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4 **IN THE CIRCUIT COURT OF THE STATE OF OREGON**
5 **FOR THE COUNTY OF UMATILLA**
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7 DEUTSCHE BANK NATIONAL TRUST
8 COMPANY F/K/A BANKERS TRUST
9 COMPANY OF CALIFORNIA, N.A., AS
10 TRUSTEE, FOR UCFC MH TRUST 1997-4,

11 Plaintiff,

12 vs.

13 KENNETH L. NORQUIST; SUSAN E.
14 NORQUIST; TMS MORTGAGE INC., DBA
15 THE MONEY STORE; MORTGAGE
16 ELECTRONIC REGISTRATION SYSTEMS,
17 INC.; LVNY FUNDING LLC; RAY KLEIN
18 INC., DBA PROFESSIONAL CREDIT
19 SERVICE; AND ALL OTHER UNKNOWN
20 PARTIES CLAIMING ANY RIGHT, TITLE,
21 LIEN OR INTEREST IN THE REAL
22 PROPERTY COMMONLY KNOWN AS 122
23 SW 10TH ST, PILOT ROCK, OR 97868,

24 Defendants.

CASE NO.: 21CV15182
WRIT OF EXECUTION

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27 TO THE SHERIFF OF UMATILLA COUNTY OREGON:

28 WHEREAS, on December 23, 2021, by consideration of the Umatilla County Circuit Court, there was entered a General Judgment of Foreclosure. Said General Judgment of Foreclosure was duly enrolled and docketed in the Court Administrator's Office in said County on December 23, 2021, a true copy of the General Judgment of Foreclosure is attached hereto and made a part hereof.

1 Judgment Creditor DEUTSCHE BANK NATIONAL TRUST COMPANY
2 F/K/A BANKERS TRUST COMPANY OF
3 CALIFORNIA, N.A., AS TRUSTEE, FOR UCFC MH
4 TRUST 1997-4
5 Judgment Creditor Address: c/o ZBS LAW, LLP
6 5 Centerpointe Dr. Suite 400
7 Lake Oswego, OR 97035

8 NOW THEREFORE IN THE NAME OF THE STATE OF OREGON, you are
9 commanded to sell the real property as by said General Judgment of Foreclosure according to law
10 (subject to redemption) all of the interest that the borrower Kenneth L. Norquist and Susan E.
11 Norquist, had on the 23rd day of July 1997, the date of the Mortgage, and also all of the interest
12 that borrower had thereafter, in the real property described in the Judgment as:

13 The land referred to herein below is situated in the County of Umatilla, State of Oregon, and is
14 described as follows:

15 Lot 2, HATLEY ADDITION located in the Northwest Quarter of the Northwest Quarter
16 of Section 21, Township 1 South, Range 32, to the City of Pilot Rock, East of the
17 Willamette Meridian, Umatilla County, Oregon.

18 The street address of the real property to be levied upon is 122 SW 10th St, Pilot Rock, OR
19 97868.

20 THE TOTAL AMOUNT OF EXECUTION REQUESTED HEREON, STATED AS OF
21 THE DATE OF SUBMISSION (January 11, 2022) IS AS FOLLOWS:

22 Base Judgment and Interest:	\$75,515.08
23 Attorney Fees and Costs:	\$4,755.72
24 Prevailing Party Fee	\$300.00
25 Pre-Judgment Interest from	

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12/01/21– 12/23/2021 \$176.87

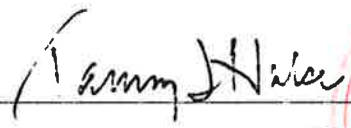
Post-Judgment Interest from

12/24/21 – 01/11/2022 at 9.0%

(\$19.91 per diem) \$378.29

Total due as of January 11, 2022: \$81,125.96, with interest to continue to accrue at 9% (\$19.91 per diem) until the date of sale.

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

By: 

Tammy Hulse, Court Clerk

1/13/2022 10:12:28 AM



Submitted by:

/s/ Amber L. Labrecque

Amber L. Labrecque, OSB No. 094593

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

DEUTSCHE BANK NATIONAL TRUST
COMPANY F/K/A BANKERS TRUST
COMPANY OF CALIFORNIA, N.A., AS
TRUSTEE, FOR UCFC MH TRUST 1997-4,

Plaintiff,

vs.

KENNETH L. NORQUIST; SUSAN E.
NORQUIST; TMS MORTGAGE INC., DBA
THE MONEY STORE; MORTGAGE
ELECTRONIC REGISTRATION SYSTEMS,
INC.; LVNY FUNDING LLC; RAY KLEIN
INC., DBA PROFESSIONAL CREDIT
SERVICE; AND ALL OTHER UNKNOWN
PARTIES CLAIMING ANY RIGHT, TITLE,
LIEN OR INTEREST IN THE REAL
PROPERTY COMMONLY KNOWN AS 122
SW 10TH ST, PILOT ROCK, OR 97868,

Defendants.

CASE NO. 21CV15182

**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, Deutsche Bank National Trust Company F/K/A Bankers Trust Company of California, N.A., as Trustee, for UCFC MH Trust 1997-4 (“Plaintiff”) and against defendants Kenneth L. Norquist, Susan E. Norquist, TMS Mortgage Inc., dba The Money Store, Mortgage Electronic Registration Systems, Inc., LVNV Funding LLC, and Ray Klein Inc., dba Professional Credit Service, collectively (“Defendants”), and that Plaintiff has filed a Statement for Attorney Fees, Costs, and Disbursements,

IT IS HEREBY ORDERED AND ADJUDGED:

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1.

