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

U.S. BANK, NATIONAL ASSOCIATION,

Case No.: 19CV50717

Plaintiff,

vs.

WRIT OF EXECUTION IN
FORECLOSURE

THE UNKNOWN HEIRS AND DEVISEES
OF LEO L HASKETT; THE UNKNOWN
HEIRS AND DEVISEES OF LAWANDA
HASKETT; THE UNKNOWN HEIRS AND
DEVISEES OF LEO HASKETT JR;
DONNA HASKETT; DAVID HASKETT;
CYRUS HASKETT; TREVIA
GROESBECK; THE UNKNOWN HEIRS
OF PARLEY HASKETT; TWYLA
HASKETT; THE UNKNOWN HEIRS AND
DEVISEES OF DARLENE. M.
TWIDWELL; STATE OF OREGON;
OCCUPANTS OF THE PROPERTY,

Defendants.

TO THE UMATILLA COUNTY SHERIFF:

A Judgment of Foreclosure was entered and docketed in this case on April 21, 2021. A true copy of the Judgment is attached hereto. The Judgment was entered in favor of the Plaintiff:

U.S. BANK, NATIONAL ASSOCIATION
c/o Michael Scott
Attorney for Plaintiff

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

1 With the adjudicated amount due of \$29,506.07, plus post judgment interest at the statutory rate
2 of 9.0% per annum from April 21, 2021 to 5/27/2022 in the amount of \$2,910.19, and continuing
3 with a per diem of \$7.28, currently totaling \$32,416.26.

4 **NOW, THEREFORE, IN THE NAME OF THE STATE OF OREGON**, you are
5 hereby commanded to sell, in the manner prescribed by law for the sale of real property on
6 execution (subject to redemption of 180 days), all of the interest that the Defendant had on or
7 about November 3, 2008, the date of the Deed of Trust, and also the interest that the Defendant
8 had thereafter, in the real property described as follows:

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

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

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

17 **DATED:** ____ day of _____, 20 ____.

18 Title _____

19 By: 
20 Kane P. Sweeney, Court Clerk

21 5/27/2022 2:47:42 PM

22 Dated: _____ and submitted by:
23 McCarthy & Holthus, LLP
24 s/Grace Chu
25 _____



1 — John Thomas OSB No. 024691
2 — Michael Scott OSB No. 973947
3 x Grace Chu OSB No. 220848
4 920 SW 3rd Ave, 1st Floor
5 Portland, OR 97204
6 Phone: (971) 201-3200
7 Fax: (971) 201-3202
8 mscott@mccarthyholthus.com
9 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, NATIONAL ASSOCIATION,

Plaintiff,

vs.

THE UNKNOWN HEIRS AND DEVISEES
OF LEO L HASKETT; THE UNKNOWN
HEIRS AND DEVISEES OF LAWANDA
HASKETT; THE UNKNOWN HEIRS AND
DEVISEES OF LEO HASKETT JR;
DONNA HASKETT; DAVID HASKETT;
CYRUS HASKETT; TREVIA
GROESBECK; THE UNKNOWN HEIRS
OF PARLEY HASKETT; TWYLA
HASKETT; THE UNKNOWN HEIRS AND
DEVISEES OF DARLENE. M.
TWIDWELL; STATE OF OREGON;
OCCUPANTS OF THE PROPERTY,

Defendants.

Case No.: 19CV50717

GENERAL JUDGMENT OF
FORECLOSURE

1.

THIS MATTER came before the Court on Plaintiff's motion. Defendants THE UNKNOWN HEIRS AND DEVISEES OF LEO L HASKETT; THE UNKNOWN HEIRS AND DEVISEES OF LAWANDA HASKETT; THE UNKNOWN HEIRS AND DEVISEES OF LEO HASKETT JR; DONNA HASKETT; DAVID HASKETT; CYRUS HASKETT; TREVIA GROESBECK; THE UNKNOWN HEIRS OF PARLEY HASKETT; TWYLA HASKETT; THE UNKNOWN HEIRS AND DEVISEES OF DARLENE. M. TWIDWELL; STATE OF

1 OREGON; and OCCUPANTS OF THE PROPERTY (“Defaulted Defendants”) were duly
2 served with process and failed to appear; the default has been entered against Defaulted
3 Defendants, and it appearing that Defaulted Defendants are not incapacitated, protected persons,
4 respondents as defined in ORS 125.005, minors, or in the military service of the United States;

5 2.

