

IN THE CIRCUIT COURT OF THE STATE OF OREGON

FOR THE COUNTY OF YAMHILL

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YAMHILL COUNTY, a political  
subdivision of the State of Oregon,

Plaintiff,

vs.

BRANSON, E. Lucille; BELL HAZEL LIFE ESTATE  
CARTER, Stevan N & Joyce B (HEIRS); CORONEL,  
Rachell M; DARST, Christopher; DEL ROSARIO,  
Eduardo S; DURHAM, Janet R; EADS-PAUL,  
Stephanie & PAUL, Wesley; FORTUNE, Michael S &  
Linda D; HALFORD, Christopher J; HEARTLAND  
DEVELOPMENT, LLC; GOLDENSTEIN, Edith M ½ &  
KEITH, Pauline M ½; KIRK, Brian & Hilary;  
LAFAYETTE PROPERTIES, LLC; LAMM, James M &  
Becky J; BELL, Hazel L & LINGLE, Alene V & LINGLE,  
Donald E; MERCIER, Michelle & STELLFLUG, Susan  
(WROS); MOORE, Roger T; OLSON, Jay; PETERS,  
Robert E & Becky; PUCKETT, David G; RAMIREZ,  
Jacob N; RAUGUST, Timothy; SALINAS, Anselmo;  
SAUNDERS, Tonya; SCHMIEDEL, Dixie L; STEELE,  
John (WROS) & Jesse (WROS); VAN BERGEN, David;  
VAUGHN, David S & April; WESTLING, Karen A;  
WILHELM, Roger & Cynthia;

Defendants.

CASE No. 22CV29638

GENERAL JUDGMENT  
AND DECREE  
TAX FORECLOSURE

(Application for Judgment)

THE ABOVE ENTITLED CAUSE came before the Court for hearing on the \_\_\_\_ day of

November, 2022 on Plaintiff's request for General Judgment and Decree of Tax Foreclosure on its

Complaint for Tax Foreclosure filed August 31, 2022. Plaintiff appeared by and through its County

Counsel, Christian F. Boenisch. Defendants did not appear personally or by counsel. No

appearance has been made by any other person owning or claiming to own, or having or claiming

1 to have any interest whatsoever in any of the real properties described in the list attached as Exhibit  
2 “A” to this General Judgment and Decree of Tax Foreclosure.

3 THE COURT, being fully advised in the premises, makes the following findings:

4 1. Yamhill County, Plaintiff, is a duly organized county of the State of Oregon, and a  
5 body politic and corporate under the constitution and laws of the State of Oregon.

6 2. On August 22<sup>nd</sup>, 2022, the tax collector of Yamhill County prepared a list of all real  
7 property in Yamhill County subject to foreclosure for delinquent taxes. The list was prepared under  
8 the provisions of ORS Chapter 312, and contains the names of the several persons appearing in  
9 the latest tax roll as the respective owners of the tax delinquent properties, a description of each  
10 such property as the same appears in said latest tax roll; the year or years for which taxes are  
11 delinquent on each property, together with the principal amount of delinquent taxes for each year  
12 and the amount of accrued interest to and including September 15, 2022, referred to herein as the  
13 “Tax Foreclosure List”

14 3. A copy of the Tax Foreclosure List is marked Exhibit “A” as an attachment to the  
15 Complaint for Tax Foreclosure filed in this proceeding on August 31, 2022.

16 4. Certain properties have been removed from this proceeding by order of the Court  
17 on the date this General Judgment and Decree of Tax Foreclosure was granted by the Court, upon  
18 motion of Plaintiff by virtue of payment of the sums required by law or for other good cause.

19 5. The “2022 List of Foreclosed Properties” is attached as Exhibit “A” to this General  
20 Judgment and Decree of Tax Foreclosure and is incorporated by this reference. The 2022 List of  
21 Foreclosed Properties shows the names of all owners and the descriptions of all properties included  
22 in the original Tax Foreclosure List which have not been removed from this proceeding by order  
23 of the Court.

