

Return Address:
Skamania County
Attn: Civil Department
Box 790
Stevenson, WA 98648
Cause#: 14-2-00070-9

Document Title(s): (or transactions contained therein)

1. Order of Sale
2. Notice of Execution
3. General Judgment of Default and Money Award
- 4.

Grantor(s): (Last name first, then first name and initials)

1. Mark Stoddard
2. LuAnn Stoddard
3. Milwaukie Lumber Company
- 4.

5. Additional names on page _____ of document.

Grantee(s): (Last names first, then first name and initials)

1. RES-WA Four, LLC
- 2.
- 3.
- 4.

5. Additional names on page _____ of document.

Legal Description: (abbreviated: i.e. lot, block, plat, or section, township, range)

County of Skamania, State of Washington

A Tract of land in Section 5, Township 1 North, Range 5 East of the Willamette Meridian in the County of Skamania, State of Washington.

Lot 2 of the Eagle Peak Short Plat recorded in Auditor File No. 2006162927.

Together with an Easement for Access as shown on the recorded Short Plat in Auditor File No. 2006162927 and 2006162893.

Subject to all easements, restrictions, reservations and agreements of record, if any.

Additional legal description is on page _____ of document.

Assessor's Property Tax Parcel or Account Number at the time of recording:
01-05-05-0-0-0702-00. *(initials)*

Reference Number(s) of Documents assigned or released.

Additional references on page _____ of document.

**SKAMANIA COUNTY
REAL ESTATE EXCISE TAX**
N/A
MAR 16 2015

PAID *N/A*
Michael R. ...
SKAMANIA COUNTY TREASURER

Please print or type information

IN THE SUPERIOR COURT
OF THE STATE OF WAHINGTON FOR SKAMANIA COUNTY

NOTICE OF EXECUTION OF
REAL PROPERTY

AUDITOR’S FILE #

Mark Stoddard and LuAnn Stoddard,
Husband and wife;]
Milwaukie Lumber Company, an]
Oregon Corporation; and ALL]
OTHER PERSONS OR PARTIES
UNKNOWN CLAIMING ANY
RIGHT, TITLE, ESTATE, LIEN OR
INTEREST IN THE REAL ESTATE
DESCRIBED IN THE COMPLAINT,

Defendants

RES-WA Four, LLC, a Florida
Limited Liability Company organized
And existing under the laws of the
State of Florida, United States,

vs.] CAUSE NUMBER 14-2-00070-9
] DATE OF JUDGMENT 1-15-15
] ORDER SALE ISSUED 3-12-15
] DATE OF LEVY 3-16-15

Plaintiff

STATE OF WASHINGTON,]
County of Skamania] ss.
]

NOTICE IS HEREBY GIVEN that under and by virtue of a Writ of Execution or Order of Sale issued out of the Superior Court of the State of Washington, for the County of Skamania, of which the annexed Order is a true copy, I have this day levied on all the rights, title, claim and interest of Mark and LuAnn Stoddard husband and wife; Milwaukie Lumber Company, an Oregon Corporation defendant(s), of, in, and to the following described real estate, standing on the records of Skamania County in the name(s) of: Mark and LuAnn Stoddard and particularly described as follows:

PROPERTY ADDRESS

This is bare land; there is no physical address for the real property.

LEGAL DESCRIPTION

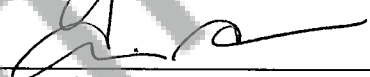
County of Skamania, State of Washington
A Tract of land in Section 5, Township 1 North, Range 5 East of the Willamette
Meridian in the County of Skamania, State of Washington.

Lot 2 of the Eagle Peak Short Plat recorded in Auditor File No. 2006162927

Together with a Easement for Access as shown on the recorded Short Plat in
Auditor File No. 2006162927 and 2006162893.

Subject to all easements, restrictions, reservations and agreements of record, if any.

DAVID S. BROWN, SHERIFF
SKAMANIA COUNTY, WASHINGTON

By 
Tina Anderson
Chief Administrative Deputy
PO Box 790
Stevenson Washington
(509)427-9490

SKAMANIA COUNTY
FILED
JAN 15 2015
SHARON K. VANCE, CLERK
DEPUTY

SUPERIOR COURT OF WASHINGTON FOR SKAMANIA COUNTY

RES-WA FOUR, LLC, a Florida limited liability company organized and existing under the laws of the State of Florida, United States,

Plaintiff,

v.

