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**IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF UMATILLA**

HOMESTREET BANK,  
  
Plaintiff,  
  
vs.

**CASE NO.: 22CV40465  
WRIT OF EXECUTION**

THE UNKNOWN HEIRS AND DEVISEES  
OF MICHAEL M FIG, A DECEASED  
INDIVIDUAL; SECRETARY OF HOUSING  
AND URBAN DEVELOPMENT; AND ALL  
OTHER UNKNOWN PARTIES CLAIMING  
ANY RIGHT, TITLE, LIEN OR INTEREST IN  
THE REAL PROPERTY COMMONLY  
KNOWN AS 27 MARTIN DRIVE,  
UMATILLA, OR 97882,  
  
Defendants.

TO THE SHERIFF OF UMATILLA COUNTY OREGON:

WHEREAS, on March 14, 2023, by consideration of the Umatilla County Circuit Court,  
there was executed a General Judgment of Foreclosure. The General Judgment of Foreclosure was  
duly enrolled and docketed in the Court Administrator's Office in said County on March 14, 2023,  
a true copy of the General Judgment of Foreclosure is attached hereto and made a part hereof.

Judgment Creditor            HOMESTREET BANK  
Judgment Creditor Address: c/o ZBS LAW, LLP  
5 Centerpointe Dr. Suite 400  
Lake Oswego, OR 97035

1 NOW THEREFORE IN THE NAME OF THE STATE OF OREGON, you are  
2 commanded to sell the real property pursuant to said General Judgment of Foreclosure according  
3 to law (subject to redemption) all of the interest that the borrowers had on the 18<sup>th</sup> of September,  
4 2002, the date of the Mortgage, and also all of the interest that borrower had thereafter, in the real  
5 property described in the Judgment as:

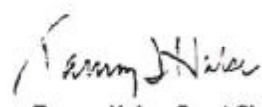
6 Lot "B" of the Replat of Lots 9, 10, 11 and 12, Block 2, PETERSON ADDITION to the  
7 City of Umatilla, Umatilla County, Oregon as described under the Plat recorded in Book  
8 13, Page 14, of the Plat Records for Umatilla County, Oregon.

9 The street address of the real property to be levied upon 27 Martin Drive, Umatilla, OR  
10 97882.

11 THE TOTAL AMOUNT OF EXECUTION REQUESTED HEREON, STATED AS OF  
12 THE DATE OF SUBMISSION (March 23, 2023) IS AS FOLLOWS:

13	Base Judgment and Interest:	\$97,416.27
14	Attorney Fees and Costs:	\$6,993.13
15	Prevailing Party Fee	\$300.00
16	Post-judgment Interest	\$51.62
17	Total due as of March 23, 2023:	\$104,761.02, with interest to continue to accrue at
18	9% (\$25.81 per diem) until the date of sale.	

19 The proceeds of sale shall be applied, delivered, and distributed according to ORS 18.950.

20  
21  
22 By:   
Tammy Hulse, Court Clerk  
3/23/2023 9:16:06 AM



23 Submitted by:

24 */s/ Amber L. Labrecque*

25 Amber L. Labrecque, OSB No. 094593

26  
27 WRIT OF EXECUTION -2-

28  
ZBS LAW, LLP  
5 Centerpointe Dr. Suite 400  
Lake Oswego, OR 97035  
503-946-6558

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**IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF UMATILLA**

HOMESTREET BANK,  
Plaintiff,

vs.

THE UNKNOWN HEIRS AND DEVISEES  
OF MICHAEL M FIG, A DECEASED  
INDIVIDUAL; SECRETARY OF HOUSING  
AND URBAN DEVELOPMENT; AND ALL  
OTHER UNKNOWN PARTIES CLAIMING  
ANY RIGHT, TITLE, LIEN OR INTEREST IN  
THE REAL PROPERTY COMMONLY  
KNOWN AS 27 MARTIN DRIVE,  
UMATILLA, OR 97882,

Defendants.

