

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.

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IN THE CIRCUIT COURT OF THE STATE OF OREGON

IN AND FOR THE COUNTY OF MULTNOMAH

U.S. BANK NATIONAL ASSOCIATION,
AS TRUSTEE FOR LEHMAN XS TRUST
MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES 2007-15N

Case No. 23CV25598

Plaintiff,

WRIT OF EXECUTION

vs.

UNKNOWN HEIRS AND DEVISEES OF
ORVALEE ANN FARRIS AKA
ORVALEE A. JOHNSON-FARRIS;
UNKNOWN HEIRS AND DEVISEES OF
BILLY GENE FARRIS, DECEASED;
LOVENA RUTH FLAHERTY;
LADONNA RACHEL STEARNS;
JOSHUA FARRIS; UNKNOWN
SUCCESSOR TRUSTEE OF THE
ORVALEE ANN FARRIS REVOCABLE
LIVING TRUST DATED JULY 4, 2017;
UNKNOWN BENEFICIARIES OF THE
ORVALEE ANN FARRIS REVOCABLE
LIVING TRUST DATED JULY 4, 2017;
NATIONAL CITY BANK; PROACTIVE
COLLECTION SERVICE LLC;
PROACTIVE COLLECTION SERVICE
LLC; PARTIES IN POSSESSION

Defendants.

TO: MULTNOMAH COUNTY SHERIFF

1- WRIT OF EXECUTION
LLG No. 21-127187

LOGS LEGAL GROUP LLP
1499 SE Tech Center Place, Suite 255, Vancouver, WA 98683
Telephone (360) 260-2253 (800)970-5647
Fax (360) 260-2285
ksutherland@logs.com

05-15 12:24 PM 01:01

1 WHEREAS, on May 2, 2024, in the above-entitled court, a General Judgment of
2 Foreclosure and Sale, with said Judgment containing therein a Declaration of Amount Due and
3 was duly entered and docketed in the above-entitled cause

4 NOW, THEREFORE, IN THE NAME OF THE STATE OF OREGON, you are hereby
5 commanded to sell, in the manner prescribed by law for the sale of real property upon execution
6 (subject to redemption) all of the interest which the defendants had on May 17, 2007, the date of
7 the deed of trust, and also all of the interest which the defendants acquired thereafter, in the real
8 property described in the judgment:

9 LOTS "W" AND "X", BLOCK 2, SUBDIVISION OF ROB ROY ADDITION TO PORTLAND,
10 IN THE CITY OF PORTLAND, COUNTY OF MULTNOMAH AND STATE OF OREGON.

11
12 and commonly known as 3735 SE Martins Street, Portland, OR 97202 to satisfy the sum of
13 \$1,001,743.41, as of May 7, 2024, together with additional post judgment interest of 9.00% from
14 that date (\$246.70 per day), and costs of this execution, making due return within 60 days after
15 you receive this writ.

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25 2- WRIT OF EXECUTION
26 LLG No. 21-127187

LOGS LEGAL GROUP LLP
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ksutherland@logs.com

1 U.S. Bank National Association, as Trustee for Lehman XS Trust Mortgage Pass-
2 Through Certificates, Series 2007-15N is the Judgment Creditor, and its address for purpose of
3 this writ only is: C/O LOGS Legal Group LLP, 1499 SE Tech Center Place, Suite 255,
4 Vancouver, WA 98683 (360) 260-2253. LOGS Legal Group LLP is the attorney for the
5 Judgment Creditor.
6



11
12

FILED - clerk
05.6.2024

13 Submitted by:
14 Attorneys for Plaintiff,
15 LOGS LEGAL GROUP LLP

16 By: _____

17 James A. Craft #090146 [jcraft@logs.com]
18 Kelly D. Sutherland #873575 [ksutherland@logs.com]
19 1499 SE Tech Center Place, Suite 255, Vancouver, WA 98683
20 (360) 260-2253; Fax (360) 260-2285

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26 3- WRIT OF EXECUTION
27 LLG No. 21-127187

28

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IN THE CIRCUIT COURT OF THE STATE OF OREGON

IN AND FOR THE COUNTY OF MULTNOMAH

U.S. BANK NATIONAL ASSOCIATION, AS
TRUSTEE FOR LEHMAN XS TRUST
MORTGAGE PASS-THROUGH CERTIFICATES,
SERIES 2007-15N,

Plaintiff,

vs.

