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IN THE CIRCUIT COURT OF THE STATE OF OREGON

IN AND FOR THE COUNTY OF UMATILLA

HSBC BANK USA, NATIONAL  
ASSOCIATION AS TRUSTEE FOR  
NOMURA HOME EQUITY LOAN  
TRUST, SERIES 2006-WF1 ASSET  
BACKED PASS-THROUGH  
CERTIFICATES

Plaintiff,

vs.

UNKNOWN HEIRS AND DEVISEES OF  
JERRY THERON ROE; UNKNOWN  
HEIRS AND DEVISEES OF RHONDA  
ANN ROE; JAMES MCDONOUGH;  
UNITED STATES OF AMERICA,  
DEPARTMENT OF TREASURY;  
OCCUPANTS OF THE PREMISES

Defendants.

Case No. 21CV37467

WRIT OF EXECUTION

TO: UMATILLA COUNTY SHERIFF

WHEREAS, on July 18, 2022, in the above-entitled court, a General Judgment of Foreclosure and Sale, with said Judgment containing therein a Declaration of Amount Due and was duly entered and docketed in the above-entitled cause

1- WRIT OF EXECUTION  
JLF No. 19-126020

JANEWAY LAW FIRM, LLC  
1499 SE Tech Center Place, Suite 255, Vancouver, WA 98683  
Telephone (360) 260-2253 (800)970-5647  
Fax (360) 260-2285  
ksutherland@logs.com

1 NOW, THEREFORE, IN THE NAME OF THE STATE OF OREGON, you are hereby  
2 commanded to sell, in the manner prescribed by law for the sale of real property upon execution  
3 (subject to redemption) all of the interest which the defendants had on August 31, 2005, the date  
4 of the deed of trust, and also all of the interest which the defendants acquired thereafter, in the real  
5 property described in the judgment:

6 LOT 6, BLOCK 1, MOLTKE ADDITION TO THE CITY OF PILOT ROCK, UMATILLA  
7 COUNTY, OREGON; EXCEPTING THEREFROM THE NORTH 18 FEET.

8 and commonly known as 325 NW Third Street, Pilot Rock, OR 97868 to satisfy the sum of  
9 \$152,968.06, as of July 26, 2022, together with additional post judgment interest of 9.00% from  
10 that date (\$37.64 per day), and costs of this execution, making due return within 60 days after you  
11 receive this writ.  
12

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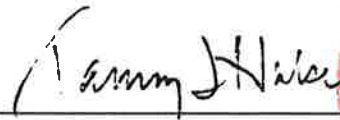
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25 2- WRIT OF EXECUTION  
26 JLF No. 19-126020

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1 HSBC Bank USA, National Association as Trustee for Nomura Home Equity Loan Trust,  
2 Series 2006-WF1 Asset Backed Pass-Through Certificates is the Judgment Creditor, and its  
3 address for purpose of this writ only is: C/O Janeway Law Firm, LLC, 1499 SE Tech Center  
4 Place, Suite 255, Vancouver, WA 98683 (360) 260-2253. Janeway Law Firm, LLC is the  
5 attorney for the Judgment Creditor.  
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**Tammy Hulse, Court Clerk**

7/29/2022 1:21:12 PM



13 Submitted by:  
14 Attorneys for Plaintiff,  
15 JANEWAY LAW FIRM, LLC

16 By: 

17 James A. Craft #090146 [jcraft@janewaylaw.com]  
18 1499 SE Tech Center Place, Suite 255, Vancouver, WA 98683  
19 (360) 260-2253; Fax (360) 260-2285  
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26 3- WRIT OF EXECUTION  
27 JLF No. 19-126020  
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IN THE CIRCUIT COURT OF THE STATE OF OREGON

IN AND FOR THE COUNTY OF UMATILLA

HSBC BANK USA, NATIONAL ASSOCIATION  
AS TRUSTEE FOR NOMURA HOME EQUITY  
LOAN TRUST, SERIES 2006-WF1 ASSET  
BACKED PASS-THROUGH CERTIFICATES,

Plaintiff,

vs.

