1		
2		
3		
4	IN THE CIRCUIT COURT OF THE STATE OF OREGON	
5	FOR THE COUNTY OF UMATILLA	
6	U.S. BANK, NATIONAL ASSOCIATION,	Case No.: 19CV50717
7	Plaintiff,	
8	vs.	WRIT OF EXECUTION IN FORECLOSURE
9	THE UNKNOWN HEIRS AND DEVISEES OF LEO L HASKETT; THE UNKNOWN	TORECTORE
10	HEIRS AND DEVISEES OF LAWANDA HASKETT; THE UNKNOWN HEIRS AND	
11	DEVISEES OF LEO HASKETT JR; DONNA HASKETT; DAVID HASKETT;	
12	CYRUS HASKETT; TREVIA GROESBECK; THE UNKNOWN HEIRS	
13	OF PARLEY HASKETT; TWYLA HASKETT; THE UNKNOWN HEIRS AND	
14	DEVISEES OF DARLENE. M. TWIDWELL; STATE OF OREGON;	
15	OCCUPANTS OF THE PROPERTY,	
16	Defendants.	
17		
18		
19	TO THE UMATILLA COUNTY SHERIFF:	
20	A Judgment of Foreclosure was entered and docketed in this case on April 21, 2021.	
21	true copy of the Judgment is attached hereto. The Judgment was entered in favor of the Plaintif	
22	U.S. BANK, NATIONAL ASSOCIATIO	N
23	Attorney for Plaintiff	
24	McCarthy & Holthus, LLP 920 SW 3rd Ave, 1st Floor	
25	Portland, OR 97204	
26		
27		
28	WRIT OF EXECUTION -I MH FILE NO.: OR-19-863741-JUD	MCCARTHY & HOLTHUS, LLP 920 SW 3RD AVE, IST FLOOR

MCCARTHY & HOLTHUS, LLP 920 SW 3RD AVE, IST FLOOR PORTLAND, OR 97204 PH: (971) 201-3200 FX: (971) 201-3202 With the adjudicated amount due of \$29,506.07, plus post judgment interest at the statutory rate of 9.0% per annum from April 21, 2021 to 5/27/2022 in the amount of \$2,910.19, and continuing with a per diem of \$7.28, currently totaling \$32,416.26.

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 on execution (subject to redemption of 180 days), all of the interest that the Defendant had on or about November 3, 2008, the date of the Deed of Trust, and also the interest that the Defendant had thereafter, in the real property described as follows:

Lot 6, Block "D", Moser Addition, to the City of Pilot Rock, Umatilla County, Oregon, excepting therefrom the Westerly 32 feet. Situate in the County of Umatilla, State of Oregon.

and commonly known as: 365 NE Elm St, Pilot Rock, OR 97868.

Sale of the property is to satisfy the sum listed above, plus the costs incurred in performing this Writ. Pursuant to ORS 18.872, you are authorized to continue execution under the writ and delay making a return on the writ to no later than 150 days from receipt of the writ. You are to make the return within 60 days after you receive this Writ. Should the sale be continued, the writ may be automatically extended for 30 days.

۱ ا	DATED: day of, 20	
3		Title
,		I.L.
,		By: Kane P. Sweeney, Court Clerk
.		5/27/2022 2:47:42 PM
2	Dated: and submitted by:	
3	McCarthy & Holthus, LLP	
1	s/Grace Chu	



John Thomas OSB No. 024691 Michael Scott OSB No. 973947 x Grace Chu OSB No. 220848 920 SW 3rd Ave, 1st Floor Portland, OR 97204 Phone: (971) 201-3200 Fax: (971) 201-3202 mscott@mccarthyholthus.com Of Attorneys for Plaintiff

