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1 IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR JACKSON COUNTY  
2 VERNON L. SMITH and SARA L. SMITH, )  
3 husband and wife, )

4 Plaintiffs, )

5 vs. )

6 RALPH H. WALLIS and KATHERINE  
7 F. WALLIS, and CITIBANK (SOUTH  
8 DAKOTA), )

9 Defendants. )

No. 86-3811-NJ-3

JUDGMENT BY STIPULATION  
(ORCP 67F)

10 On the basis of the stipulation of the parties, the Court  
11 enters a Judgment and Decree as follows:

12 1. Plaintiffs are awarded judgment against Defendants  
13 Ralph H. Wallis and Katherine F. Wallis in the amount of  
14 \$12,000.00 plus \$920.00 in accrued interest plus interest on the  
15 \$12,000.00 principal amount at the rate of 16% per annum from  
16 August 28, 1986, until paid; plus the further sum of \$1,091.02  
17 as Plaintiffs' reasonable attorney's fees and costs and  
18 disbursements incurred herein, plus the further sum of \$150.00  
19 expended by Plaintiffs for the reasonable cost of a title  
20 search.

21 2. The mortgage executed and delivered by Defendants Ralph  
22 H. Wallis and Katherine F. Wallis to Plaintiffs on or about  
23 August 28, 1985, and recorded on August 29, 1985, as instrument  
24 number 85-14536, Official Records of Jackson County, Oregon, is  
25 a valid lien for the amount of Plaintiffs' judgment set forth in  
26 Paragraph 1 above against all of the real property situated in  
Jackson County, Oregon, described as:

-1- JUDGMENT BY STIPULATION (ORCP 67F)

38 FEB 5 AM 11 52

1 Commencing at the quarter corner common to Sections 17  
2 and 18 in Township 38 South, Range 1 West of the  
3 Willamette Meridian in Jackson County, Oregon; thence  
4 North 0°03'05" East 1230.04 feet to the true point of  
5 beginning; thence North 47°03'20" West 6.84 feet to  
6 intersect the centerline of the Talent Irrigation  
7 District Canal; thence, along the average centerline  
8 of said Canal, as follows: North 47°03'20" West  
9 114.19 feet; thence North 14°03'00" West 146.00 feet;  
10 thence North 53°06'00" West 188.48 feet; thence South  
11 83°48'10" West 143.85 feet; thence South 46°14'00"  
12 West 148.11 feet; thence South 22°13'07" West 66.80  
13 feet to the point of intersection of said Canal  
14 centerline with the East line of the County Road  
15 (Independence School Road); thence, along said road  
16 line, North 0°01'20" East 972.18 feet to a 5/8" iron  
17 pin at the point of intersection of said road line  
18 with the Northeasterly line of a private road; thence,  
19 along said private road line, South 52°30'00" East  
20 132.63 feet to a 5/8" iron pin; thence South 61°14'30"  
21 East 84.03 feet to a 5/8" iron pin; thence South  
22 18°10'20" East 63.15 feet to a 5/8" iron pin; thence  
23 South 89°56'55" East, 497.53 feet to a 5/8" iron pin  
24 on the line established by that certain boundary line  
25 agreement, as set forth in instrument recorded in  
26 Volume 589, Page 314, of the Deed Records of Jackson  
County, Oregon; thence South 0°03'05" West, along said  
line, 811.13 feet to the true point of beginning.  
EXCEPTING THEREFROM the following: Commencing at the  
quarter corner common to Sections 17 and 18 in  
Township 38 South, Range 1 West of the Willamette  
Meridian in Jackson County, Oregon; thence North  
0°03'05" East 1230.04 feet to the true point of  
beginning; thence North 47°03'20" West, 6.84 feet to  
intersect the centerline of the Talent Irrigation  
District Canal; thence, along the average centerline  
of said Canal, as follows: North 47°03'20" West  
114.19 feet; thence North 14°03'00" West 146.00 feet;  
thence North 53°06'00" West 188.48 feet; thence South  
83°48'10" West 143.85 feet; thence South 46°34'00"  
West 348.11 feet; thence South 22°13'07" West 66.80  
feet to the point of intersection of said Canal  
centerline with the East line of the County Road  
(Independence School Road); thence along said road  
line, North 0°01'20" East 378.12 feet; thence North  
89°39'50" East 346.72 feet; thence North 0°30'10" West  
37.00 feet; thence North 89°39'50" East 349.69 feet;  
thence South 0°03'05" West 439.76 feet to the true  
point of beginning.