Plaintiff is awarded judgment against Defendants and all persons claiming through or under Defendants, as purchasers, encumbrances, or otherwise, are forever foreclosed of all interest, lien or claim in the real property described above and every portion thereof excepting only any satisfactory right of redemption as Defendants, or any of them, may have therein.

Defendants were defaulted on October 28, 2021.

2.

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

3.

The Deed of Trust executed by Kenneth L. Norquist ("Borrower 1") and Susan E. Norquist ("Borrower 2", collectively known as "Borrowers") on July 23, 1997, and recorded on July 25, 1997, in the Umatilla County Recorder's Office as Instrument #1997-234003 is a valid mortgage lien for the amount of Plaintiff's judgment set forth below against all the real property, located in Umatilla County, Oregon commonly referred to as 122 SW 10th St, Pilot Rock, OR 97868, with a legal description as follows:

Lot 2, HATLEY ADDITION located in the Northwest Quarter of the Northwest Quarter of Section 21, Township 1 South, Range 32, to the City of Pilot Rock, East of the Willamette Meridian, Umatilla County, Oregon.

4.

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

5.

The proceeds of sale shall first be applied to the costs of sale; then toward the satisfaction of Plaintiff's judgment awarded herein, calculated as of the date of sale; and any resulting surplus shall then be tendered to the Clerk of the Court to be distributed to such other party or parties as

1 may establish their right thereto.

2 **6.**

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

7 **7.**

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

14 **SECURED DEBT**

15
16 1. Judgment Creditor: Deutsche Bank National Trust Company F/K/A
17 Bankers Trust Company of California, N.A., as
18 Trustee, for UCFC MH Trust 1997-4
19 c/o ZBS Law, LLP
5 Centerpointe Dr., Suite 400
Lake Oswego, OR 97035
503-946-6558

20 2. Judgment Creditor's Attorney: Amber L. Labrecque
21 ZBS Law, LLP
22 5 Centerpointe Dr., Suite 400
23 Lake Oswego, OR 97035
503-946-6558

24 3. Judgment Debtor: None
25 4. Judgment Debtor's Attorney: None
26 5. Person or public body entitled to any portion of money award herein: None

27 **6. Total Amount of Secured Debt:**

<u>LENDERS' PRINCIPAL AND INTEREST, COSTS AND FEES</u>	
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1	Principal Balance	\$ 49,602.77
2	Accrued interest on the principal balance through 11/30/2021	\$ 4,610.97
3	Accrued costs and fees through 11/30/2021	\$ 21,301.34
4	Additional pre-judgment interest to accrue from 12/01/2021 to the date this judgment is entered, at the note rate of 6.75% (\$7.69 per diem)	
5	Post-judgment interest to accrue on the sum of: (1) the judgment amount in section d, and (2) the additional pre-judgment interest accruing from 12/01/2021 to the date of judgment. This post-judgment interest shall accrue at the Note rate of 9.0%, from the date judgment is entered until the date of sale.	
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10	Total Principal and Interest, Costs and Fees, Through 11/30/2021	\$ 75,515.08
11		
12	<u>ATTORNEYS' FEES AND COSTS</u>	
13	Attorney Fees	\$ 3,190.00
14	Attorney Costs	\$ 1,565.72
15	Total Attorney Fees and Costs	\$ 4,755.72
16	Prevailing Party Fee	\$ 300.00
17	TOTAL SECURED DEBT (JUDGMENT)	\$ 80,570.80

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



CERTIFIED TO BE A TRUE AND
CORRECT COPY OF THE ORIGINAL
Dated Jan 13 2022
TRIAL COURT ADMINISTRATOR
By Tommy Hulse

12/21/2021 7:22:30 PM

Eva J. Temple
Eva J. Temple, Circuit Court Judge

Submitted by:
s/ Amber L. Labrecque 12/20/2021
Attorney for Plaintiff

UTCR 5.100(2) CERTIFICATE OF READINESS

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

1. Each party affected by this order of judgment has stipulated to the order or judgment, as shown by each party's signature on the document being submitted.
2. Each party affected by this order of judgment has approved the order or judgment, as shown by each party's signature on the document being submitted or by written confirmation of approval sent to me.
3. I have served a copy of this order of judgment on each party entitled to service and:
 - a. No objection has been served on me.
 - b. I received objections that I could not resolve with a party despite reasonable efforts to do so. I have filed a copy of the objections I have received and indicated which objections remained unresolved.

1 c. After conferring about objections [role and name of objecting party] agreed to
2 independently file any remaining objection.

3 4. The relief sought is against an opposing party who has been found in default.

4 5. An order of default is being requested with this proposed judgment.

5 6. Service is not required pursuant to subsection 3 of this rule, or by statute, rule, or
6 otherwise.

7 7. This is a proposed judgment that includes an award of punitive damages and notice as
8 been served on the Director of the Crime Victims' Assistance Section as required by
9 subsection (5) of the rule.
10

11 8. Other: _____

12 Submitted By:

13 s/ Amber L. Labrecque 12/20/2021
14 Amber L. Labrecque, OSB No. 094593
15 Attorneys for Plaintiff
alabrecque@zbslaw.com
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