**CASE NO. 22CV40465**

**GENERAL JUDGMENT OF  
FORECLOSURE BY DEFAULT  
(WITHOUT MONEY AWARD –  
JUDGMENT DOES NOT  
CREATE A LIEN)**

Based upon the Motion for a General Judgment of Foreclosure filed by Plaintiff HOMESTREET BANK ("Plaintiff") and against defendants THE UNKNOWN HEIRS AND DEVISEES OF MICHAEL M FIG, A DECEASED INDIVIDUAL; SECRETARY OF HOUSING AND URBAN DEVELOPMENT; and ALL OTHER UNKNOWN PARTIES CLAIMING ANY RIGHT, TITLE, LIEN OR INTEREST IN THE REAL PROPERTY COMMONLY KNOWN AS 27 MARTIN DRIVE, UMATILLA, OR 97882 (collectively "Defendants") and that Plaintiff has filed a Statement for Attorney Fees, Costs, and Disbursements.

**IT IS HEREBY ORDERED AND ADJUDGED:**

**1.**

Plaintiff is awarded judgment against Defendants and all persons claiming through or under



1 Defendants, as purchasers, encumbrances, or otherwise, are forever foreclosed of all interest, lien  
2 or claim in the real property described above and every portion thereof excepting only any  
3 satisfactory right of redemption as Defendants, or any of them, may have therein. Defendants were  
4 defaulted on March 1, 2023.

5 **2.**

6 Writ of execution upon this General Judgment of Foreclosure shall issue.

7 **3.**

8 The Deed of Trust executed by Borrower Michael M Fig on September 18, 2002 and  
9 recorded on September 24, 2002, in the Umatilla County Recorder's Office as Instrument No.  
10 2002-4200665, is a valid mortgage lien for the amount of Plaintiff's judgment set forth below  
11 against all the real property, located in Umatilla County, Oregon commonly referred to as 27  
12 Martin Drive, Umatilla, OR 97882, with a legal description as follows:

13 Lot "B" of the Replat of Lots 9, 10, 11 and 12, Block 2, PETERSON ADDITION to the  
14 City of Umatilla, Umatilla County, Oregon as described under the Plat recorded in Book  
15 13, Page 14, of the Plat Records for Umatilla County, Oregon.  
16

17 **4.**

18 Said mortgage lien is superior to any interest, lien or claim of the Defendants in the real  
19 property, and all other interest in the property gained by him thereafter, or so much interest as may  
20 be necessary to satisfy the judgment of the Plaintiff shall be sold by the Sheriff of Umatilla County,  
21 Oregon in the manner provided by law and in accordance with the practice of this Court.

22 **5.**

23 The proceeds of sale shall first be applied to the costs of sale; then toward the satisfaction  
24 of Plaintiff's judgment awarded herein, calculated as of the date of sale; and any resulting surplus  
25 shall then be tendered to the Clerk of the Court to be distributed to such other party or parties as  
26 may establish their right thereto.

27 **6.**

1 Defendants and all persons claiming through or under Defendants, as purchasers,  
2 encumbrances, or otherwise, are forever foreclosed of all interest, lien or claim in the real property  
3 described above and every portion thereof excepting only any satisfactory right of redemption as  
4 Defendants may have.

5 **7.**

6 Plaintiff or any other party to this suit or third party purchase may become the purchaser at  
7 the sale of the real property. The purchaser is entitled to exclusive possession of the real property  
8 from and after the date of sale and is entitled to such remedies as are available at law to secure  
9 possession, including writ of assistance, if the Defendants and any other party or person shall  
10 refuse to surrender possession to the purchaser immediately on the purchaser's demand for  
11 possession.