WRIT OF EXECUTION -3 MH FILE NO.: OR-19-863741-JUD

1	4		
2			
3			
4			
5			
6			
7	IN THE CIRCUIT COURT OF THE STATE OF OREGON		
8	FOR THE COUNTY OF UMATILLA		
9	U.S. BANK, NATIONAL ASSOCIATION,	Case No.: 19CV50717	
10	Plaintiff,		
11	vs.	GENERAL JUDGMENT OF FORECLOSURE	
12	THE UNKNOWN HEIRS AND DEVISEES OF LEO L HASKETT; THE UNKNOWN	PORECEOSORE	
13	HEIRS AND DEVISEES OF LAWANDA HASKETT; THE UNKNOWN HEIRS AND		
14	DEVISEES OF LEO HASKETT JR; DONNA HASKETT; DAVID HASKETT;		
15	CYRUS HASKETT; TREVIA GROESBECK; THE UNKNOWN HEIRS		
16	OF PARLEY HASKETT; TWYLA HASKETT; THE UNKNOWN HEIRS AND		
17	DEVISEES OF DARLENE. M. TWIDWELL; STATE OF OREGON;		
18	OCCUPANTS OF THE PROPERTY,		
19	Defendants.		
20		1.	
21	THIS MATTER came before the	Court on Plaintiff's motion. Defendants THE	
22	UNKNOWN HEIRS AND DEVISEES OF LE	O L HASKETT; THE UNKNOWN HEIRS AND	
23	DEVISEES OF LAWANDA HASKETT; THE UNKNOWN HEIRS AND DEVISEES OF LEO		
24	HASKETT JR; DONNA HASKETT; DAVID HASKETT; CYRUS HASKETT; TREVIA		
25	· ·	PARLEY HASKETT; TWYLA HASKETT; THE	
26		F DARLENE. M. TWIDWELL; STATE OF	
27			

JUDGMENT OF FORECLOSURE - I MH FILE NO.: OR-19-863741-JUD MCCARTHY & HOLTHUS, LLP 920 SW 3RD AVE, 1ST FLOOR PORTLAND, OR 97204 PH: (971) 201-3200 FX: (971) 201-3202 OREGON; and OCCUPANTS OF THE PROPERTY ("Defaulted Defendants") were duly served with process and failed to appear; the default has been entered against Defaulted Defendants, and it appearing that Defaulted Defendants are not incapacitated, protected persons, respondents as defined in ORS 125.005, minors, or in the military service of the United States;

2.

IT IS HEREBY ADJUDGED that Plaintiff shall have judgment as follows:

- a. The real property to which this judgment relates is located and situated in Umatilla County, Oregon, and is commonly known as 365 NE Elm St, Pilot Rock, OR 97868 (the "Subject Property"), legally described as:
 - LOT 6, BLOCK "D", MOSER ADDITION, TO THE CITY OF PILOT ROCK, UMATILLA COUNTY, OREGON, EXCEPTING THEREFROM THE WESTERLY 32 FEET. and having APN/Parcel No. 103854.
- b. Plaintiff is entitled to enforce the note dated November 3, 2008 and made, delivered, and executed by LEO L HASKETT to U.S. Bank National Association ND in the amount of \$25,000.00 (the "Note"). The Note was transferred to Plaintiff by delivery of possession and by indorsement set forth on the Note.
- c. A deed of trust was made, executed, and delivered by LEO L HASKETT and LAWANDA HASKETT on or about November 3, 2008 (the "Deed of Trust"). The Deed of Trust was recorded on December 1, 2008 as Instrument No. 2008-5450061 in the official records of Umatilla County, Oregon. The Deed of Trust is a valid and perfected lien against all of the Property for and securing the Amount Due. The lien of the Plaintiff is superior to any interest, lien, or claim of the Defendants and shall remain in effect until issuance of a Sheriff's Deed.
- d. The Borrower failed to make the payment that was due for June 10, 2018 and has not cured the default. The amount of debt secured by the Deed of Trust that is now due and owing is comprised of the following amounts (the "Amount Due"):

26

27

28

1

2

a) Unpaid principal balance: \$15,262.31
 b) Prejudgment interest accruing from 5/24/2018 to 4/20/2022 and continuing until the entry of judgment at the current Note rate of 7.69%:

c) Additional amounts due under the \$9,573.38 terms of the loan:

d) Prevailing party fee (ORS 20.190 \$85.00 (1)(a)):

Total: \$29,506.07

*Interest recalculated to 4/20/2022 using amount of accrued interest and per diem interest from Plaintiff's Declaration of Amounts Due.

Pursuant to ORS 82.010 (2), post-judgment interest shall accrue on the Amount Due from the date of entry of this judgment through the sale of the Subject Property at the rate of 9.00% per annum.

