date of the Deed of Trust or
5 thereafter acquired in the subject Property, is hereby ordered to be sold by the Columbia
6 County Sheriff's Office in accordance with the process for sale upon execution, and the
7 proceeds of sale shall be applied; first to the costs of sale; second to satisfaction of the amounts
8 awarded Plaintiff herein; with the surplus, if any, to the Defendants in the priority as their
9 interest may appear or to the clerk of the court to be distributed to such party of parties as may
10 establish their right thereto.

11
12 8. Plaintiff or any junior lienholders may become purchaser at the sale of the Property.

13 9. The purchaser at the sale is entitled to such remedies as are available at law or in equity to
14 secure possession.

15
16 10. The purchaser at the sale may apply to the Court for a writ of assistance if any Defendant or
17 any person holding possession under or through such Defendant(s) shall refuse to surrender
18 possession to the purchaser immediately on the purchaser's demand for possession.

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25 3 - GENERAL JUDGMENT OF FORECLOSURE AND
26 SALE
27 LLG No. 23-128537

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11. Under the terms of the Loan there is now due and owing to Plaintiff the following amounts:

Principal		\$172,907.88	
Prejudgment interest at 3.625% through February 15, 2024 (accruing thereafter until entry of judgment at \$17.17 per diem)			\$8,075.36
Late Charges		\$166.00	
Other Costs and fees (recoverable)		3,583.96	
	Property Inspections	\$255.00	
	Property Preservation	\$260.00	
	Escrow Advance	\$3,068.96	
	Subtotal		\$176,657.84
Total plus Prejudgment Interest			\$184,733.20

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

Costs			\$2,432.60
	Title Search Cost	\$225.00	
	Filing Fee	\$594.00	
	Lis Pendens Recording Fee	\$96.00	
	Service by Publication	\$917.60	
	Service Costs	\$325.00	
	Prevailing Party Fee	\$275.00	
Attorney fees			\$3,950.00
Total			\$6,382.60

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4 - GENERAL JUDGMENT OF FORECLOSURE AND SALE
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- 1 13. Post judgment interest on the aggregate of all amounts declared due above shall accrue from
2 the date of judgment at the legal rate of 9% per annum pursuant to ORS 82.010.
- 3 14. This Judgment shall not create a personal lien or liability against Borrower except as is
4 customary or necessary to execute on such Judgment and for purposes of redemption. In no
5 event should it be construed as establishing personal liability for any persons whose debt has
6 been extinguished in bankruptcy or by an In Rem order granting relief from stay, but only to
7 foreclose the deed of trust mortgage. In the event the proceeds of sale are insufficient to pay
8 the amounts due to Plaintiff, no general execution shall be issued and Plaintiff shall not be
9 entitled to any further judgment, including a judgment for deficiency.
- 10 15. Execution may issue against the subject property for the aggregate amount found due Plaintiff
11 herein as detailed in Paragraphs 11 through 13 together (together "Amounts Due"). Plaintiff
12 may credit bid up to the Amounts Due plus such additional amounts as provided by ORS
13 18.936 or other applicable law.
- 14 16. If before sale such amount, including sheriff's fees for the execution, is tendered to the Court
15 and paid to the clerk, the execution, if issued, shall be recalled and the effect of the judgment
16 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 through
19 13 plus such additional amounts as provided in Paragraph 16 for purposes of ORS 18.936.
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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 foreclosure
3 sale to obtain possession.
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11 
12 **Circuit Court Judge Cathleen B. Callahan**

13
14
15 **Certificate of Readiness under UTCR 5 100**

16
17 This proposed order or judgment is ready for judicial signature because:

- 18 1. Each party affected by this order or judgment has stipulated to the order or judgment, as
19 shown by each party's signature on the document being submitted.
20 2. Each party affected by this order or judgment has approved the order or judgment, as shown
21 by each party's signature on the document being submitted or by written confirmation of approval
22 sent to me.
23 3. I have served a copy of this order or 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 efforts to do so.
26 I have filed a copy of the objections I received and indicated which objections remain unresolved.
27 c. After conferring about objections, [role and name of objecting party] agreed to independently
28 file any remaining objection.
4. Service is not required pursuant to subsection (3) of this rule, or by statute, rule, or otherwise.

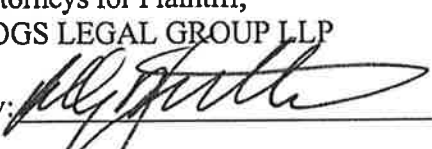
6 - GENERAL JUDGMENT OF FORECLOSURE AND
SALE
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UTCR 8/1/16 5.5 (including out-of-cycle amendment of 5.100)
5. This is a proposed judgment that includes an award of punitive damages and notice has been served on the Director of the Crime Victims' Assistance Section as required by subsection (5) of this rule.
6. Other: _____

Submitted by:
Attorneys for Plaintiff,
LOGS LEGAL GROUP LLP

By:  4/9/2024

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