

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

U.S. BANK TRUST NATIONAL  
ASSOCIATION, NOT IN ITS INDIVIDUAL  
CAPACITY BUT SOLELY AS  
COLLATERAL TRUST TRUSTEE OF  
FIRSTKEY MASTER FUNDING 2021-A  
COLLATERAL TRUST,

Case No.: 23CV14037

WRIT OF EXECUTION IN  
FORECLOSURE

Plaintiff,

vs.

THE UNKNOWN HEIRS AND DEVISEES  
OF CLAUDE W. HARRISON AKA CLAUDE  
WESLEY HARRISON AKA CLAUDE  
HARRISON; THE UNKNOWN HEIRS AND  
DEVISEES OF SONDR A. HARRISON  
AKA SONDR ANN HARRISON AKA  
SONDR HARRISON AKA SONDR  
FORTNEY-HARRISON AKA SONDR A  
FORTNEY-HARRISON AKA SONDR ANN  
FORTNEY-HARRISON; SHAWN  
HARRISON; KENT HARRISON;  
OCCUPANTS OF THE PROPERTY,

Defendants.

**TO THE UMATILLA COUNTY SHERIFF:**

A Judgment of Foreclosure was entered and docketed in this case on 12/4/2023. A true copy of the Judgment is attached hereto. The Judgment was entered in favor of the Plaintiff:

U.S. Bank Trust National Association, not in its individual capacity but solely as collateral trust trustee of FirstKey Master Funding 2021-A Collateral Trust  
c/o Grace Chu  
Attorney for Plaintiff

McCarthy & Holthus, LLP  
920 SW 3rd Ave, 1st Floor  
Portland, OR 97204

1 With the adjudicated amount due of \$112,342.23, Pre Judgment Interest from 12/2/2023-  
2 12/4/2023 in the amount of \$13.22 and plus post judgment interest at the statutory rate of 9.0%  
3 per annum from 12/5/2023 to 1/15/2024 in the amount of \$1,135.73, and continuing with a per  
4 diem of \$27.70, currently totaling \$113,491.18.

5 **NOW, THEREFORE, IN THE NAME OF THE STATE OF OREGON,** you are  
6 hereby commanded to sell, in the manner prescribed by law for the sale of real property on  
7 execution (subject to redemption of 180 days), all of the interest that the Defendant had on or  
8 about January 29, 1999, the date of the Deed of Trust, and also the interest that the Defendant  
9 had thereafter, in the real property described as follows:

10 LOT 19, BLOCK 4, NORTH HILL TERRACE ADDITION, LOCATED IN THE  
11 NORTH HALF OF SOUTHEAST 1/4 OF SEC. 33, TWP 5N, RGE 28, EAST OF  
WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

12 More correctly described as:

13 LOT 19, BLOCK 4, NORTH HILL TERRACE ADDITION, LOCATED IN THE  
14 NORTH HALF OF SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 5  
15 NORTH, RANGE 28, EAST OF WILLAMETTE MERIDIAN, UMATILLA  
COUNTY, OREGON.

16 and commonly known as: 80555 North Hill Dr, Hermiston, OR 97838.

17 Sale of the property is to satisfy the sum listed above, plus the costs incurred in  
18 performing this Writ. Pursuant to ORS 18.872, you are authorized to continue execution under  
19 the writ and delay making a return on the writ to no later than 150 days from receipt of the writ.

20 You are to make the return within 60 days after you receive this Writ. Should the sale be  
21 continued, the writ may be automatically extended for 30 days.

22 **DATED:** \_\_\_\_ day of 1/22/2024 2:44:57 PM, 20\_\_.