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

- 7 a. The real property to which this judgment relates is located and situated in Umatilla County,
8 Oregon, and is commonly known as 365 NE Elm St, Pilot Rock, OR 97868 (the “Subject
9 Property”), legally described as:
10 LOT 6, BLOCK “D”, MOSER ADDITION, TO THE CITY OF PILOT ROCK, UMATILLA
11 COUNTY, OREGON, EXCEPTING THEREFROM THE WESTERLY 32 FEET.
12 and having APN/Parcel No. 103854.
- 13 b. Plaintiff is entitled to enforce the note dated November 3, 2008 and made, delivered, and
14 executed by LEO L HASKETT to U.S. Bank National Association ND in the amount of
15 \$25,000.00 (the “Note”). The Note was transferred to Plaintiff by delivery of possession and
16 by indorsement set forth on the Note.
- 17 c. A deed of trust was made, executed, and delivered by LEO L HASKETT and LAWANDA
18 HASKETT on or about November 3, 2008 (the “Deed of Trust”). The Deed of Trust was
19 recorded on December 1, 2008 as Instrument No. 2008-5450061 in the official records of
20 Umatilla County, Oregon. The Deed of Trust is a valid and perfected lien against all of the
21 Property for and securing the Amount Due. The lien of the Plaintiff is superior to any
22 interest, lien, or claim of the Defendants and shall remain in effect until issuance of a
23 Sheriff’s Deed.
- 24 d. The Borrower failed to make the payment that was due for June 10, 2018 and has not cured
25 the default. The amount of debt secured by the Deed of Trust that is now due and owing is
26 comprised of the following amounts (the “Amount Due”):
27
28

1	a) Unpaid principal balance:	\$15,262.31
2	b) Prejudgment interest accruing from	\$4,585.38*
3	5/24/2018 to 4/20/2022 and	
4	continuing until the entry of	
	judgment at the current Note rate of	
	7.69%:	
5	c) Additional amounts due under the	\$9,573.38
6	terms of the loan:	
7	d) Prevailing party fee (ORS 20.190	\$85.00
8	(1)(a)):	
9	Total:	\$29,506.07

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

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

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

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

18 g. All right, title and interest in the Subject Property that Defendants LEO L HASKETT and
 19 LAWANDA HASKETT had as of the date of the Deed of Trust or thereafter acquired is
 20 hereby ordered to be sold by the Umatilla County Sheriff's Office in accordance with the
 21 process for sale upon execution, and the proceeds of sale shall be applied:

- 22 1) First, to the costs of sale not incurred by Plaintiff;
- 23 2) Second, to the Amount Due, plus post-judgment interest accruing from the date of
 24 entry of judgment through the date of the sale and any incurred costs of sale;
- 25 3) Third, the surplus, if any, to the Defendants in the priority as their interest may
 26 appear, described *infra*, or to the clerk of the court to be distributed by the Court to
 27 such party or parties as they may establish their right thereto.

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

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

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

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

14 l. Pursuant to ORS 18.950 (4), the apparent priority of liens subsequent and inferior to the
15 Deed of Trust are as follows:

- 16 1) Defendant The Unknown Heirs and Devisees of Darlene. M. Twidwell may claim a
17 junior interest in Subject Property by virtue of a judgment entered 7/7/03 as Case No.
18 CV030886 in the official records of Umatilla County, Oregon.

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1
2 2) Defendant State of Oregon may claim a junior interest in Subject Property by virtue
3 of a judgment entered 7/7/03 as Case No. CV030886 in the official records of
4 Umatilla County, Oregon.
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A handwritten signature in black ink that reads "Eva J. Temple".

Eva J. Temple, Circuit Court Judge

CERTIFIED TO BE A TRUE AND
CORRECT COPY OF THE ORIGINAL
DATED 4-27, 2022
TRIAL COURT ADMINISTRATOR
BY Kane Swearing

Kane Swearing

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.

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.

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
4 otherwise.

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

8 [] Other: _____

9 Dated April 20, 2022 and submitted by:

10 **McCarthy & Holthus, LLP**

11 *s/ Michael Scott*

12 Michael Scott OSB No. 973947

13 920 SW 3rd Ave, 1st Floor

14 Portland, OR 97204

15 Phone: (971) 201-3200

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18 Of Attorneys for Plaintiff