MARK STODDARD AND LUANN STODDARD, husband and wife;
MILWAUKIE LUMBER COMPANY, an Oregon corporation; and ALL OTHER PERSONS OR PARTIES UNKNOWN CLAIMING ANY RIGHT, TITLE, ESTATE, LIEN OR INTEREST IN THE REAL ESTATE DESCRIBED IN THE COMPLAINT,

Defendants

Case No. 14-2-00070-9

GENERAL JUDGMENT OF
DEFAULT AND MONEY
AWARD

15-9-00017-6

This matter having properly come before the Court on Plaintiff's Motion for entry of a Default Order and Judgment thereon against Defendants Mark Stoddard and LuAnn Stoddard ("Defendants"), and the Court having entered an Order of Default against Defendants, and the Court having reviewed the entire trial court file herein and being otherwise fully advised in the premises; Now, Therefore,

I. JUDGMENT SUMMARY.

1.1 The name and address of the Judgment Creditor is:

RES-WA FOUR, LLC
Attn: Jonathan Levy
Rialto Capital Management, LLC
700 NW 107th Ave., Suite 700
Miami, FL 33172

SHERMAN, SHERMAN, JOHNNIE, & HOYT, LLP
693 Chemeketa Street NE / Post Office Box 2247
Salem, Oregon 97308-2247
(503)364-2281 FAX: (503)370-4308

SHERMAN, SHERMAN, JOHNNIE, & HOYT, LLP
 693 Chemeketa Street NE / Post Office Box 2247
 Salem, Oregon 97308-2247
 (503)364-2281 FAX: (503)370-4308

1.2 The names of the Judgments Debtors are:

Mark Stoddard and LuAnn Stoddard
 c/o David W. Owens
 Sneller Pinzelik & Wood
 4380 SW Macadam Ave., Suite 590
 Portland, OR 97329

1.3 Principal judgment amount: \$ 642,833.47

1.4 Late charges: \$ 0

1.5 Interest to Date of Judgment: \$

a. Primary Amount -- 6.875% on
 \$272,982.75 from May 10, 2014,
 Per diem \$32.23

b. Subordinate Amount -- 9.76% on
 \$5,555.11 from May 10, 2014,
 Per diem \$1.51

1.6 Interest Rate After Judgment: \$ 12%

1.7 Attorneys' Fees: \$ 22,658.00

1.8 Costs: \$ 520.00

1.9 Judgment Creditor's Attorney

Russell W. Pike, WSB No. 17715
 Gina Anne Johnnie, WSB No. 19189
 Sherman, Sherman, Johnnie & Hoyt, LLP
 PO Box 2247
 Salem, OR 97308-2247
 (503)364-2281

II. HEARING.

2.1 Ex Parte submission.

2.2 Appearances. Plaintiff RES-WA FOUR, LLC submitted Motion for
 Default Order and Judgment ex parte.

2.3 Purpose. To rule on Plaintiff's Motion for Order and Judgment of Default

1 Against Defendants Mark Stoddard and LuAnn Stoddard.

2 **III. PRIOR ORDER.**

3 3.1 Default. This Court entered a Default Order declaring Defendants Mark
4 Stoddard and LuAnn Stoddard in default prior to the filing of this Judgment.

5 **IV. ADJUDICATION.**

6 ON THE BASIS OF THE FOREGOING, IT IS ORDERED, ADJUDGED, AND
7 DECREED:

8 4.1 Judgment. Plaintiff RES-WA FOUR, LLC is awarded judgment against
9 the Defendants Mark Stoddard and LuAnn Stoddard, individually, jointly, and against
10 their marital community in the amount of \$642,833.47, together with prejudgment
11 interest from May 10, 2014 to the date of judgment on the \$272,982.75 principal amount
12 of the Primary Note, at the rate of 6.875% to the date of judgment, and on the \$5,555.11
13 principal amount of the Subordinate Note at the rate of 9.76% to the date of judgment.
14 Post-judgment interest on this entire judgment amount is awarded pursuant to the terms
15 of the Primary and Subordinate Notes at the statutory rate of 12% per annum. Pursuant
16 to the terms of the Primary Note and Subordinate Note and Primary and Subordinate
17 Deeds of Trust, Plaintiff RES-WA FOUR, LLC is awarded judgment against Defendants
18 Mark Stoddard and LuAnn Stoddard in the amount of \$22,568.00 for attorney fees and
19 \$520.00 for disbursements. Post-judgment interest shall accrue at the statutory rate of
20 12% per annum.

