

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

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

Plaintiff,

Case No. 23CV35236

Vs.

GENERAL JUDGMENT

AND DECREE

TAX FORECLOSURE

(Application for Judgment)

RUTH, ALEXANDER; BRIDGE STREET  
COMMERCIAL LLC; CUNNINGHAM,  
ROBIN, VANHUISEN ALLEN T  
(ESTATE), CASSITY, LISA C  
(PERSONAL REP); et al.

Defendants.

THE ABOVE ENTITLED CAUSE came before the Court for hearing on the \_\_\_\_ day of  
October, 2023 on Plaintiff's request for General Judgment and Decree of Tax Foreclosure on its  
Complaint for Tax Foreclosure filed August 30, 2023. 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 to have any interest whatsoever in any of the real properties described in the list  
attached as Exhibit "A" to this General Judgment and Decree of Tax Foreclosure.

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

1. Yamhill County, Plaintiff, is a duly organized county of the State of Oregon, and a body politic and corporate under the constitution and laws of the State of Oregon.
2. On August 18<sup>th</sup>, 2023, the tax collector of Yamhill County prepared a list of all real

1 property in Yamhill County subject to foreclosure for delinquent taxes. The list was prepared  
2 under the provision of ORS Chapter 312, and contains the names of the several persons  
3 appearing in the latest tax roll as the respective owners of the tax delinquent properties, a  
4 description of each such property as the same appears in said latest tax roll, the year or years for  
5 which taxes are delinquent on each property, together with the principal amount of delinquent  
6 taxes for each year and the amount of accrued interest to and including September 15, 2023,  
7 referred to herein as the "Tax Foreclosure List".

8 3. A copy of the Tax Foreclosure List is marked Exhibit "A" as an attachment to the  
9 Complaint for Tax Foreclosure filed in this proceeding on August 30, 2023.

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

13 5. The "2023 List of Foreclosed Properties" is attached as Exhibit "A" to this General  
14 Judgment and Decree of Tax Foreclosure and is incorporated by this reference. The 2023 List of  
15 Foreclosed Properties shows the names of all owners and the descriptions of all properties  
16 included in the original Tax Foreclosure List which have not been removed from this proceeding  
17 by order of the Court.

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

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

26 8. The defendant's named on Exhibit "A" to this General Judgment and Decree of Tax  
27

1 Foreclosure and each and every other person owning or claiming to own, or having or claiming  
2 to have, any interest in said properties, have neglected and refused to pay such delinquent taxes,  
3 special assessments, fees, and other charges charged against such property, and interest thereon,  
4 as provided by law.

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

10 10. On August 30, 2023 the tax collector of Yamhill County filed a Complaint for Tax  
11 Foreclosure and instituted this proceeding for the foreclosure of the several liens for delinquent  
12 taxes specified therein.

13 11. Notice of the institution of said foreclosure proceedings was given in the manner  
14 provided by law and as more fully shown by the affidavit of publication on file herein, by  
15 publication of the foreclosure list on the 29<sup>th</sup> of August, 2023 in the News-Register, a newspaper  
16 of general circulation in Yamhill County competent in all respects to publish notice, pursuant to  
17 an order designating a newspaper duly made by the county governing body and entered of  
18 record; and notice of the foreclosure proceeding was sent by certified and regular first class mail  
19 to the owner or owners, as shown in the county deed records, of each property included on the  
20 foreclosure list at the address or addresses as reflected in the county records; or notice has been  
21 given by personal service; and notice also has been provided the state attorney general for  
22 properties encumbered by any lien held by the Oregon Department of Revenue.