1           6.       Exhibit "A" to this General Judgment and Decree of Tax Foreclosure includes real  
2 properties appearing on the tax rolls in the office of the tax collector of Yamhill County upon  
3 which taxes have been delinquent for more than three years from the earliest date of such  
4 delinquency, together with all special assessments, fees or other charges charged against the  
5 property subject to foreclosure, which are due and unpaid for any year or years for which said  
6 delinquent taxes are due.

7           7.       The liens of all such delinquent taxes, special assessments, fees or other charges  
8 against each of such properties became subject to foreclosure under ORS Chapter 312.

9           8.       The Defendants named on Exhibit "A" to this General Judgment and Decree of Tax  
10 Foreclosure and each and every other person owning or claiming to own, or having or claiming to  
11 have, any interest in said properties, have neglected and refused to pay such delinquent taxes,  
12 special assessments, fees, and other charges charged against such property, and interest thereon,  
13 as provided by law.

14           9.       There is now due, owing, and unpaid to Plaintiff Yamhill County the respective  
15 sums set out after the description of each of the several properties described on Exhibit "A" to this  
16 General Judgment and Decree of Tax Foreclosure and, in addition thereto, interest on each of the  
17 several amounts of taxes described at the rate of 16% per annum from the date any delinquencies  
18 to the date of this General Judgment and Decree of Tax Foreclosure.

19           10.      On August 31, 2022 the tax collector of Yamhill County filed a Complaint for Tax  
20 Foreclosure and instituted this proceeding for the foreclosure of the several liens for delinquent  
21 taxes specified therein.

22           11.      Notice of the institution of said foreclosure proceedings was given in the manner  
23 provided by law and as more fully shown by the affidavit of publication on file herein, by

1 publication of the foreclosure list on the 31<sup>st</sup> of August, 2022 in the Newberg Graphic, a newspaper  
2 of general circulation in Yamhill County competent in all respects to publish notice, pursuant to  
3 an order designating a newspaper duly made by the county governing body and entered of record;  
4 and notice of the foreclosure proceeding was sent by certified and regular first class mail to the  
5 owner or owners, as shown in the county deed records, of each property included on the foreclosure  
6 list at the address or addresses as reflected in the county records; or notice has been given by  
7 personal service; and notice also has been provided the state attorney general for properties  
8 encumbered by any lien held by the Oregon Department of Revenue.

9 12. Thirty (30) days have expired from the first date of the publication of said  
10 foreclosure list, and, excepting the said Defendants against whom this suit has been dismissed or  
11 whose property has been removed from the Tax Foreclosure List by order of the Court, no  
12 appearance has been made by any Defendant or other person owning or claiming to own, or having  
13 or claiming to have, any interest whatsoever in any of the said real properties; and now, therefore,

14 **IT IS ORDERED ADJUDGED AND DECREED** that the Plaintiff have judgment  
15 against the properties described in the attached Exhibit "A" to this General Judgment and Decree  
16 of Tax Foreclosure for the amount of taxes, special assessments, fees and other charges charged  
17 against said properties and interest due upon and charged against each of the said properties  
18 together with interest thereon at the rate of 16% per annum from the date any delinquencies to the  
19 date of this General Judgment and Decree of Tax Foreclosure; and;

20 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that said General  
21 Judgment and Decree of Tax Foreclosure be a several judgment against and a first lien upon each  
22 of the respective properties described in the attached Exhibit "A" to this General Judgment and  
23 Decree of Tax Foreclosure for the several amounts of taxes and interest due thereon; that the

1 Plaintiff's claim for such taxes, special assessments, fees and other charges charged against such  
2 properties is paramount and superior to any and all claims to such properties by Defendants, and  
3 each of them, and each and every person or entity owning or claiming to own or having or claiming  
4 to have, any interest, lien or claim thereon; that such lien is paramount and superior to the estate  
5 of all other persons or entities unknown claiming any right, title, lien or interest in any of the  
6 properties hereinbefore described; and that each and all of them hereby are forever barred and  
7 foreclosed from asserting or setting up any claim whatsoever to said properties adverse to the lien  
8 and claim of the Plaintiff, its successors or assigns, excepting the right of redemption as provided  
9 by law; and