21 IT IS FURTHER ORDERED that Plaintiff RES-WA FOUR, LLC is awarded
22 judgment:

23 That in the event of nonpayment of the Judgment forthwith upon its entry, that the
24

GENERAL JUDGMENT OF DEFAULT AND MONEY AWARD (RES-WA FOUR, LLC v. Stoddard et al) –
PAGE 3

SHERMAN, SHERMAN, JOHNNIE, & HOYT, LLP
693 Chemeketa Street NE / Post Office Box 2247
Salem, Oregon 97308-2247
(503)364-2281 FAX: (503)370-4308

1 Plaintiff's Subordinate Deed of Trust executed by the Defendants, Mark Stoddard and
2 LuAnn Stoddard, be declared a valid first lien upon the land and premises described
3 herein subject to the priority of Plaintiff's Primary Deed of Trust; that the Plaintiff's
4 Subordinate Deed of Trust be foreclosed prior to the foreclosure sale of Plaintiff's
5 Primary Deed of Trust, and that the Court directs that the Real Property covered thereby
6 be sold by the Sheriff of Skamania County, Washington at a foreclosure sale in the
7 manner provided by law and in accordance with the practices of this Court, and the
8 proceeds thereof applied on said Judgment and increased interest and such additional
9 amounts as the Plaintiff may advance for taxes, assessments, municipal charges, and such
10 other items as may constitute liens upon the Property, legally known as:

11 A Tract of land in Section 5, Township 1 North, Range 5 East of
12 the Willamette Meridian in the County of Skamania, State of
Washington.

13 Lot 2 of the Eagle Peak Short Plat recorded in Auditor File No.
14 2006162927.

15 Together with an Easement for Access as shown on the recorded
Short Plat in Auditor File No. 2006162927 and 2006162893.

16 Parcel ID Number: 01-05-05-0-0-0702-00

17 together with all costs and expenses necessary to prevent the impairment of the security,
18 together with interest thereon from the date of payment.

19 That in the event of nonpayment of the Judgment forthwith upon its entry, that the
20 Plaintiff's Primary Deed of Trust executed by the Defendants, Mark Stoddard and LuAnn
21 Stoddard, be declared a valid first lien upon the land and premises hereinabove described;
22 that the Plaintiff's Primary Deed of Trust be foreclosed after foreclosure of the
23 Subordinate Deed of Trust and that the Court directs that the Real Property covered
24

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1 thereby be sold by the Sheriff of Skamania County, Washington at a foreclosure sale in
2 the manner provided by law and with the practices of this Court, and the proceeds thereof
3 applied on said Judgment and increased interest and such additional amounts as the
4 Plaintiff may advance for taxes, assessments, municipal charges, and such other items as
5 may constitute liens upon the Property, legally known as:

6 A Tract of land in Section 5, Township 1 North, Range 5 East of
7 the Willamette Meridian in the County of Skamania, State of
Washington.

8 Lot 2 of the Eagle Peak Short Plat recorded in Auditor File No.
2006162927.

9 Together with an Easement for Access as shown on the recorded
10 Short Plat in Auditor File No. 2006162927 and 2006162893.

11 Parcel ID Number: 01-05-05-0-0-0702-00

12 together with all costs and expenses necessary to prevent the impairment of the security,
13 together with interest thereon from the date of payment.

14 Judgment in favor of Plaintiff declaring that the lien on the Subordinate Deed of
15 Trust being foreclosed on the Property known as:

16 A Tract of land in Section 5, Township 1 North, Range 5 East of
17 the Willamette Meridian in the County of Skamania, State of
Washington.

18 Lot 2 of the Eagle Peak Short Plat recorded in Auditor File No.
2006162927.

19 Together with an Easement for Access as shown on the recorded
20 Short Plat in Auditor File No. 2006162927 and 2006162893.

21 Parcel ID Number: 01-05-05-0-0-0702-00

22 is a valid lien on the Property and is superior to any interest, lien, right, title or claim of
23 any Defendants in the Real Property.