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

1           **IT IS ORDERED ADJUDGED AND DECREED** that the Plaintiff have judgment  
2 against the properties describes in the attached Exhibit "A" to this General Judgment and Decree  
3 of Tax Foreclosure for the amount of taxes, special assessment, fees and other charges charged  
4 against said properties and interest due upon and charged against each of the said properties  
5 together with interest thereon at the rate of 16% per annum from the date any delinquencies to  
6 the date of this General Judgment and Decree of Tax Foreclosure; and;

7           **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that said General  
8 Judgment and Decree if Tax Foreclosure be a several judgment against and a first lien upon each  
9 of the respective properties described in the attached Exhibit "A" to this General Judgment and  
10 Decree of Tax Foreclosure for the several amounts of taxes and interest due thereon; that the  
11 Plaintiff's claim for such taxes, special assessments, fees and other charges charged against such  
12 properties is paramount and superior to any and all claims to such properties by Defendants, and  
13 each of them and each and every person or entity owning or claiming to own or having or  
14 claiming to have, any interest, lien or claim thereon; that such lien is paramount and superior to  
15 the estate of all other persons or entities unknown claiming any right, title, lien or interest in any  
16 of the properties hereinbefore described; and that each and all of them hereby are forever barred  
17 and foreclosed from asserting or setting up any claim whatsoever to said properties adverse to  
18 the lien and claim of the Plaintiff, its successors or assigns, excepting the right of redemption as  
19 provided by law; and

20           **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that the Clerk of the  
21 Court hereby is directed to serve on the tax collector of Yamhill County, Oregon a certified copy  
22 of the General Judgment and Decree of Tax Foreclosure with a list thereto attached of the  
23 propertied ordered sold, with the several amounts due thereon, and the Yamhill County Tax  
24 Collector hereby is commanded to sell each tract and parcel of real property described in said list  
25 to Yamhill County, in satisfaction of the amount of taxes and interest for which such properties  
26 severally are liable; that such certified copy of this General Judgment and Decree of Tax  
27 Foreclosure so delivered to Yamhill County Tax Collector is and shall be to all interests and

1 purposes, a certificate of sale for each of the properties herein described, and such Yamhill  
2 County Tax Collector shall take further steps in the matter as are provided by law; and

3 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that where any parcel  
4 of real property covered by such General Judgment and Decree of Tax Foreclosure is under  
5 registration of title certificate, such certificate shall be canceled, and that such further action shall  
6 be taken under the applicable provisions of Oregon Law so as to properly vest title to such  
7 properties of record in the Plaintiff, Yamhill County.

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

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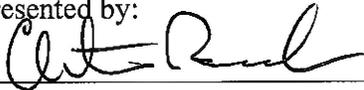
16 DATED at McMinnville, Oregon this \_\_\_\_\_ day of October, 2023

17 

18 Circuit Court Judge Jennifer K. Chapman  
19 Circuit Court Judge

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

23  
24 Presented by:

25 

26 CHRISTIAN F. BOENISCH OSB 972170

27 County Counsel

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LLC; CUNNINGHAM, ROBIN, VANHUISEN ALLEN T (ESTATE), CASSITY, LISA C  
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**EXHIBIT "A"**  
2023 Foreclosure List Issued by Yamhill County, State of Oregon