10 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that the Clerk of the  
11 Court hereby is directed to serve on the tax collector of Yamhill County, Oregon a certified copy  
12 of the General Judgment and Decree of Tax Foreclosure with a list thereto attached of the  
13 properties ordered sold, with the several amounts due thereon, and the Yamhill County Tax  
14 Collector hereby is commanded to sell each tract and parcel of real property described in said list  
15 to Yamhill County, in satisfaction of the amount of taxes and interest for which such properties  
16 severally are liable; that such certified copy of this General Judgment and Decree of Tax  
17 Foreclosure so delivered to the Yamhill County Tax Collector is and shall be to all interests and  
18 purposes, a certificate of sale for each of the properties herein described, and such Yamhill County  
19 Tax Collector shall take further steps in the matter as are provided by law; and

20 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that where any parcel of  
21 real property covered by such General Judgment and Decree of Tax Foreclosure is under  
22 registration of title certificate, such certificate shall be canceled, and that such further action shall

1 be taken under the applicable provisions of Oregon Law so as to properly vest title to such  
2 properties of record in the Plaintiff, Yamhill County.

3 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that this Court shall  
4 retain jurisdiction to enforce the terms of this General Judgment and Decree of Tax Foreclosure  
5 and that, following entry of this General Judgment and Decree of Tax Foreclosure, a Writ of  
6 Assistance may issue, as determined by this Court on a case-by-case basis, to obtain possession of  
7 the properties to which this General Judgment and Decree of Tax Foreclosure applies, upon a  
8 Motion for Writ of Assistance supported by an affidavit or declaration showing that possession is  
9 being unlawfully withheld from Plaintiff, and that such a motion may be presented on an *ex parte*  
10 basis.

11 DATED at McMinnville, Oregon this 4<sup>th</sup> day of November, 2022.  
12 11/7/2022 12:01:18 PM

13  
14   
15 Circuit Court Judge

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17 **Circuit Court Judge Ladd J. Wiles**

18 **CERTIFICATE OF READINESS:** This proposed General Judgment and Decree of Tax  
19 Foreclosure is ready for judicial signature because notice and service are required, and have been  
20 provided, pursuant to statute, ORS 312.040.  
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23 Presented by:

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27 CHRISTIAN F. BOENISCH OSB 972170  
28 County Counsel