1 and that lien is superior to any interest, lien, or claim of  
2 Defendants or any of them in that property.

3 3. The mortgage lien is foreclosed and all interest which  
4 the Defendants RALPH H. WALLIS and KATHERINE F. WALLIS had on or  
5 after August 28, 1985, in the real property shall be sold by the  
6 Sheriff of Jackson County, Oregon, in the manner provided by law  
7 and in accordance with the practice of this Court.

8 4. The proceeds of the sale shall be applied first toward  
9 the cost of sale, then toward the satisfaction of Plaintiffs'  
10 judgment awarded herein, and the surplus if any to the  
11 Defendants.

12 5. If the proceeds of sale are not sufficient to satisfy  
13 the judgment of Plaintiffs awarded herein against Defendants  
14 RALPH H. WALLIS and KATHERINE F. WALLIS, then any such  
15 deficiency may be enforced by execution as provided by law.

16 6. The Defendants and each of them all all persons  
17 claiming through or under them as purchasers, encumbrancers, or  
18 otherwise, are forever foreclosed of all interest, lien, or  
19 claim in the real property described above and every portion  
20 thereof excepting only any statutory right of redemption as the  
21 Defendants or any of them may have therein.

22 7. Plaintiffs or any party to this suit may become the  
23 purchaser at the sale of the real property. The purchaser is  
24 entitled to exclusive possession of the real property from and  
25 after the date of sale and is entitled to such remedies as are  
26 available at law to secure possession, including a writ of

-3- JUDGMENT BY STIPULATION (ORCP 67F)

Law Offices  
FERRIS &  
HUNTER

East Main Street, Suite 2E  
Hawthorne, OR 97104 7477  
(503) 772-6115



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1 assistance, if Defendants or any of them or any other party or  
2 person shall refuse to surrender possession to the purchaser  
3 immediately upon his demand for possession.

4 DATED: APR 28, 1987.

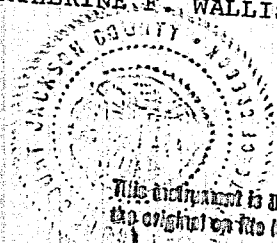
5  
6 MITCHELL KARAMAN  
7 CIRCUIT COURT JUDGE

8 IT IS SO STIPULATED:

9 Robert G. Hunter  
10 ROBERT G. HUNTER  
11 Ferris & Hunter  
12 Attorney for Plaintiffs  
13 OSB No. 78251

14 Michael G. Smith  
15 MICHAEL G. SMITH  
16 Attorney for Defendants RALPH H.  
17 WALLIS and KATHERINE F. WALLIS  
18 OSB NO. 74305

19 Ralph H. Wallis  
20 RALPH H. WALLIS, Defendant  
21 Katherine F. Wallis  
22 KATHERINE F. WALLIS, Defendant



23 This document is a correct copy of  
24 the original on file in this office.

25 ATTEST: FEB 4 - 1988  
26 Circuit Court-Trial Court Administrator  
STATE OF OREGON - JACKSON COUNTY  
BY William A. Wilson

Law Office:  
FERRIS &  
HUNTER  
East Main Street, Suite 2E  
Medford, OR 97504-7477  
(503)

-4- JUDGMENT BY STIPULATION (ORCP 67F)

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of \_\_\_\_\_  
of February A.D., 19 88 at 11:52 o'clock A M., and duly recorded in Vol. M88 day  
of \_\_\_\_\_ County Lien Docket on Page 1684  
FEE \$20.00

By Evelyn Biehn, County Clerk  
Sam Smith