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

HMC ASSETS, LLC SOLELY IN ITS CAPACITY
AS SEPARATE TRUSTEE OF CAM XI TRUST,

Plaintiff,

vs.

THE UNKNOWN HEIRS AND DEVISEES OF
DELORIS I CAVADINI, A DECEASED
INDIVIDUAL; THE UNKNOWN HEIRS AND
DEVISEES OF GERALD D WRIGHT, A
DECEASED INDIVIDUAL; LISA CROWELL, AS
POTENTIAL HEIR OR DEVISEE OF DELORIS I
CAVADINI AND GERALD D WRIGHT; KELLY
WRENCHY, AS POTENTIAL HEIR OR
DEVISEE OF DELORIS I CAVADINI AND
GERALD D WRIGHT; KEITH WRENCHY, AS
POTENTIAL HEIR OR DEVISEE OF DELORIS I
CAVADINI AND GERALD D WRIGHT; THE
UNKNOWN HEIRS AND DEVISEES OF HOLLY
SAVAGE, A DECEASED INDIVIDUAL, AS
POTENTIAL HEIR OR DEVISEE OF GERALD D
WRIGHT; PHILLIP WRIGHT, AS POTENTIAL
HEIR OR DEVISEE OF GERALD D WRIGHT;
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 79434
AGNEW RD, HERMISTON, OR 97838,

Defendants.

CASE NO.: 23CV07653

WRIT OF EXECUTION

1 TO THE SHERIFF OF UMATILLA COUNTY OREGON:

2 WHEREAS, on August 28, 2023, by consideration of the Umatilla County Circuit Court,
3 there was executed a General Judgment of Foreclosure. The General Judgment of Foreclosure was
4 duly enrolled and docketed in the Court Administrator's Office in said County on August 28, 2023,
5 a true copy of the General Judgment of Foreclosure is attached hereto and made a part hereof.

6
7 Judgment Creditor HMC ASSETS, LLC SOLELY IN ITS CAPACITY
AS SEPARATE TRUSTEE OF CAM XI TRUST
8 Judgment Creditor Address: c/o ZBS LAW, LLP
5 Centerpointe Dr. Suite 400
9 Lake Oswego, OR 97035

10
11 NOW THEREFORE IN THE NAME OF THE STATE OF OREGON, you are
12 commanded to sell the real property pursuant to said General Judgment of Foreclosure according
13 to law (subject to redemption) all of the interest that the borrowers had on the 20th of April, 1996,
14 the date of the Mortgage, and also all of the interest that borrower had thereafter, in the real
15 property described in the Judgment as:

16 Southeast Quarter of Northeast Quarter of Southeast Quarter of Section 7, Township 4
17 North, Range 28, East of the Willamette Meridian, Umatilla County, Oregon;

18
19 Excepting the North 180 feet thereof; Also excepting South 275 feet of East 317 feet.

20
21 The street address of the real property to be levied upon 79434 Agnew Rd, Hermiston, OR
22 97838.

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

25 Base Judgment and Interest: \$257,961.00
26 Attorney Fees and Costs: \$8,259.21

27 WRIT OF EXECUTION -2-

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

1 Prevailing Party Fee: \$300.00

2 Pre-Judgment Interest from

3 08/27/2023 – 08/28/2023 at 5.060%

4 (\$34.53 per diem x 2 days) \$69.06

5 Post-Judgment Interest from

6 08/29/2023 – 09/11/2023 at 9%

7 (\$65.73 per diem x 14 days) \$920.22

8 Total due as of September 11, 2023: \$267,509.49, with interest to continue to accrue at
9 9% (\$65.73 per diem) until the date of sale.

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

9/12/2023 7:34:44 AM

11
12
13 By: Tammy Hulse
14 **Tammy Hulse, Court Clerk**



14 Submitted by:

15
16 /s/ Jeffrey A. Myers

17 Amber L. Labrecque, OSB No. 094593

18 Jeffrey A. Myers, OSB No. 094593

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

HMC ASSETS, LLC SOLELY IN ITS
CAPACITY AS SEPARATE TRUSTEE OF
CAM XI TRUST,

Plaintiff,

vs.

THE UNKNOWN HEIRS AND DEVISEES
OF DELORIS I CAVADINI, A DECEASED
INDIVIDUAL; THE UNKNOWN HEIRS AND
DEVISEES OF GERALD D WRIGHT, A
DECEASED INDIVIDUAL; LISA CROWELL,
AS POTENTIAL HEIR OR DEVISEE OF
DELORIS I CAVADINI AND GERALD D
WRIGHT; KELLY WRENCHY, AS
POTENTIAL HEIR OR DEVISEE OF
DELORIS I CAVADINI AND GERALD D
WRIGHT; KEITH WRENCHY, AS
POTENTIAL HEIR OR DEVISEE OF
DELORIS I CAVADINI AND GERALD D
WRIGHT; THE UNKNOWN HEIRS AND
DEVISEES OF HOLLY SAVAGE, A
DECEASED INDIVIDUAL, AS POTENTIAL
HEIR OR DEVISEE OF GERALD D
WRIGHT; PHILLIP WRIGHT, AS
POTENTIAL HEIR OR DEVISEE OF
GERALD D WRIGHT; 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 79434 AGNEW
RD, HERMISTON, OR 97838,

Defendants.