## Exhibit A

### 2022 List of Foreclosed Properties – Yamhill County, State of Oregon

Property Owners	Property Description	Tax Year	Tax Amount	Interest	Total
BRANSON E LUCILLE 338 NE YAMHILL ST WILLAMINA OR 97396 Property Account: 240509	R6701DA 07100	2018-19	327.79	187.93	515.72
	Code: 30.0	2019-20	330.25	136.51	466.76
	Acres: 0.1568	2020-21	364.04	92.22	456.26
		2021-22	375.78	35.07	410.85
		<b>Total:</b>			<b>1,849.59</b>
BRANSON E LUCILLE 338 NE YAMHILL ST WILLAMINA OR 97396 Property Account: 240518	R6701DA 07500	2018-19	414.55	237.68	652.23
	Code: 30.0	2019-20	417.65	172.63	590.28
	Acres: 0.1568	2020-21	460.39	116.64	577.03
		2021-22	475.23	44.35	519.58
		<b>Total:</b>			<b>2,339.12</b>
BELL HAZEL LIFE ESTATE CARTER STEVAN N & JOYCE B (HEIRS) 219 SW 3RD ST DUNDEE OR 97115 Property Account: 76456 (See Manufactured Home Account 481807)	R3325BC 03200	2018-19	746.71	413.57	1,160.28
	Code: 29.1	2019-20	1,092.47	451.55	1,544.02
	Acres: 0.4000	2020-21	1,092.38	276.74	1,369.12
		2021-22	1,217.95	113.67	1,331.62
		<b>Total:</b>			<b>5,405.04</b>
DARST CHRISTOPHER 3950 HIGHWAY 47 MCMINNVILLE OR 97128 Property Account: 106824	R3626 00402	2018-19	34.26	21.01	55.27
	Code: 11.4	2019-20	34.55	15.66	50.21
	Acres: 1.6700	2020-21	35.05	10.28	45.33
		2021-22	34.09	4.55	38.64
		<b>Total:</b>			<b>189.45</b>
DEL ROSARIO EDUARDO S 93 4TH AVE UNIT 1393 NEW YORK NY 10003 Property Account: 94944	R3422 01600	2018-19	2,184.15	1,225.64	3,409.79
	Code: 11.0	2019-20	2,904.09	1,200.36	4,104.45
	Acres: 1.1700	2020-21	2,986.40	756.56	3,742.96
		2021-22	2,897.79	270.46	3,168.25
		<b>Total:</b>			<b>14,425.45</b>
EADS-PAUL STEPHANIE PAUL WESLEY 1974 SW WESTVALE CT MCMINNVILLE OR 97128 Property Account: 503038	R4419DC 08207	2018-19	2,089.41	1,186.78	3,276.19
	Code: 40.0	2019-20	2,415.94	998.59	3,414.53
	Acres: 0.1089	2020-21	2,483.28	629.10	3,112.38
		2021-22	2,503.25	233.63	2,736.88
		<b>Total:</b>			<b>12,539.98</b>
FORTUNE MICHAEL S FORTUNE LINDA D 29510 NE PUTNAM RD NEWBERG OR 97132 Property Account: 49888	R3219AB 08800	2018-19	1,053.56	577.41	1,630.97
	Code: 29.0	2019-20	1,987.29	821.41	2,808.70
	Acres: 0.1300	2020-21	2,014.45	510.33	2,524.78
		2021-22	2,237.09	208.80	2,445.89
		<b>Total:</b>			<b>9,410.34</b>
HALFORD CHRISTOPHER J PO BOX 1821 KAHULUI HI 96733 Property Account: 542467	R5626CA 00902	2018-19	99.93	57.28	157.21
	Code: 48.2	2019-20	105.72	43.68	149.40
	Acres: 0.2000	2020-21	107.12	27.12	134.24
		2021-22	110.29	10.29	120.58
		<b>Total:</b>			<b>561.43</b>
HALFORD CHRISTOPHER J PO BOX 1821 KAHULUI HI 96733 Property Account: 542470	R5626CA 00903	2018-19	166.21	95.28	261.49
	Code: 48.2	2019-20	170.45	70.44	240.89
	Acres: 0.2900	2020-21	172.89	43.79	216.68
		2021-22	178.41	16.65	195.06
		<b>Total:</b>			<b>914.12</b>
HALFORD CHRISTOPHER J PO BOX 1821 KAHULUI HI 96733 Property Account: 216448	R5626CA 00800	2018-19	124.54	71.40	195.94
	Code: 48.2	2019-20	127.58	52.72	180.30
	Acres: 0.7600	2020-21	129.33	32.75	162.08
		2021-22	133.30	12.43	145.73
		<b>Total:</b>			<b>684.05</b>

