

FILED

OCT 02 2024

CIRCUIT COURT
MULTNOMAH COUNTY OREGON

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.

Verified Correct Copy of Original 10/2/2024

10-14-24 08:51

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

ASSOCIATION OF UNIT OWNERS OF
NESTANI – A GRECIAN VILLA, an Oregon
nonprofit corporation,

Plaintiff,

v.

CYNTHIA L. LARSEN, an individual; and
PARTIES IN POSSESSION OR CLAIMING A
RIGHT TO POSSESSION.

Defendants.

Case No. 24CV32542

WRIT OF EXECUTION

TO MULTNOMAH COUNTY SHERIFF:

On September 18, 2024, a General Judgment of Foreclosure was enrolled and docketed in this matter;

NOW, THEREFORE, IN THE NAME OF THE STATE OF OREGON, you are commanded to levy on and sell residential property of the judgment debtor, Cynthia L. Larsen, and deliver the proceeds to the court for application against the amounts owing on the judgment.

The amount owing on the judgment as of September 23, 2024 is:

\$30,020.07 plus per diem interest of \$9.85 dating from September 23, 2024, together with the costs of this writ, ongoing unpaid assessments, and any additional attorney fees and costs incurred by Plaintiff, making due return within **60 days** after you receive this writ.

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1 The legal description of the interest in the residential real property to be levied upon
2 is:

3 Unit No. 35, Building 5, NESTANI - A GRECIAN VILLA, AN OREGON
4 CONDOMINIUM, in the City of Gresham, County of Multnomah, State of
5 Oregon, TOGETHER WITH an undivided interest in the general
6 common elements appertaining to said unit as described in said
7 Declaration of Unit Ownership, TOGETHER WITH those limited
8 common elements appertaining to said unit as described in said
9 Declaration of Unit Ownership, recorded September 23, 1980,
Recorder's Fee No. 80-072813, said Declaration was superseded by
Amended and Restated Declaration of Unit Ownership recorded June
23, 1993 as Fee No. 93-081602 and any amendments and/or
supplemental(s) thereto.

10 The real property to be levied on is not subject to the pre-sale order requirements of
11 ORS 18.904 as the court decreed foreclosure of the property in the September 18, 2024,
12 judgment.

13 The street address of the property is: 3240 NE 29th Street, Gresham, Oregon 97030.

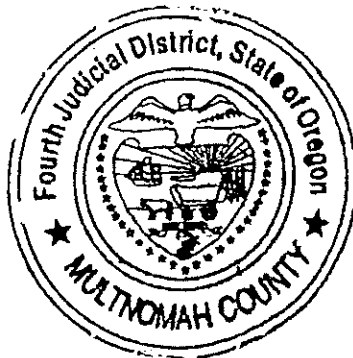
14 The name and mailing address of the judgment creditor is:

15 Association of Unit Owners of
16 Nestani - A Grecian Villa
17 c/o Bridge City Community Management
18 12550 SE 93rd Avenue, Suite 300
19 Clackamas, OR 97015

A TRUE COPY
Clerk of the Court
By BA 10-2-24
Deputy

Patrick T. Foran - clerk
10-2-2024

21 Submitted by:
24 Patrick T. Foran, OSB #093523
25 ptf@wysekadish.com
26 Counsel for Plaintiff



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

ASSOCIATION OF UNIT OWNERS OF
NESTANI – A GRECIAN VILLA, an Oregon
nonprofit corporation,

Plaintiff.

v.

CYNTHIA L. LARSEN, an individual; and
PARTIES IN POSSESSION OR CLAIMING A
RIGHT TO POSSESSION,

Defendants.

Case No. 24CV32542

GENERAL JUDGMENT OF FORECLOSURE

Hearing Judge: Hon. Heidi H. Moawad

This matter came before this court on Plaintiff Association of Unit Owners of Nestani – A Grecian Villa’s (“Association”) motion for entry of judgment against Defendants Cynthia L. Larsen and Parties in Possession or Claiming a Right to Possession.

It appears from the record that Defendant Larsen was served with the summons and complaint by person service on July 10, 2024. Defendant Parties in Possession or Claiming a Right to Possession (“Parties in Possession”) was served with the summons and complaint by service on Cynthia Larsen, the party in possession, on July 10, 2024, and by mail on July 10, 2024. It further appears that Defendants have not answered or made any appearance, although the time provided to do so has expired.

It further appears that Defendant Larsen was not at the time of service, nor is now, in the military service of the United States, a minor, or incapacitated person.