Property Owners	Property Description	Tax Year	Tax Amount	Interest	Total
ALEXANDER RUTH 922 E 7TH ST LAFAYETTE OR 97127 Property Account: 110212	R4306CD 01900 Code: 40.1 Acres: 0.1147	2019-20	1,473.37	841.88	2,315.25
		2020-21	1,580.50	653.27	2,233.77
		2021-22	1,621.30	410.73	2,032.03
		2022-23	1,674.24	148.82	1,823.06
		<b>Total:</b>			<b>8,404.11</b>
BRIDGE STREET COMMERCIAL LLC 12600 SW 72ND AVE TIGARD OR 97223 Property Account: 222725	R5635BA 07900 Code: 48.0 Acres: 0.5500	2019-20	545.60	312.81	858.41
		2020-21	555.43	229.57	785.00
		2021-22	574.89	145.64	720.53
		2022-23	507.86	45.14	553.00
		<b>Total:</b>			<b>2,916.94</b>
BRIDGE STREET COMMERCIAL LLC 12600 SW 72ND AVE TIGARD OR 97223 Property Account: 222654	R5635BA 08000 Code: 48.0 Acres: 0.3529	2019-20	413.33	236.97	650.30
		2020-21	420.77	173.91	594.68
		2021-22	435.51	110.33	545.84
		2022-23	384.74	34.20	418.94
		<b>Total:</b>			<b>2,209.76</b>
CUNNINGHAM ROBIN VANHUISEN ALLEN T (ESTATE) CASSITY LISA C (PERSONAL REP) 21830 NE HIGHWAY 240 NEWBERG OR 97132 Property Account: 70899	R3314 04200 Code: 29.2 Acres: 14.5000	2019-20	6,737.35	3,862.04	10,599.39
		2020-21	6,781.53	2,803.02	9,584.55
		2021-22	7,604.24	1,926.41	9,530.65
		2022-23	7,763.76	690.11	8,453.87
		<b>Total:</b>			<b>38,168.46</b>
DEN OF NEWBERG LLC 5105 SW 45TH AVE STE 201 PORTLAND OR 97221 Property Account: 708880	R3220BA 02312 Code: 29.0 Acres: 0.0026	2019-20	5.19	3.18	8.37
		2020-21	5.26	2.38	7.64
		2021-22	5.85	1.72	7.57
		2022-23	6.01	0.72	6.73
		<b>Total:</b>			<b>30.31</b>
HOUGH CAROL A 352 NE FAULCONER ST SHERIDAN OR 97378 Property Account: 500908	R5626CD 01202 Code: 48.0 Acres: 0.2244	2019-20	1,361.26	768.26	2,129.52
		2020-21	1,696.12	701.07	2,397.19
		2021-22	1,755.55	444.75	2,200.30
		2022-23	1,550.85	137.85	1,688.70
		<b>Total:</b>			<b>8,415.71</b>
JAMES AMANDA S JAMES AMANDA S TRUSTEE JAMES SUZANNE E LIVING TRUST 20600 NE KINGS GRADE NEWBERG OR 97132 Property Account: 4630	R2327 02300 Code: 29.2 Acres: 0.3000	2019-20	0.26	0.16	0.42
		2020-21	0.27	0.12	0.39
		2021-22	0.30	0.09	0.39
		2022-23	0.30	0.04	0.34
		<b>Total:</b>			<b>1.54</b>
JES PROPERTIES LLC 2403 DALKE RIDGE DR NW SALEM OR 97304 Property Account: 235837	R5836 03000 Code: 30.1 Acres: 0.0800	2018-19	0.02		0.02
		2019-20	26.40	16.19	42.59
		2020-21	27.41	12.43	39.84
		2021-22	27.69	8.12	35.81
		2022-23	27.92	3.35	31.27
<b>Total:</b>			<b>149.53</b>		
DRUSHELLA DENICE TRUSTEE DRUSHELLA SCOTT TRUSTEE KENWARD KIRK E IRREVOCABLE TRUST 131 SE ANNE ST MCMINNVILLE OR 97128 Property Account: 165467	R4421DB 00800 Code: 40.0 Acres: 0.1676	2019-20	2,598.68	1,476.75	4,075.43
		2020-21	3,009.24	1,243.82	4,253.06
		2021-22	3,033.44	768.47	3,801.91
		2022-23	3,106.94	276.17	3,383.11
		<b>Total:</b>			<b>15,513.51</b>

Property Owners	Property Description	Tax Year	Tax Amount	Interest	Total
LITFIN LILLIAN D	R3220CB 05700	2019-20	708.63	387.01	1,095.64
1314 E 7TH ST	Code: 29.0	2020-21	1,464.93	605.50	2,070.43
NEWBERG OR 97132	Acres: 0.1146	2021-22	1,626.83	412.14	2,038.97
Property Account: 61676		2022-23	1,672.09	148.63	1,820.72
				<b>Total:</b>	<b>7,025.76</b>

Property Owners	Property Description	Tax Year	Tax Amount	Interest	Total
MCDONALD LAWRENCE & TERRIE	R3326DD 03300	2019-20	1,158.51	634.68	1,793.19
1710 JAMES ST	Code: 29.51	2020-21	2,214.88	915.49	3,130.37
ASTORIA OR 97103	Acres: 0.4676	2021-22	2,469.47	625.60	3,095.07
Property Account: 81887		2022-23	2,520.13	224.01	2,744.14
				<b>Total:</b>	<b>10,762.77</b>