24 GENERAL JUDGMENT OF DEFAULT AND MONEY AWARD (*RES-WA FOUR, LLC v. Stoddard et al*) –
PAGE 5

1 A Judgment in favor of Plaintiff declaring that the lien on the Primary Deed of
2 Trust being foreclosed on the Property known as:

3 A Tract of land in Section 5, Township 1 North, Range 5 East of
4 the Willamette Meridian in the County of Skamania, State of
Washington.

5 Lot 2 of the Eagle Peak Short Plat recorded in Auditor File No.
6 2006162927.

7 Together with an Easement for Access as shown on the recorded
8 Short Plat in Auditor File No. 2006162927 and 2006162893.

9 Parcel ID Number: 01-05-05-0-0-0702-00

10 is a valid lien on the real property and is superior to any interest, lien, right, title or claim
11 of any Defendants in the real property.

12 The Sheriff of Skamania County is directed to sell the Property described herein
13 as provided by law, with the sale first being made under the Subordinate Loan Deed of
14 Trust.

15 That if any deficiency judgment remains after application of the proceeds of such
16 sale of the Property by foreclosure of the Subordinate Deed of Trust or Primary Deed of
17 Trust thereon, execution may be issued for any such deficiency against the Defendants,
18 Mark Stoddard and LuAnn Stoddard, the marital community, and each of them, and
enforced against any other property of theirs not exempt from execution.

19 That by such foreclosure and sale, the rights of each of the Defendants and
20 persons claiming by, through or under them subsequent to the execution of the Primary
21 Deed of Trust and the Subordinate Deed of Trust on the Property, be adjudged inferior
22 and subordinate to the Plaintiff's Primary and Subordinate Deeds of Trust and be forever
23 foreclosed except only for the statutory right of redemption allowed by law.

24
GENERAL JUDGMENT OF DEFAULT AND MONEY AWARD (*RES-WA FOUR, LLC v. Stoddard et al*) –
PAGE 6

Superior Court Judge

Russell W. Pike, WSB No. 17715
Gina Anne Johnnie, WSB No. 19189
Sherman, Sherman, Johnnie & Hoyt, LLP
PO Box 2247
Salem, OR 97308-2247
Telephone: (503)364-2281
Facsimile: (503)370-4308
Email: russ@shermnlaw.com
gina@shermnlaw.com

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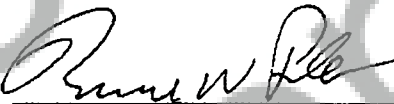
CERTIFICATE OF SERVICE

I hereby certify that on the 6th day of January, 2015, I served or caused to be served a true and correct copy of the foregoing proposed **GENERAL JUDGMENT OF DEFAULT AND MONEY AWARD** on the following at their last-known addresses as shown below:

David W. Owens
Sneller Pinzelik & Wood
4380 SW Macadam Ave., Suite 590
Portland, OR 97329

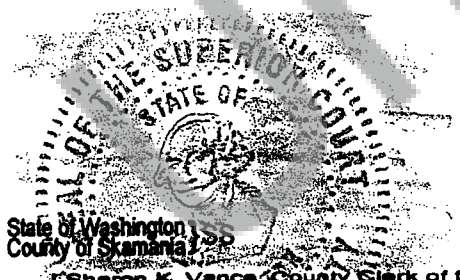
- ☒ **BY REGULAR MAIL:** I placed copies of the document(s) in a sealed envelope and caused such envelope to be deposited in the United States Mail at Salem, Oregon, with postage thereon fully prepaid and addressed as listed above.
- ☐ **BY HAND DELIVERY:** I arranged for the documents to be hand delivered to the address(es) listed above.
- ☐ **BY ELECTRONIC MAIL:** I served the documents by electronic mail to the electronic mail address(es) listed above.
- ☐ **BY FACSIMILE:** I served the documents by facsimile to the facsimile number(s) listed above.
- ☐ **OTHER:** _____

SHERMAN, SHERMAN, JOHNNIE & HOYT, LLP



Russell W. Pike, WSB No. 17715
Gina A. Johnnie, WSB No. 19189
Of Attorneys for Plaintiff

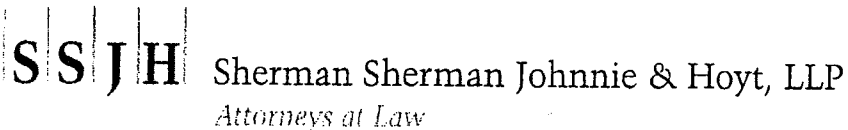
Unofficial Copy



State of Washington
County of Skamania

I, Sharon K. Vance, County Clerk of the Superior Court of Skamania County, Washington, DO HEREBY CERTIFY that this instrument, consisting of 1 page(s), is a true and correct copy of the original now on file and recorded in my office and, as County Clerk, I am the legal custodian thereof.