UNKNOWN HEIRS AND DEVISEES OF
ORVALEE ANN FARRIS AKA ORVALEE A.
JOHNSON-FARRIS; UNKNOWN HEIRS AND
DEVISEES OF BILLY GENE FARRIS,
DECEASED; LOVENA RUTH FLAHERTY;
LADONNA RACHEL STEARNS; JOSHUA
FARRIS; UNKNOWN SUCCESSOR TRUSTEE
OF THE ORVALEE ANN FARRIS REVOCABLE
LIVING TRUST DATED JULY 4, 2017;
UNKNOWN BENEFICIARIES OF THE
ORVALEE ANN FARRIS REVOCABLE LIVING
TRUST DATED JULY 4, 2017; NATIONAL
CITY BANK; PROACTIVE COLLECTION
SERVICE LLC; PROACTIVE COLLECTION
SERVICE LLC; PARTIES IN POSSESSION,

Defendants.

Case No. 23CV25598

STIPULATED GENERAL JUDGMENT
OF FORECLOSURE AND SALE

Default having been entered against Defendant(s), Unknown Heirs and Devisees of
Orvalee Ann Farris aka Orvalee A. Johnson-Farris; Unknown Heirs and Devisees of Billy Gene

1 - GENERAL JUDGMENT OF FORECLOSURE AND
SALE
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Fax (360) 260-2285
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1 Farris, deceased; Lovena Ruth Flaherty; LaDonna Rachel Stearns; Joshua Farris; Proactive
2 Collection Service LLC; Unknown Successor Trustee of the Orvalee Ann Farris Revocable Living
3 Trust dated July 4, 2017; Unknown Beneficiaries of the Orvalee Ann Farris Revocable Living
4 Trust dated July 4, 2017;

5
6 A Limited Judgment of Dismissal was entered as to Defendant, Parties in Possession by
7 the Court on October 10, 2023. Defendant, National City Bank, has stipulated to entry of
8 judgment. It is hereby

9 ORDERED AND ADJUDGED:

10 1. The real property to which this judgment relates (hereafter the "Property") is situated in
11 Multnomah County, Oregon is commonly known as 3735 SE Martins Street, Portland, OR
12 97202 and is legally described as follows:

13
14 Lots "W" and "X", Block 2, Subdivision of ROB ROY ADDITION TO PORTLAND,
15 in the City of Portland, County of Multnomah and State of Oregon.

16 2. The Deed of Trust executed and delivered by Defendant, Orvalee A. Johnson-Farris
17 ("Borrower") on or about May 17, 2007 and recorded on May 22, 2007 as Recorder's Fee No.
18 2007-091847 in the official records of Multnomah County, Oregon, is a valid and perfected
19 lien against all of the Property for the amount of Plaintiff's judgment as provided herein.

20
21 3. The Plaintiff is the holder of the original note dated May 17, 2007 and made by Orvalee A.
22 Johnson-Farris in the amount of \$696,000.00. A copy of the Note was attached to the
23 complaint as Exhibit. Plaintiff is the holder of the Note and the beneficial interest in the Deed
24 of Trust (together the "Loan").

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26 2 - GENERAL JUDGMENT OF FORECLOSURE AND
27 SALE
28 LLG No. 21-127187

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- 1 4. The interest of each of the Defendant(s) subject to this Judgment and any successor in interest
2 in the Property is foreclosed and terminated excepting only any statutory right of redemption
3 as provided by Oregon law.
4
- 5 5. The lien of the Plaintiff is superior to any interest, lien, or claim of the remaining Defendants
6 and shall remain in effect until issuance of a Sheriff's Deed. Upon Motion to the Court and
7 good cause shown, Plaintiff may move to rescind the foreclosure judgment and to reinstate
8 the Loan prior to the Sheriff's sale, returning the parties to their prejudgment interests and
9 priorities.
- 10 6. The Defendant(s) are not entitled to a homestead exception as against Plaintiff's judgment.
- 11 7. All of the rights, title and interest that Borrower(s) had as of the date of the Deed of Trust or
12 thereafter acquired in the subject Property, is hereby ordered to be sold by the Multnomah
13 County Sheriff's Office in accordance with the process for sale upon execution, and the
14 proceeds of sale shall be applied; first to the costs of sale; second to satisfaction of the amounts
15 awarded Plaintiff herein; with the surplus, if any, to the Defendants in the priority as their
16 interest may appear or to the clerk of the court to be distributed to such party of parties as may
17 establish their right thereto. The interest of Defendant National City Bank as reflected by a
18 Line of Credit Trust Deed recorded on August 6, 2007 as Multnomah County instrument
19 number 2007-141849 securing repayment of an obligation in the original amount of
20 \$100,000.00 and which is serviced by PNC Bank, NA is second in priority to plaintiff, and
21 such second lienholder may apply to the court for surplus proceeds, if any, of the sheriff's sale
22 after the costs of sale and amounts due to the plaintiff.
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- 1 8. Plaintiff or any junior lienholders may become purchaser at the sale of the Property.
- 2 9. The purchaser at the sale is entitled to such remedies as are available at law or in equity to
- 3 secure possession.
- 4 10. The purchaser at the sale may apply to the Court for a writ of assistance if any Defendant or
- 5 any person holding possession under or through such Defendant(s) shall refuse to surrender
- 6 possession to the purchaser immediately on the purchaser's demand for possession.
- 7 11. Under the terms of the Loan there is now due and owing to Plaintiff the following amounts:

Principal		\$758,054.83	
Prejudgment interest at 4.00% through January 4, 2024 (accruing thereafter until entry of judgment at \$68.94 per diem)			\$111,668.29
Late Charges		\$1,001.76	
Other Costs and fees (recoverable)		111,288.77	
	Property Preservation	\$928.00	
	Escrow Advance	\$110,360.77	
	Subtotal		\$870,345.36
	Total plus Prejudgment Interest		\$982,013.65

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

Costs			\$4,219.00
	Title Search Cost	\$1,597.00	
	Skip Trace Costs	\$50.00	
	Filing Fee	\$594.00	
	Lis Pendens Recording Fee	\$91.00	
	Service by Publication	\$552.00	
	Service Costs	\$1,060.00	
	Prevailing Party Fee	\$275.00	
Attorney fees			\$4,475.00
Total			\$8,694.00

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. Plaintiff may credit bid the amounts determined in Paragraphs 11 through 13 plus such
18 additional amounts as provided in Paragraph 16 for purposes of ORS 18.936.

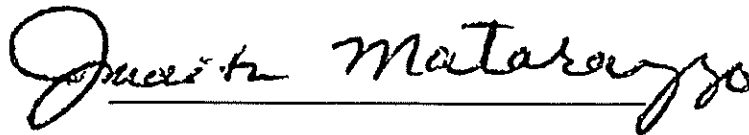
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1 18. This Court shall retain jurisdiction to enter such additional order, judgment or decree
2 necessary to enforce this judgment, the writ of execution or for the purchaser at the foreclosure
3 sale to obtain possession.
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11
12 Circuit Court Judge Judith H. Matarazzo
13 Proxy signed by JRS
14

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

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

- 17 1. Each party affected by this order or judgment has stipulated to the order or judgment, as
18 shown by each party's signature on the document being submitted.
19 2. Each party affected by this order or judgment has approved the order or judgment, as shown
20 by each party's signature on the document being submitted or by written confirmation of approval
21 sent to me.
22 3. I have served a copy of this order or judgment on each party entitled to service and:
23 a. No objection has been served on me.
24 b. I received objections that I could not resolve with a party despite reasonable efforts to do so.
25 I have filed a copy of the objections I received and indicated which objections remain unresolved.
26 c. After conferring about objections, [role and name of objecting party] agreed to independently
27 file any remaining objection.
28 4. Service is not required pursuant to subsection (3) of this rule, or by statute, rule, or otherwise.
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

6 - GENERAL JUDGMENT OF FORECLOSURE AND
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1 served on the Director of the Crime Victims' Assistance Section as required by subsection (5) of
2 this rule.

3 6. [] Other: _____

4 So stipulated and submitted by:

5 Attorneys for Plaintiff,
6 LOGS LEGAL GROUP LLP

7 By:  _____

4-24-2024

8 James A. Craft #090146 [jcraft@logs.com]
9 1499 SE Tech Center Place, Suite 255, Vancouver, WA 98683
10 (360) 260-2253; Fax (360) 260-2285

11 So Stipulated:

12 STIPULATING DEFENANT,
13 National City Bank

14 Approved as to form and content:

15 s/ John Thomas

16 John M. Thomas, OSB #024691
17 Attorney for Stipulating Defendant
18 McCarthy & Holthus
19 920 SW 3rd Ave, 1st Floor
20 Portland, OR 97204
21 (971)201-3200
22 lthomas@mccarthyholthus.com

23 National City Bank
24 John M. Thomas

25 7 - GENERAL JUDGMENT OF FORECLOSURE AND
26 SALE
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