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1 The court having entered an order of default against Defendants and finding generally
2 in favor of Plaintiff and against Defendants on Plaintiff's complaint,

3 **NOW, THEREFORE, IT IS ORDERED AND ADJUDGED:**

4 1. The Association's lien recorded on August 15, 2022, as Document No. 2022-
5 039047 is declared to be a valid and subsisting lien against the property in the amount of the
6 Association's judgment set forth below, which property is more particularly described as:

7 Unit No. 35, Building 5, NESTANI - A GRECIAN VILLA, AN OREGON
8 CONDOMINIUM, in the City of Gresham, County of Multnomah, State of Oregon,
9 TOGETHER WITH an undivided interest in the general common elements
10 appertaining to said unit as described in said Declaration of Unit Ownership,
11 TOGETHER WITH those limited common elements appertaining to said unit as
12 described in said Declaration of Unit Ownership, recorded September 23,
1980, Recorder's Fee No. 80-072813, said Declaration was superseded by
13 Amended and Restated Declaration of Unit Ownership recorded June 23, 1993
14 as Fee No. 93-081602 and any amendments and/or supplemental(s) thereto.

15 2. The Association is awarded judgment on its lien in the amount of \$28,388.30 for
16 assessments, late fees, and other charges through and including August 14, 2024, together
17 with post-judgment interest at the rate of 12.0%, attorney fees in the sum of \$824.50, costs
18 and disbursements in the sum of \$413.00, a prevailing party fee in the sum of \$345.00, plus
19 additional unpaid assessments, accruing after August 14, 2024, up to the date of a Sheriff's
20 Sale; plus additional attorney's fees and costs accruing after August 14, 2024, as may be
21 determined in any supplemental judgment.

22 3. Defendants' interest in the Property and any other interest that Defendants may
23 claim in the property is foreclosed. Following entry of a general judgment, all interest
24 Defendants had in the Property will be sold by the Sheriff of Multnomah County, Oregon, in
25 the manner provided by law and in accordance with the practice of this court.

26 4. The Association's lien is senior in priority to any interest, lien, or claim of
Defendants and will remain in effect until issuance of a Sheriff's Deed.

5. The sale proceeds will be applied first to the costs of sale, then toward the

1 satisfaction of the Association's judgment(s), to any of the Association's assessments that
2 accrue from August 14, 2024, to the date of sale, and any supplemental judgments awarded
3 herein, with the excess, if any, to be paid to any party that may establish the right to surplus
4 funds by subsequent court order.

5 6. If the proceeds of the sale are insufficient to satisfy the Association's judgment
6 against Defendants, then the Association will have judgment against Defendant Larsen for
7 the deficiency.

8 7. The Association and any other party to this suit may purchase the Property at the
9 time of sale. The purchaser is entitled to exclusive possession of the real property from and
10 after the date of sale and is entitled to all remedies as are available at law to secure
11 possession, including a writ of assistance, if Defendant Larsen, or any other party or person
12 refuses to surrender possession to the purchaser immediately on the purchaser's demand
13 for possession.

14 **AMOUNTS OWING ON THE LIEN**

15 Judgment creditor:	Association of Unit Owners of Nestani - A Grecian Villa
16	
17 Judgment creditor's address:	Bridge City Community Management 12550 SE 93 rd Avenue, Suite 300 18 Clackamas, OR 97015
19 Judgment creditor's attorney:	Patrick T. Foran, OSB #093523
20	
21 Judgment creditor's attorney address/phone:	Wyse Kadish LLP 900 SW Fifth Avenue, Suite 2000 22 Portland, OR 97204 23 (503) 228-8448
24 Judgment debtor:	Cynthia L. Larsen
25 Judgment debtor's address, if known:	3240 NE 29 th Street 26 Gresham, OR 97030

1 Judgment debtor's year of birth, if known: 1964
2 Judgment debtor's social security number,
3 if known: xxx-xx-0320
4
5 Judgment debtor's driver license numbers and
states of issuance, if known: Unknown
6 Judgment debtors' attorney, if known: Unknown
7
8 Person or public body entitled to any portion
of judgment: Unknown
9 Principal amount of judgment: \$28,388.30
10 Pre-judgment interest: \$0.00
11 Post-judgment interest: 12.0% per annum
12
13 Attorney fees and costs awarded:
14 Attorney fees: \$824.50
15 Costs: \$413.00
16 Prevailing Party Fee: \$345.00
17
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Circuit Court Judge Heidi H. Moawad
9/18/2024 9:59:20 AM

21 Submitted by:
22 Patrick T. Foran, OSB #093523
23 ptf@wysekadish.com
24 Counsel for Judgment Creditor
25
26

1 **UTCR 5.100 CERTIFICATE OF READINESS**

2 I certify this proposed judgment/order is ready for judicial signature because:

- 3 I have served a copy of this judgment/order on all parties entitled to service and:
4 This order of default is being requested along with a proposed judgment.
5 Service is not required pursuant to subsection (3) of this rule, or by statute, rule or
6 otherwise.

7 DATED: September 13, 2024.

8 WYSE KADISH LLP

9 /s/ Patrick T. Foran

10 Patrick T. Foran, OSB #093523
11 ptf@wysekadish.com
12 Counsel for Plaintiff
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