UNKNOWN HEIRS AND DEVISEES OF JERRY  
THERON ROE; UNKNOWN HEIRS AND  
DEVISEES OF RHONDA ANN ROE; JAMES  
MCDONOUGH; UNITED STATES OF  
AMERICA, DEPARTMENT OF TREASURY;  
OCCUPANTS OF THE PREMISES,

Defendants.

Case No. 21CV37467

GENERAL JUDGMENT OF  
FORECLOSURE

Default having been entered against Defendant(s), James McDonough, Unknown Heirs and Devisees of Jerry Theron Roe and Unknown Heirs and Devisees of Rhonda Ann Roe.

A Limited Judgment of Dismissal was entered as to Defendant, Occupants of the Premises by the Court on November 16, 2021, and as to Defendant, United States of America, Department of Treasury on June 29, 2022.

1 - GENERAL JUDGMENT OF FORECLOSURE  
JLF No. 19-126020

*Janeway Law Firm, LLC*  
1499 SE Tech Center Place, Suite 255, Vancouver, WA 98683  
Telephone (360) 260-2253 (800)970-5647  
Fax (360) 260-2285  
ksutherland@logs.com

1 It is hereby

2 ORDERED AND ADJUDGED:

- 3 1. The real property to which this judgment relates (hereafter the "Property") is situated in  
4 Umatilla County, Oregon is commonly known as 325 NW Third Street, Pilot Rock, OR 97868  
5 and is legally described as follows:

6 Lot 6, Block 1, MOLTKE ADDITION to the City of Pilot Rock, Umatilla County,  
7 Oregon; EXCEPTING THEREFROM the North 18 feet.

- 8 2. The Deed of Trust executed and delivered by Defendant, Jerry T. Roe and Rhonda Roe, as  
9 tenants by the entirety ("Borrower") on or about August 31, 2005 and recorded on September  
10 8, 2005 as Instrument No. 2005-4880453 in the official records of Umatilla County, Oregon,  
11 is a valid and perfected lien against all of the Property for the amount of Plaintiff's judgment  
12 as provided herein.

- 13 3. The Plaintiff is the holder of the original note dated August 31, 2005 and made by Jerry T.  
14 Roe by Rhonda Roe, Attorney-In-Fact and Rhonda Roe in the amount of \$130,000.00. A  
15 copy of the Note was attached to the complaint as Exhibit. Plaintiff is the holder of the Note  
16 and the beneficial interest in the Deed of Trust (together the "Loan").

- 17 4. The interest of each of the Defendant(s) subject to this Judgment and any successor in interest  
18 in the Property is foreclosed and terminated excepting only any statutory right of redemption  
19 as provided by Oregon law.

20 //

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22 //

23 2 - GENERAL JUDGMENT OF FORECLOSURE  
24 JLF No. 19-126020

25 *Janeway Law Firm, LLC*  
26 1499 SE Tech Center Place, Suite 255, Vancouver, WA 98683  
27 Telephone (360) 260-2253 (800)970-5647  
28 Fax (360) 260-2285  
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- 1 5. The lien of the Plaintiff is superior to any interest, lien, or claim of the remaining Defendants  
2 and shall remain in effect until issuance of a Sheriff's Deed. Upon Motion to the Court and  
3 good cause shown, Plaintiff may move to rescind the foreclosure judgment and to reinstate  
4 the Loan prior to the Sheriff's sale, returning the parties to their prejudgment interests and  
5 priorities.  
6
- 7 6. The Defendant(s) are not entitled to a homestead exception as against Plaintiff's judgment.
- 8 7. All of the rights, title and interest that Borrower(s) had as of the date of the Deed of Trust or  
9 thereafter acquired in the subject Property, is hereby ordered to be sold by the Umatilla County  
10 Sheriff's Office in accordance with the process for sale upon execution, and the proceeds of  
11 sale shall be applied; first to the costs of sale; second to satisfaction of the amounts awarded  
12 Plaintiff herein; with the surplus, if any, to the Defendants in the priority as their interest may  
13 appear or to the clerk of the court to be distributed to such party of parties as may establish  
14 their right thereto.  
15
- 16 8. Plaintiff or any junior lienholders may become purchaser at the sale of the Property.
- 17 9. The purchaser at the sale is entitled to such remedies as are available at law or in equity to  
18 secure possession.  
19
- 20 10. The purchaser at the sale may apply to the Court for a writ of assistance if any Defendant or  
21 any person holding possession under or through such Defendant(s) shall refuse to surrender  
22 possession to the purchaser immediately on the purchaser's demand for possession.  
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1 11. Under the terms of the Loan there is now due and owing to Plaintiff the following amounts:

2	Principal		\$104,422.52	
3	Prejudgment interest at variable through May 2, 2022			\$18,499.64
4	(accruing thereafter until entry of judgment at \$16.88 per diem)			
5	Late Charges		\$2,333.54	
6	Other Costs and fees (recoverable)		17,781.84	
7	Hazard Insurance	\$11,028.84		
8	Appraisal/BPO	\$230.00		
9	Property Inspections	\$590.00		
10	Property Preservation	\$5,240.00		
11	Corporate Advances	\$693.00		
12		Subtotal		\$124,537.90
13		Total plus Prejudgment Interest		\$143,037.54

14  
15 12. Attorney Fees and Costs are awarded to Plaintiff as follows:

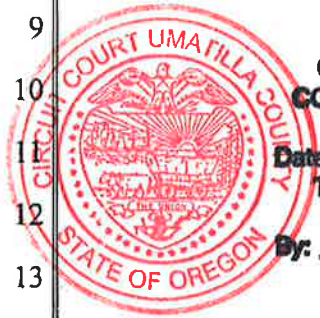
16	Costs			\$3,671.52
17	Title Search Cost		\$463.00	
18	Filing Fee		\$594.00	
19	Lis Pendens Recording Fee		\$101.00	
20	Service by Publication		\$1,903.52	
21	Service Costs		\$335.00	
22	Prevailing Party Fee		\$275.00	
23	Attorney fees			\$4,675.00
24	Total			\$8,346.52

- 1 13. Post judgment interest on all amounts shall accrue from the date of judgment at the legal rate  
2 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. The Clerk of the Court is hereby ordered to issue a Writ of Execution in Foreclosure for the  
18 sale of the Property. Plaintiff may credit bid the amounts determined in Paragraphs 11 through  
19 13 plus such additional amounts as provided in Paragraph 16 for purposes of ORS 18.936.



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.  
4

7/15/2022 11:12:08 AM



**CERTIFIED TO BE A TRUE AND  
CORRECT COPY OF THE ORIGINAL**  
Dated: 7/19, 2022  
**TRIAL COURT ADMINISTRATOR**

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

By: Tammy Hulse  
Tammy Hulse

**Certificate of Readiness under UTCR 5 100**

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

1.  Each party affected by this order or 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 or 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 or 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 received and indicated which objections remain unresolved.
  - c.  After conferring about objections, [role and name of objecting party] agreed to independently file any remaining objection.
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)

6 - GENERAL JUDGMENT OF FORECLOSURE  
JLF No. 19-126020

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1 5. [ ] This is a proposed judgment that includes an award of punitive damages and notice has been  
2 served on the Director of the Crime Victims' Assistance Section as required by subsection (5) of  
3 this rule.

4 6. [ ] Other: \_\_\_\_\_

5 Submitted by:  
6 Attorneys for Plaintiff,  
7 JANEWAY LAW FIRM, LLC

8 By: \_\_\_\_\_

9 James A. Craft #090146 [jcraft@janewaylaw.com]  
10 1499 SE Tech Center Place, Suite 255, Vancouver, WA 98683  
11 (360) 260-2253; Fax (360) 260-2285

7-12-2022