Property Owners	Property Description	Tax Year	Tax Amount	Interest	Total
HALFORD CHRISTOPHER J PO BOX 1821 KAHULUI HI 96733 Property Account: 216484	R5626CA 00900	2018-19	144.62	82.91	227.53
	Code: 48.2	2019-20	148.23	61.26	209.49
	Acres: 0.3300	2020-21	150.31	38.07	188.38
		2021-22	155.03	14.46	169.49
		<b>Total:</b>			<b>794.89</b>
HEARTLAND DEVELOPMENT LLC 10225 SW REDWING TERRACE BEAVERTON OR 97007 Property Account: 286684 (See Manufactured Home Account 401210)	R4401 00402	2018-19	591.88	339.34	931.22
	Code: 40.1	2019-20	645.94	266.98	912.92
	Acres: 0.7400	2020-21	660.87	167.43	828.30
		2021-22	677.92	63.27	741.19
		<b>Total:</b>			<b>3,413.63</b>
GOLDENSTEIN EDITH M 1/2 KEITH PAULINE M 1/2 304 S COLLEGE ST NEWBERG OR 97132 Property Account: 51927	R3219AD 01900	2018-19	4,028.79	2,309.84	6,338.63
		2019-20	4,007.12	1,656.28	5,663.40
	Code: 29.0	2020-21	4,061.89	1,029.00	5,090.89
	Acres: 0.2768	2021-22	4,510.80	421.01	4,931.81
		<b>Total:</b>			<b>22,024.73</b>
KIRK BRIAN KIRK HILARY 7075 NE SHADY LN DUNDEE OR 97115 Property Account: 493543	R3334 00504	2018-19	708.02	390.23	1,098.25
		2019-20	1,209.69	500.01	1,709.70
	Code: 8.5	2020-21	1,232.26	312.18	1,544.44
	Acres: 5.6400	2021-22	1,255.88	117.22	1,373.10
		<b>Total:</b>			<b>5,725.49</b>
LAFAYETTE PROPERTIES LLC 10225 SW REDWING TERRACE BEAVERTON OR 97007 Property Account: 401210 (Located on Account 286684)	M00233292	2013-14	611.94	840.42	1,452.36
	Code: 40.1	2014-15	297.47	360.94	658.41
	Manufactured Home	2015-16	318.32	335.31	653.63
		2016-17	292.55	261.34	553.89
		2017-18	301.78	221.29	523.07
		2018-19	400.95	229.87	630.82
		2019-20	463.90	191.75	655.65
		2020-21	665.86	168.68	834.54
		2021-22	682.79	63.72	746.51
		<b>Total:</b>			<b>6,852.88</b>
	BELL HAZEL L & LINGLE ALENE V & LINGLE DONALD E 219 SW 3RD ST DUNDEE OR 97115 Property Account: 481807 (Located on Account: 76456)	M00263077	2012-14	67.17	100.31
Code: 29.1		2013-14	512.72	704.14	1,216.86
Manufactured Home		2014-15	363.90	441.54	805.44
		2015-16	443.50	467.16	910.66
		2016-17	417.63	373.08	790.71
		2017-18	495.42	363.32	858.74
		2018-19	514.14	294.77	808.91
		2019-20	505.96	209.13	715.09
		2020-21	505.92	128.18	634.10
		2021-22	552.92	51.60	604.52
		<b>Total:</b>			<b>7,584.51</b>
MOORE ROGER T 3256 NE WILDFLOWER WAY MCMINNVILLE OR 97128 Property Account: 539692	R4410CD 04200	2018-19	3,317.68	1,902.14	5,219.82
	Code: 40.0	2019-20	3,384.61	1,398.97	4,783.58
	Acres: 0.1159	2020-21	3,478.95	881.33	4,360.28
		2021-22	3,506.93	327.31	3,834.24
		<b>Total:</b>			<b>18,197.92</b>
OLSON JAY PO BOX 581 WASHOUGAL WA 98671 Property Account: 234936	R5925 01400	2018-19	299.40	171.65	471.05
	Code: 30.3	2019-20	322.87	133.44	456.31
	Acres: 1.0000	2020-21	330.82	83.80	414.62
		2021-22	341.34	31.85	373.19
		<b>Total:</b>			<b>1,715.17</b>
PETERS ROBERT E PETERS BECKY PO BOX 442 AMITY OR 97101 Property Account: 513412	R5429AC 00594	2018-19	5.03	3.09	8.12
		2019-20	5.12	2.32	7.44
	Code: 4.0	2020-21	5.22	1.53	6.75
	Acres: 0.0125	2021-22	5.37	0.72	6.09
		<b>Total:</b>			<b>28.40</b>