Signed and sealed at Stevenson, Washington
this date March 5, 2015 Sharon K. Vance
Sharon K. Vance County Clerk
By [Signature] Deputy



www.shermlaw.com

March 13, 2015

Via Email to tinaa@co.skamania.wa.us
Sheriff of Skamania County, Civil Division
200 Vancouver Ave.
Stevenson, WA 98648

**Re: RES-WA Four, LLC v. Mark Stoddard and LuAnn Stoddard, et al,
Skamania County Superior Court Case No. 14-2-00070-9**


Dear Tina:

As you discussed by phone with my Paralegal, Beth, the numbers for the amount of attorney fees awarded in the judgment were transposed between from the Judgment Summary and the judgment award and there was also a typo in the per diem in 1.5 a. of the Judgment Summary. This letter is to provide you with confirmation of the correct amounts for each. The correct amount for the attorney fees is as stated in the Order for Sale, \$22,568.00; and the correct amount for the per diem in 1.5 a. of the Judgment Summary should be \$52.13 (\$272,982.75 x 6.875% divided by 12 months, then 30 days).

Please let us know if you have any further questions. Thank you.

Yours truly,

SHERMAN, SHERMAN, JOHNNIE & HOYT, LLP


Russell W. Pike
russ@shermlaw.com

RWP/bf

P.O. Box 2247
Salem, Oregon 97308

693 Chemeketa Street NE
Salem, Oregon 97301
Ph. 503-364-2281
Fx. 503-370-4308

RECEIVED

MAR 12 2015

AM... UN.
SHERIFF'S OFFICE

SKAMANIA COUNTY
FILED
MAR 12 2015
SHARON K. VANCE, CLERK
DEPUTY

SUPERIOR COURT OF WASHINGTON FOR SKAMANIA COUNTY

RES-WA FOUR, LLC, a Florida limited liability company organized and existing under the laws of the State of Florida, United States,

Plaintiff,

v.

MARK STODDARD AND LUANN STODDARD, husband and wife; MILWAUKIE LUMBER COMPANY, an Oregon corporation; and ALL OTHER PERSONS OR PARTIES UNKNOWN CLAIMING ANY RIGHT, TITLE, ESTATE, LIEN OR INTEREST IN THE REAL ESTATE DESCRIBED IN THE COMPLAINT,

Defendants.

Case No. 14-2-00070-9

ORDER OF SALE

THE STATE OF WASHINGTON, to the Sheriff of Skamania County, Washington:

On January 15, 2015, in the above entitled Court, judgment of foreclosure was entered in favor of Plaintiff RES-WA Four, LLC to recover judgment against Defendants Mark Stoddard and LuAnn Stoddard and the marital community thereof; and Milwaukie Lumber Company. The Judgment was entered against the above parties. A money award was entered against Defendants Mark Stoddard and LuAnn Stoddard, but no monetary award was entered against Milwaukie Lumber Company. Thereafter, the Judgment was recorded in the official records of Skamania County, Washington on March 11, 2015, as recording no. 2015000387.

SHERMAN, SHERMAN, JOHNNIE, & HOYT, LLP
693 Chemeketa Street, NE / Post Office Box 2247
Salem, Oregon 97308-2247
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693 Chemeketa Street, NE / Post Office Box 2247
Salem, Oregon 97308-2247
(503)364-2281 FAX: (503)370-4308

1 According to the Judgment, RES-WA Four, LLC was awarded judgment against
2 Mark Stoddard and LuAnn Stoddard, jointly and severally, and against the marital
3 community in the amount of **\$642,833.47**, together with prejudgment interest from May
4 10, 2014 to the date of judgment on \$272,982.75, the principal amount of the Primary
5 Note, at the rate of 6.875% to the date of judgment (pre judgment interest total on the
6 Primary Note is **\$12,824.56**), and on \$5,555.11, the principal amount of the Subordinate
7 Note, at the rate of 9.76% to the date of judgment (pre judgment interest total on the
8 Subordinate Note is **\$370.49**);and judgment against Defendants Mark Stoddard and
9 LuAnn Stoddard in the amount of **\$22,568.00** for attorney fees and **\$520.00** for
10 disbursements (**judgment total \$679,116.52**) . Post-judgment interest on this entire
11 judgment amount is 12 % per annum from January 15, 2015, that date of entry of
12 judgment.