- e. The interest of the Defendants and any successor in interest in the Subject Property is foreclosed and terminated excepting only any statutory right of redemption as provided by Oregon law.
- f. The Defendants are not entitled to a homestead exception as against Plaintiff's judgment.
- g. All right, title and interest in the Subject Property that Defendants LEO L HASKETT and LAWANDA HASKETT had as of the date of the Deed of Trust or thereafter acquired is hereby ordered to be sold by the Umatilla County Sheriff's Office in accordance with the process for sale upon execution, and the proceeds of sale shall be applied:
 - 1) First, to the costs of sale not incurred by Plaintiff;
 - Second, to the Amount Due, plus post-judgment interest accruing from the date of entry of judgment through the date of the sale and any incurred costs of sale;
 - 3) Third, the surplus, if any, to the Defendants in the priority as their interest may appear, described *infra*, or to the clerk of the court to be distributed by the Court to such party or parties as they may establish their right thereto.

n. Plaintiff may become purchaser at the sale of the Subject Property and, pursuant to ORS 18.936 (2), may credit bid up to the Amount Due, plus post-judgment interest accruing from the date of entry of judgment through the date of the sale and any incurred costs of sale.

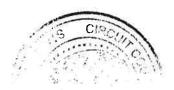
- The purchaser at the sale is entitled to exclusive and immediate possession of the Subject Property from and after the date of the sale and is entitled to such remedies as are available at law or in equity to secure possession. The purchaser at the sale may apply to the Court for a writ of assistance if any Defendant, other party, or other person shall refuse to surrender possession to the purchaser immediately upon the purchaser's demand for possession.
- j. In the event the proceeds of sale are insufficient to pay the Amount Due, Plaintiff shall not be entitled to any further or other judgment, including a judgment for the deficiency.
- k. If, before the sale, the Amount Due is brought into court and paid to the clerk, the execution, if issued, shall be recalled and the effect of the judgment as to the Amount Due shall be terminated.
- 1. Pursuant to ORS 18.950 (4), the apparent priority of liens subsequent and inferior to the Deed of Trust are as follows:
 - Defendant The Unknown Heirs and Devisees of Darlene. M. Twidwell may claim a
 junior interest in Subject Property by virtue of a judgment entered 7/7/03 as Case No.
 CV030886 in the official records of Umatilla County, Oregon.

25 ||/

26 || 27 ||

28

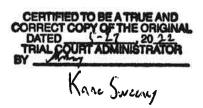
2) Defendant State of Oregon may claim a junior interest in Subject Property by virtue of a judgment entered 7/7/03 as Case No. CV030886 in the official records of Umatilla County, Oregon.



4/20/2022 5:14:40 PM



Eva J. Temple, Circuit Court Judge



I hereby certify that the requirements of UTCR 5.100 have been satisfied.

This proposed General Judgment of Foreclosure is ready for judicial signature because:

- [] 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 document being submitted.
- [] Each opposing party affected by this order or judgment has approved the order or judgment, as shown by signature on the document being submitted or by written confirmation of approval sent to me.
- [] I have served a copy of this order or judgment on all parties entitled to service and:

[] No objection has been served on me. [] 1 received objections that 1 could not reso	lve with the opposing party despite
reasonable efforts to do so. 1 have filed a c indicated which objections remain unresolv	opy of the objections I received and
[] After conferring about objections, any remaining objection.	agreed to independently file

1	[X] The relief sought is against an opposing party who has been found in default.
2	[] An order of default is being requested with this proposed judgment.
3	[] Service is not required pursuant to subsection (3) of this rule, or by statute, rule, or otherwise.
4	[] This is a proposed judgment that includes an award of punitive damages and notice
5	has been served on the Director of the Crime Victims' Assistance Section as required by subsection (4) of this rule.
6	[] Other:
7	
8	Dated April 20, 2022 and submitted by:
9	McCarthy & Holthus, LLP
10	S/ Michael Scott Michael Scott OSB No. 973947
11	920 SW 3rd Ave, 1st Floor Portland, OR 97204
12	Phone: (971) 201-3200 Fax: (971) 201-3202
13	mscott@mccarthyholthus.com Of Attorneys for Plaintiff
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	

JUDGMENT OF FORECLOSURE - 6 MH FILE NO.: OR-19-863741-JUD

28

MCCARTHY & HOLTHUS, LLP 920 SW 3RD AVE, 1ST FLOOR PORTLAND, OR 97204 PH: (971) 201-3200 FX: (971) 201-3202