CASE NO. 23CV07653

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

1 Based upon the Motion for a General Judgment of Foreclosure filed by Plaintiff HMC
2 ASSETS, LLC SOLELY IN ITS CAPACITY AS SEPARATE TRUSTEE OF CAM XI TRUST
3 (“Plaintiff”) and against defendants THE UNKNOWN HEIRS AND DEVISEES OF DELORIS I
4 CAVADINI, A DECEASED INDIVIDUAL; THE UNKNOWN HEIRS AND DEVISEES OF
5 GERALD D WRIGHT, A DECEASED INDIVIDUAL; LISA CROWELL, AS POTENTIAL HEIR
6 OR DEVISEE OF DELORIS I CAVADINI AND GERALD D WRIGHT; KELLY WRENCHY,
7 AS POTENTIAL HEIR OR DEVISEE OF DELORIS I CAVADINI AND GERALD D WRIGHT;
8 KEITH WRENCHY, AS POTENTIAL HEIR OR DEVISEE OF DELORIS I CAVADINI AND
9 GERALD D WRIGHT; THE UNKNOWN HEIRS AND DEVISEES OF HOLLY SAVAGE, A
10 DECEASED INDIVIDUAL, AS POTENTIAL HEIR OR DEVISEE OF GERALD D WRIGHT;
11 PHILLIP WRIGHT, AS POTENTIAL HEIR OR DEVISEE OF GERALD D WRIGHT;
12 SECRETARY OF HOUSING AND URBAN DEVELOPMENT; and ALL OTHER UNKNOWN
13 PARTIES CLAIMING ANY RIGHT, TITLE, LIEN OR INTEREST IN THE REAL PROPERTY
14 COMMONLY KNOWN AS 79434 AGNEW RD, HERMISTON, OR 97838 (collectively
15 “Defendants”) and that Plaintiff has filed a Statement for Attorney Fees, Costs, and Disbursements.

16
17 **IT IS HEREBY ORDERED AND ADJUDGED:**

18 **1.**

19 Plaintiff is awarded judgment against Defendants and all persons claiming through or under
20 Defendants, as purchasers, encumbrances, or otherwise, are forever foreclosed of all interest, lien
21 or claim in the real property described above and every portion thereof excepting only any
22 satisfactory right of redemption as Defendants, or any of them, may have therein. Defendants were
23 defaulted on July 19, 2023.

24 **2.**

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

26 **3.**

27 The Deed of Trust executed by Borrowers Deloris I Cavadini and Gerald D Wright on
28

1 February 10, 2011 and recorded on February 15, 2011, in the Umatilla County Recorder's Office
2 as Instrument No. 2011-5750472, is a valid mortgage lien for the amount of Plaintiff's judgment
3 set forth below against all the real property, located in Umatilla County, Oregon commonly
4 referred to as 79434 Agnew Rd, Hermiston, OR 97838, with a legal description as follows:

5 Southeast Quarter of Northeast Quarter of Southeast Quarter of Section 7, Township 4
6 North, Range 28, East of the Willamette Meridian, Umatilla County, Oregon;
7

8 Excepting the North 180 feet thereof; Also excepting South 275 feet of East 317 feet.
9

10 4.

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

15 5.

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

20 6.

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

25 7.

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

5 **SECURED DEBT**

- 6
- 7 1. Judgment Creditor: HMC ASSETS, LLC SOLELY IN ITS CAPACITY
8 AS SEPARATE TRUSTEE OF CAM XI TRUST
9 c/o ZBS Law, LLP
5 Centerpointe Dr., Suite 400
Lake Oswego, OR 97035
503-946-6558
- 10
- 11 2. Judgment Creditor's Attorney: Amber L. Labrecque
12 ZBS Law, LLP
5 Centerpointe Dr., Suite 400
13 Lake Oswego, OR 97035
503-946-6558
- 14 3. Person or public body entitled to any portion of money award herein: None
- 15

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

LENDERS' PRINCIPAL AND INTEREST	
Principal Balance	\$ 245,646.54
Accrued interest on the principal balance through 8/26/2023	\$ 11,739.18
Accrued costs and fees through 8/26/2023	\$ 575.28
Additional pre-judgment interest to accrue from 8/27/2023 to the date this judgment is entered, at the note rate of 5.060% (\$34.53 per diem)	
Post-judgment interest to accrue on the sum of: (1) the Total Secured Debt (Judgment), and (2) the additional pre-judgment interest accruing from 8/27/2023 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.	
Total Principal and Interest Through 8/26/2023 at the rate of 5.060% (\$34.53 per diem), and costs and fees.	\$ 257,961.00
CURRENT ATTORNEYS' FEES AND COSTS	
Current Attorney Fees	\$ 4,525.00

Current Attorney Costs	\$ 3,734.21
TOTAL ATTORNEY FEES AND COSTS	\$ 8,259.21
Prevailing Party Fee	\$ 300.00
TOTAL SECURED DEBT (JUDGMENT)	\$ 266,520.21

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



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

Dated: 9/12, 2023

TRIAL COURT ADMINISTRATOR

By: Tammy Hulse

Tammy Hulse

8/28/2023 10:42:04 AM

Eva J. Temple

Eva J. Temple, Circuit Court Judge

Submitted by:
s/ Amber L. Labrecque 08/21/2023
Attorney for Plaintiff

UTC R 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:

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

- 4. The relief sought is against an opposing party who has been found in default.
- 5. An order of default is being requested with this proposed judgment.
- 6. Service is not required pursuant to subsection 3 of this rule, or by statute, rule, or otherwise.
- 7. This is a proposed judgment that includes an award of punitive damages and notice as been served on the Director of the Crime Victims' Assistance Section as required by subsection (5) of the rule.
- 8. Other: _____

Submitted By:

s/ Amber L. Labrecque 08/21/2023
Amber L. Labrecque, OSB No. 094593
Attorneys for Plaintiff
alabrecque@zbslaw.com