*Tammy Hulse*

**Tammy Hulse, Court Clerk**

Title

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



1 Dated: January 22, 2024 and submitted by:

2 McCarthy & Holthus, LLP

3 s/Grace Chu

4 

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 Grace Chu OSB No. 220848

5 920 SW 3rd Ave, 1st Floor

6 Portland, OR 97204

7 Phone: (971) 201-3200

8 Fax: (971) 201-3202

9 gchu@mccarthyholthus.com

10 Of Attorneys for Plaintiff

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

U.S. BANK TRUST NATIONAL  
ASSOCIATION, NOT IN ITS  
INDIVIDUAL CAPACITY BUT SOLELY  
AS COLLATERAL TRUST TRUSTEE OF  
FIRSTKEY MASTER FUNDING 2021-A  
COLLATERAL TRUST,

Plaintiff,

vs.

THE UNKNOWN HEIRS AND DEVISEES  
OF CLAUDE W. HARRISON AKA  
CLAUDE WESLEY HARRISON AKA  
CLAUDE HARRISON; THE UNKNOWN  
HEIRS AND DEVISEES OF SONDR A.  
HARRISON AKA SONDR A ANN  
HARRISON AKA SONDR A HARRISON  
AKA SONDR A FORTNEY-HARRISON  
AKA SONDR A A FORTNEY-HARRISON  
AKA SONDR A ANN FORTNEY-  
HARRISON; SHAWN HARRISON; KENT  
HARRISON; OCCUPANTS OF THE  
PROPERTY,

Defendants.

Case No.: 23CV14037

GENERAL JUDGMENT OF  
FORECLOSURE

1.

THIS MATTER came before the Court on Plaintiff's motion.

Defendants THE UNKNOWN HEIRS AND DEVISEES OF CLAUDE W. HARRISON  
AKA CLAUDE WESLEY HARRISON AKA CLAUDE HARRISON; THE UNKNOWN

1 HEIRS AND DEVISEES OF SONDR A. HARRISON AKA SONDR A ANN HARRISON  
2 AKA SONDR A HARRISON AKA SONDR A FORTNEY-HARRISON AKA SONDR A A  
3 FORTNEY-HARRISON AKA SONDR A ANN FORTNEY-HARRISON; SHAWN  
4 HARRISON; KENT HARRISON; and OCCUPANTS OF THE PROPERTY (“Defaulted  
5 Defendants”) were duly served with process and failed to appear; the default has been  
6 entered against Defaulted Defendants, and it appearing that Defaulted Defendants are not  
7 incapacitated, protected persons, respondents as defined in ORS 125.005, minors, or in the  
8 military service of the United States;

9 2.

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

- 11 a. The real property to which this judgment relates is located and situated in Umatilla County,  
12 Oregon, and is commonly known as 80555 North Hill Dr, Hermiston, OR 97838 (the  
13 “Subject Property”), legally described as:

14 LOT 19, BLOCK 4, NORTH HILL TERRACE ADDITION, LOCATED IN THE  
15 NORTH HALF OF SOUTHEAST 1/4 OF SEC. 33, TWP 5N, RGE 28, EAST OF  
16 WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

17 More correctly described as:

18 LOT 19, BLOCK 4, NORTH HILL TERRACE ADDITION, LOCATED IN THE  
19 NORTH HALF OF SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 5  
20 NORTH, RANGE 28, EAST OF WILLAMETTE MERIDIAN, UMATILLA  
21 COUNTY, OREGON.

22 APN/Parcel No. 139110.

- 23 b. Plaintiff is entitled to enforce the note dated January 29, 1999 and made, delivered, and  
24 executed by SONDR A. HARRISON AKA SONDR A ANN HARRISON AKA SONDR A  
25 HARRISON AKA SONDR A FORTNEY-HARRISON AKA SONDR A A FORTNEY-  
26 HARRISON AKA SONDR A ANN FORTNEY-HARRISON and CLAUDE W. HARRISON  
27 AKA CLAUDE WESLEY HARRISON AKA CLAUDE HARRISON to Greenpoint Credit  
28

1 Corp. in the amount of \$116,413.75 (the "Note"). The Note was transferred to Plaintiff by  
2 delivery of possession and by indorsement set forth on the Note.