Property Owners	Property Description	Tax Year	Tax Amount	Interest	Total
RAMIREZ JACOB N 3759 3RD ST HUBBARD OR 97032 Property Account: 61088	R3220CB 02900	2018-19	1,344.12	738.17	2,082.29
	Code: 29.0	2019-20	2,421.50	1,000.88	3,422.38
	Acres: 0.1693	2020-21	2,454.59	621.83	3,076.42
		2021-22	2,725.87	254.41	2,980.28
				<b>Total:</b>	<b>11,561.37</b>
RAUGUST TIMOTHY 16225 NE WILKERSON WY NEWBERG OR 97132 Property Account: 513298	R4426 00100 A05	2018-19	1,441.05	826.20	2,267.25
	Code: 40.0	2019-20	1,470.11	607.65	2,077.76
		2020-21	1,511.09	382.81	1,893.90
		2021-22	1,523.24	142.17	1,665.41
				<b>Total:</b>	<b>7,904.32</b>
SAUNDERS TONYA PO BOX 405 WILLAMINA OR 97396 Property Account: 239904	R6701AC 02800	2017-18	1,720.42	1,261.58	2,982.00
	Code: 30.0	2018-19	1,830.78	1,049.64	2,880.42
	Acres: 0.2342	2019-20	1,844.48	762.39	2,606.87
		2020-21	2,033.24	515.09	2,548.33
		2021-22	2,098.80	195.89	2,294.69
			<b>Total:</b>	<b>13,312.31</b>	
SCHMIEDEL DIXIE L 810 SE NAOMI WY MCMINNVILLE OR 97128 Property Account: 167116	R4428BA 06300	2018-19	547.48	313.89	861.37
	Code: 40.0	2019-20	558.53	230.86	789.39
	Acres: 0.1744	2020-21	574.10	145.44	719.54
		2021-22	578.71	54.01	632.72
				<b>Total:</b>	<b>3,003.02</b>
STEELE JOHN (WROS) STEELE JESSE (WROS) 1240 NW YAMHILL ST MCMINNVILLE OR 97128 Property Account: 146096	R4417DD 12700	2018-19	3,704.48	2,122.71	5,827.19
		2019-20	3,809.54	1,574.61	5,384.15
	Code: 40.0	2020-21	3,915.74	991.98	4,907.72
	Acres: 0.2296	2021-22	3,947.23	368.40	4,315.63
				<b>Total:</b>	<b>20,434.69</b>
VAN BERGEN DAVID PO BOX 444 AMITY OR 97101 Property Account: 126713	R4410 01102	2018-19	1.23	0.75	1.98
	Code: 40.2	2019-20	1.27	0.58	1.85
	Acres: 0.0300	2020-21	0.52	0.15	0.67
		2021-22	0.52	0.07	0.59
				<b>Total:</b>	<b>5.09</b>
VAN BERGEN DAVID PO BOX 444 AMITY OR 97101 Property Account: 205094	R5435 02490	2018-19	2.50	1.53	4.03
	Code: 4.1	2019-20	2.54	1.15	3.69
	Acres: 0.1500	2020-21	2.58	0.76	3.34
		2021-22	2.64	0.35	2.99
				<b>Total:</b>	<b>14.05</b>
WESTLING KAREN A 11531 SW DUPEE VALLEY RD SHERIDAN OR 97378 Property Account: 186872	R4636 00900	2018-19	1,621.60	929.71	2,551.31
	Code: 48.2	2019-20	1,666.26	688.72	2,354.98
	Acres: 10.1800	2020-21	1,691.87	428.59	2,120.46
		2021-22	1,750.16	163.34	1,913.50
				<b>Total:</b>	<b>8,940.25</b>