Property Owners	Property Description	Tax Year	Tax Amount	Interest	Total
BLANKENSHIP SCOTT	R4317CB 00717	2019-20	66.68	38.24	104.92
MELTON ROSE L		2020-21	32.54	14.75	47.29
PO BOX 277	Code: 8.0	2021-22	36.31	10.65	46.96
DAYTON OR 97114	Acres: 0.0500	2022-23	32.97	3.96	36.93
Property Account: 513804				<b>Total:</b>	<b>236.10</b>

Property Owners	Property Description	Tax Year	Tax Amount	Interest	Total
OLSON JACE S	R3421DA 03301	2019-20	2,568.07	1,472.35	4,040.42
OLSON REGINA F		2020-21	2,640.86	1,091.55	3,732.41
PO BOX 852	Code: 11.0	2021-22	2,562.50	649.16	3,211.66
CARLTON OR 97111	Acres: 0.1826	2022-23	2,637.40	234.44	2,871.84
Property Account: 470662				<b>Total:</b>	<b>13,856.33</b>

Property Owners	Property Description	Tax Year	Tax Amount	Interest	Total
WESTWAY BUILDING CENTER & SAGER EDWARD R	R5635BB 09300	2019-20	8.28	5.08	13.36
PETERS ELSIE M		2020-21	8.42	3.82	12.24
760 MARINE VIEW DR	Code: 48.0	2021-22	8.71	2.55	11.26
LONGVIEW WA 98632	Acres: 0.1340	2022-23	7.69	0.92	8.61
Property Account: 225508				<b>Total:</b>	<b>45.47</b>

Property Owners	Property Description	Tax Year	Tax Amount	Interest	Total
REAY STUART F	R5626DD 00153	2019-20	2,149.26	1,232.15	3,381.41
783 NE BLAIR ST	Code: 48.0	2020-21	2,190.51	905.41	3,095.92
SHERIDAN OR 97378	Acres: 0.1188	2021-22	2,267.24	574.37	2,841.61
Property Account: 502672		2022-23	2,002.88	178.03	2,180.91
				<b>Total:</b>	<b>11,499.85</b>

Property Owners	Property Description	Tax Year	Tax Amount	Interest	Total
ROBERTS CANDACE Y	R2231 03100	2019-20	606.84	327.26	934.10
21930 SW CADY RD	Code: 29.2	2020-21	1,555.32	642.87	2,198.19
HILLSBORO OR 97123	Acres: 4.1900	2021-22	1,744.04	441.83	2,185.87
Property Account: 634		2022-23	1,780.65	158.29	1,938.94
				<b>Total:</b>	<b>7,257.10</b>

Property Owners	Property Description	Tax Year	Tax Amount	Interest	Total
SERNA ROBERTO	R4306CA 00400	2019-20	2,613.96	1,498.67	4,112.63
840 E 13TH CT	Code: 40.1	2020-21	2,674.36	1,105.41	3,779.77
LAFAYETTE OR 97127	Acres: 0.1728	2021-22	2,743.40	695.00	3,438.40
Property Account: 506761		2022-23	2,832.99	251.82	3,084.81
				<b>Total:</b>	<b>14,415.61</b>

Property Owners	Property Description	Tax Year	Tax Amount	Interest	Total
UNTERSEHER BENJAMIN J	R5626DD 00138	2019-20	1,955.58	1,117.89	3,073.47
786 NE BLAIR ST	Code: 48.0	2020-21	2,075.34	857.81	2,933.15
SHERIDAN OR 97378-1250	Acres: 0.1435	2021-22	2,148.04	544.17	2,692.21
Property Account: 502627		2022-23	1,897.58	168.67	2,066.25
				<b>Total:</b>	<b>10,765.08</b>

Property Owners	Property Description	Tax Year	Tax Amount	Interest	Total
WHITNEY TIM	R4401DD 04600	2019-20	1,331.52	760.76	2,092.28
162 4TH ST	Code: 40.1	2020-21	1,429.87	591.01	2,020.88
LAFAYETTE OR 97127	Acres: 0.1837	2021-22	1,466.78	371.59	1,838.37
Property Account: 122682		2022-23	1,514.68	134.64	1,649.32
				<b>Total:</b>	<b>7,600.85</b>