3 c. A deed of trust was made, executed, and delivered by Defendants SONDR A. HARRISON  
4 AKA SONDR A ANN HARRISON AKA SONDR A HARRISON AKA SONDR A  
5 FORTNEY-HARRISON AKA SONDR A A FORTNEY-HARRISON AKA SONDR A ANN  
6 FORTNEY-HARRISON and CLAUDE W. HARRISON AKA CLAUDE WESLEY  
7 HARRISON AKA CLAUDE HARRISON on or about January 29, 1999 (the "Deed of  
8 Trust"). The Deed of Trust was recorded on February 4, 1999 as Instrument No. 1999-  
9 345095 in the official records of Umatilla County, Oregon. The Deed of Trust is a valid and  
10 perfected lien against all of the Property for and securing the Amount Due. The lien of the  
11 Plaintiff is superior to any interest, lien, or claim of the Defendants and shall remain in effect  
12 until issuance of a Sheriff's Deed.

13 d. The Borrower failed to make the payment that was due for April 8, 2018 and has not cured  
14 the default. The amount of debt secured by the Deed of Trust that is now due and owing is  
15 comprised of the following amounts (the "Amount Due"):

- |    |                                       |                     |
|----|---------------------------------------|---------------------|
| 16 | a) Unpaid principal balance:          | \$66,583.86         |
| 17 | b) Prejudgment interest accruing from | \$20,078.89         |
| 18 | 3/8/2023 through 12/1/2023 and        |                     |
| 19 | continuing until the entry of         |                     |
|    | judgment at the current Note rate of  |                     |
|    | 6.75%:                                |                     |
| 20 | c) Additional amounts due under the   | \$18,792.84         |
| 21 | terms of the loan:                    |                     |
| 22 | d) Attorney fees and costs:           | \$6,801.64          |
| 23 | e) Prevailing party fee (ORS 20.190   | \$85.00             |
|    | (1)(b)(A)):                           |                     |
| 24 | <b>Total:</b>                         | <b>\$112,342.23</b> |

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

4 e. The interest of the Defendants and any successor in interest in the Subject Property is  
5 foreclosed and terminated excepting only any statutory right of redemption as provided by  
6 Oregon law.

7 f. The Defendants are not entitled to a homestead exception as against Plaintiff's judgment.

8 g. All right, title and interest in the Subject Property that Defendants SONDR A. HARRISON  
9 AKA SONDR A ANN HARRISON AKA SONDR A HARRISON AKA SONDR A  
10 FORTNEY-HARRISON AKA SONDR A A FORTNEY-HARRISON AKA SONDR A ANN  
11 FORTNEY-HARRISON and CLAUDE W. HARRISON AKA CLAUDE WESLEY  
12 HARRISON AKA CLAUDE HARRISON had as of the date of the Deed of Trust or  
13 thereafter acquired is hereby ordered to be sold by the Umatilla County Sheriff's Office in  
14 accordance with the process for sale upon execution, and the proceeds of sale shall be  
15 applied:

- 16 1) First, to the costs of sale not incurred by Plaintiff;
- 17 2) Second, to the Amount Due, plus post-judgment interest accruing from the date of  
18 entry of judgment through the date of the sale, post-judgment property taxes,  
19 insurance, and other sums reasonably incurred and allowed under the Deed of Trust to  
20 protect Plaintiff's interest in the Property, and any incurred costs of sale;
- 21 3) Third, the surplus, if any, to the Defendants in the priority as their interest may  
22 appear, described *infra*, or to the clerk of the court to be distributed by the Court to  
23 such party or parties as they may establish their right thereto.

24 h. Plaintiff may become purchaser at the sale of the Subject Property and, pursuant to ORS  
25 18.936 (2), may credit bid up to the Amount Due, plus post-judgment interest accruing from  
26 the date of entry of judgment through the date of the sale, post-judgment property taxes,  
27

1 insurance, and other sums reasonably incurred and allowed under the Deed of Trust to  
2 protect Plaintiff's interest the Property, and any incurred costs of sale.