12 **SECURED DEBT**

- 13
- 14 1. Judgment Creditor: HOMESTREET BANK  
c/o ZBS Law, LLP  
15 5 Centerpointe Dr., Suite 400  
Lake Oswego, OR 97035  
16 503-946-6558
- 17 2. Judgment Creditor's Attorney: Amber L. Labrecque  
18 ZBS Law, LLP  
5 Centerpointe Dr., Suite 400  
19 Lake Oswego, OR 97035  
503-946-6558
- 20
- 21 3. Person or public body entitled to any portion of money award herein: None

22 **4. Total Amount of Secured Debt:**

23

<b>LENDERS' PRINCIPAL AND INTEREST</b>	
Principal Balance	\$ 71,523.54
Accrued interest on the principal balance through 5/1/2023	\$ 7,822.92
Accrued costs and fees through 5/1/2023	\$ 18,069.81
Additional pre-judgment interest to accrue from 5/2/2023 to the date this judgment is entered, at the note rate of 6.25% (\$12.25 per diem)	

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1	Post-judgment interest to accrue on the sum of: (1) the Total Secured Debt (Judgment), and (2) the additional pre-judgment interest accruing from 5/2/2023 to the date of judgment. This post-judgment interest shall accrue at the statutory rate of 9.0%, from the date judgment is entered until the date of sale.	
2		
3		
4	<b>Total Principal and Interest Through 5/1/2023 at the rate of 6.25% (\$12.25 per diem), and costs and fees.</b>	<b>\$ 97,416.27</b>
5		
6	<b>CURRENT ATTORNEYS' FEES AND COSTS</b>	
7	Current Attorney Fees	\$ 4,525.00
8	Current Attorney Costs	\$ 2,468.13
9	<b>TOTAL ATTORNEY FEES AND COSTS</b>	<b>\$ 6,993.13</b>
10	Prevailing Party Fee	\$ 300.00
11	<b>TOTAL SECURED DEBT (JUDGMENT)</b>	<b>\$ 104,709.40</b>

12 Interest will continue to accrue on the judgment amount at the rate of 9%. Said Judgment  
 13 is meant to be for the purposes of foreclosure *only*, and is not intended to be a monetary judgment  
 14 against the Borrower.



17 CERTIFIED TO BE A TRUE AND  
 18 CORRECT COPY OF THE ORIGINAL

19 Dated: 3/23, 2023  
 TRIAL COURT ADMINISTRATOR

3/13/2023 4:30:13 PM

20 By: Jimmy J. Flake

*Jimmy J. Flake*

*Robert W. Collins Jr.*

21 Robert W. Collins Jr.,  
 22 Circuit Court Judge

23 Submitted by:  
 24 s/ Amber L. Labrecque 03/09/2023  
 Attorney for Plaintiff

25  
 26 **UTCRC 5.100(2) CERTIFICATE OF READINESS**

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

CERTIFIED TO BE A TRUE AND  
CORRECT COPY OF THE ORIGINAL

Date: \_\_\_\_\_ 20\_\_\_\_  
TRIAL COURT ADMINISTRATOR

By \_\_\_\_\_



- 1           1.  Each party affected by this order of judgment has stipulated to the order or judgment,  
2           as shown by each party's signature on the document being submitted.
- 3           2.  Each party affected by this order of judgment has approved the order or judgment, as  
4           shown by each party's signature on the document being submitted or by written  
5           confirmation of approval sent to me.
- 6           3.  I have served a copy of this order of judgment on each party entitled to service and:  
7           a.  No objection has been served on me.  
8           b.  I received objections that I could not resolve with a party despite reasonable  
9           efforts to do so. I have filed a copy of the objections I have received and  
10           indicated which objections remained unresolved.  
11           c.  After conferring about objections [role and name of objecting party] agreed to  
12           independently file any remaining objection.
- 13           4.  The relief sought is against an opposing party who has been found in default.
- 14           5.  An order of default is being requested with this proposed judgment.
- 15           6.  Service is not required pursuant to subsection 3 of this rule, or by statute, rule, or  
16           otherwise.
- 17           7.  This is a proposed judgment that includes an award of punitive damages and notice as  
18           been served on the Director of the Crime Victims' Assistance Section as required by  
19           subsection (5) of the rule.
- 20           8.  Other: \_\_\_\_\_
- 21
- 22
- 23

24 Submitted By:

25 s/ Amber L. Labrecque 03/09/2023  
26 Amber L. Labrecque, OSB No. 094593  
27 Attorneys for Plaintiff  
28 alabrecque@zbslaw.com