13 The lien of the Subordinate Deed of Trust is hereby foreclosed and the Sheriff of
14 Skamania County is instructed to sell the real and personal property known as:

15 A Tract of land in Section 5, Township 1 North, Range 5 East of
16 the Willamette Meridian in the County of Skamania, State of
Washington.

17 Lot 2 of the Eagle Peak Short Plat recorded in Auditor File No.
18 2006162927.

19 Together with an Easement for Access as shown on the recorded
Short Plat in Auditor File No. 2006162927 and 2006162893.

20 Parcel ID Number: 01-05-05-0-0-0702-00

21 in the manner prescribed by law. The lien foreclosed is the Subordinate Lien on the real
22 property. Judgment Creditor is also the holder of the first lien and may credit bid at the
23 foreclosure sale.

24
2 – ORDER OF SALE (*RES-WA FOUR, LLC v. Stoddard et al*)

SHERMAN, SHERMAN, JOHNNIE, & HOYT, LLP
 693 Chemeketa Street, NE / Post Office Box 2247
 Salem, Oregon 97308-2247
 (503)364-2281 FAX: (503)370-4308

The judgment is for foreclosure against all defendants herein on that Deed of Trust in the described real property situated in Skamania County, Washington known as:

A Tract of land in Section 5, Township 1 North, Range 5 East of the Willamette Meridian in the County of Skamania, State of Washington.

Lot 2 of the Eagle Peak Short Plat recorded in Auditor File No. 2006162927.

Together with an Easement for Access as shown on the recorded Short Plat in Auditor File No. 2006162927 and 2006162893.

Parcel ID Number: 01-05-05-0-0-0702-00

NOW THEREFORE, you are hereby commanded to take this Order of Sale and levy upon, seize and take into possession and execution, the nonexempt real property of Judgment Debtors Mark Stoddard and LuAnn Stoddard, and the marital community thereof, sufficient to execution, and sell said property, or so much thereof necessary to satisfy the costs and expenses of the sale and then to the outstanding amount on the loan, with any excess being delivered to the Clerk of the Superior Court of Skamania County.

The real property you are commanded to levy upon, seize and take into possession and execution is known as:

A Tract of land in Section 5, Township 1 North, Range 5 East of the Willamette Meridian in the County of Skamania, State of Washington.

Lot 2 of the Eagle Peak Short Plat recorded in Auditor File No. 2006162927.

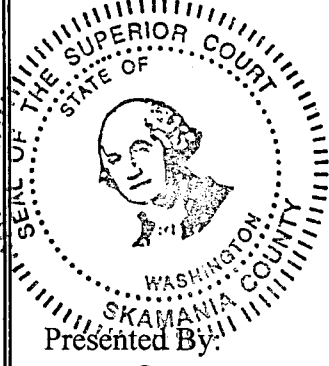
Together with an Easement for Access as shown on the recorded Short Plat in Auditor File No. 2006162927 and 2006162893.

Parcel ID Number: 01-05-05-0-0-0702-00

MAKE RETURN HEREOF within sixty days of the date indicated below to the

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Clerk who issued it, showing you have executed the same.



By: [Signature]
Superior Court Clerk *Superior Court Judge*
By: [Signature]
Deputy Clerk

[Signature]

Russell W. Pike, WSB No. 19189
Sherman Sherman Johnnie & Hoyt, LLP
693 Chemeketa Street NE
PO Box 2247
Salem, OR 97308-2247
Telephone: (503)364-2281
Fax: (503)370-4308
Email: russ@shermnlaw.com
Of Attorneys for Plaintiff RES-WA Four, LLC

SHERMAN, SHERMAN, JOHNNIE, & HOYT, LLP
693 Chemeketa Street, NE / Post Office Box 2247
Salem, Oregon 97308-2247
(503)364-2281 FAX: (503)370-4308