3 i. The purchaser at the sale is entitled to exclusive and immediate possession of the Subject  
4 Property from and after the date of the sale and is entitled to such remedies as are available at  
5 law or in equity to secure possession. The purchaser at the sale may apply to the Court for a  
6 writ of assistance if any Defendant, other party, or other person shall refuse to surrender  
7 possession to the purchaser immediately upon the purchaser's demand for possession.

8 j. In the event the proceeds of sale are insufficient to pay the Amount Due, Plaintiff shall not be  
9 entitled to any further or other judgment, including a judgment for the deficiency.

10 k. If, before the sale, the Amount Due is brought into court and paid to the clerk, the execution,  
11 if issued, shall be recalled and the effect of the judgment as to the Amount Due shall be  
12 terminated.

13 **CERTIFIED TO BE A TRUE AND  
14 CORRECT COPY OF THE ORIGINAL**

15 Dated: 11/22, 2024

16 **TRIAL COURT ADMINISTRATOR**

17 By: Tammy Hulse  
18 Tammy Hulse

12/2/2023 2:57:32 PM

Eva J. Temple

Eva J. Temple, Circuit Court Judge

19  
20 I hereby certify that the requirements of UTCR 5.100 have been satisfied.

21 On \_\_\_\_\_, a copy of the Motion for Entry of Judgment, Declaration of Attorney  
22 Fees and Costs for Plaintiff, Declaration of Amounts Due, Proposed Judgment of Foreclosure  
was:

23  Served on:

24 not less than 3 days prior to submission to the court.

25  Accompanied by a stipulation by that no objection exists as to the judgment or order.

26  Mailed to:  
27  
28



1 The Unknown Heirs and Devisees of Claude W. Harrison aka Claude Wesley Harrison  
2 aka Claude Harrison  
3 80555 North Hill Dr  
4 Hermiston, OR 97838

5 The Unknown Heirs and Devisees of Sondra A. Harrison aka Sondra Ann Harrison  
6 aka Sondra Harrison aka Sondra Fortney-Harrison aka Sondra A Fortney-Harrison aka  
7 Sondra Ann Fortney-Harrison  
8 80555 North Hill Dr  
9 Hermiston, OR 97838

10 Shawn Harrison  
11 80555 North Hill Dr  
12 Hermiston, OR 97838

13 Kent Harrison  
14 80555 North Hill Dr  
15 Hermiston, OR 97838

16 Occupants of the Property  
17 80555 North Hill Dr  
18 Hermiston, OR 97838

19 not less than 7 days prior to submission to the court with a notice of the time period to  
20 object.

21 This proposed Judgment Of Foreclosure is ready for judicial signature because:

22 [ ] Each opposing party affected by this order or judgment has stipulated to the order or  
23 judgment, as shown by each opposing party's signature on the document being  
24 submitted.

25 [ ] Each opposing party affected by this order or judgment has approved the order or  
26 judgment, as shown by signature on the document being submitted or by written  
27 confirmation of approval sent to me.

28 [ x ] I have served a copy of this order or judgment on all parties entitled to service and:

[ x ] No objection has been served on me.

[ ] I received objections that I could not resolve with the opposing party despite  
reasonable efforts to do so. I have filed a copy of the objections I received and  
indicated which objections remain unresolved.

[ ] After conferring about objections, \_\_\_\_\_ agreed to independently file  
any remaining objection.

[ ] The relief sought is against an opposing party who has been found in default.

[ ] An order of default is being requested with this proposed judgment.

[ ] Service is not required pursuant to subsection (3) of this rule, or by statute, rule, or  
otherwise.

1 [ ] This is a proposed judgment that includes an award of punitive damages and notice  
2 has been served on the Director of the Crime Victims' Assistance Section as required  
3 by subsection (4) of this rule.

4 [ ] Other: \_\_\_\_\_

5 Dated: December 1, 2023 and submitted by:

6 **McCarthy & Holthus, LLP**

7 /s/ - David M. Swartley

8 \_ John Thomas OSB No. 024691

9 \_ Grace Chu OSB No. 220848

10 \_ Michael Scott OSB No. 973947

11 \_x David M. Swartley OSB No. 232327

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17 Of Attorneys for Plaintiff