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

In The Matter of a Foreign Judgment Rendered
in the Case of:

Case No.: 17CV03554

DE LAGE LANDEN FINANCIAL SERVICES,
INC.,

ORDER GRANTING MOTION FOR SALE
OF REAL PROPERTY

Plaintiff,

SHARON NEAL,

Assignee,

vs.

OCULUS, INC., and NATALIA A. NEAL,

Defendants.

This matter came before the Court on Sharon Neal, Assignee of Plaintiff and Judgment Creditor, De Lage Landen Financial Services, Inc.'s ("Judgment Creditor") Motion for Sale of Real Property, Defendant Natalia Neal's ("Judgment Debtor") Response and Objection, and the Judgment Creditor's Reply, on July 7, 2020 before the Honorable Susie L. Norby. Trevor Robins appeared on behalf of the Judgment Creditor, and the Judgment Debtor appeared *pro se*. The Court, having reviewed the parties' respective pleadings and arguments, and being fully advised in the premises; now, therefore,

IT IS HEREBY ORDERED AS FOLLOWS:

1. **Levy and Sale of Property.** This action is being taken to satisfy the judgment entered in this case against the Judgment Debtor. An order allowing and directing the levy and sale of real property commonly known as 17700 SE Forest Hill Drive, Damascus, Oregon, is appropriate under ORS § 18.908. The Judgment Creditor is authorized to enforce the money judgment entered herein, presently in the amount of \$154,721.11, inclusive of post judgment interest,

Ex. Ap. 1 of 3

1 by levy and sale of the claimed Property of Judgment Debtor and that a writ of execution and
2 sale shall issue.

3 2. **Amount Owed on Judgment.** The total amount owed on the Judgment as of July 7, 2020 is
4 One Hundred Fifty-Four Thousand Seven Hundred Twenty-One Dollars and 11/100 cents
5 (\$154,721.11), calculated as follows:

6	• Original Judgment	\$89,301.84	
7	• Post-judgment Interest @ 18% per annum (6/20/2016 to 6/12/2020)	<u>\$65,090.03</u>	
8	Subtotal:		\$154,391.87
9	• Costs	\$252.00	
10	• Post-judgment Interest @ 9% per annum (2/10/2017 to 7/07/2020)	<u>\$77.24</u>	
11	Subtotal:		<u>\$329.24</u>
12	Total Judgment as of 7/07/2020		<u>\$154,721.11</u>

13 The judgment continues to accrue \$44.10 in interest per day until satisfied.

14 3. **Street Address and Legal Description of Property to be sold.** The real property to be sold
15 is commonly known as 17700 SE Forest Hill Drive, Damascus, Oregon ("Property"); the two
16 parcels which comprise the Property are legally described as follows:

17 **PARCEL I:**

18 A parcel of real property in the Northeast one-quarter of Section 16, Township 2
19 South, Range 3 East, of the Willamette Meridian, in the County of Clackamas and
20 State of Oregon, particularly described as follows:

21 Beginning at a stone monument at the Northwest corner of the Nathaniel
22 Lamb Donation Land Claim No. 51 ; thence South 88° 52' 28" East along the
23 North line of said claim 976.13 feet to the Northeast corner of the Griffin Tract;
24 thence South 0° 48' 48" West along the East line of the Griffin Tract 2749.58 feet
25 to the true point of beginning of the tract herein described; thence from said true
26 point of beginning North 33° 41' 11" East 780.91 feet to the Southerly line of a 50
27 foot radius cul-de-sac; thence along the arc of a 50 foot radius curve to the left,
28 through a central angle of 122° 52' 23" (the long chord of which bears North 62°
15' 00" East 87.83 feet) an arc distance of 107.23 feet; thence South 89° 11' 12"
East 211.96 feet; thence South 33° 41' 11" West 1313.51 feet to the East line of
the Griffin Tract; thence North 0° 48' 48" East along said East line 405.37 feet to
the true point of beginning.

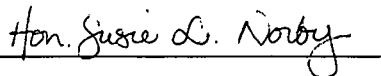
1 PARCEL II:

2 A tract of land situated in the Southeast one-quarter of Section 16, Township 2
3 South, Range 3 East of the Willamette Meridian, in the County of Clackamas and
4 State of Oregon, described as follows:

5 Commencing at a stone monument at the Northwest corner of the Nathaniel
6 Lamb Donation Land Claim No. 51; thence South 88° 52' 28" East along the
7 North line of said claim; a distance of 976.13 feet to the Northeast corner of the
8 tract described in deed to Julius Griffin recorded August 25, 1888 in Book 31,
9 Page 297, Deed Records; thence South 0° 48' 48" West along the East line of the
10 Griffin Tract, a distance of 3254.90 feet; thence North 33° 41' 11" East, a distance
11 of 368.47 feet to the point of beginning of the tract herein to be described; thence
12 continuing North 33° 41' 11" East, a distance of 693.61 feet; thence South 0° 48'
13 48" west parallel with the East line of said Griffin Tract, a distance of 948.50 feet;
14 thence West a distance of 376.52 feet; thence North 0° 48' 48" East, parallel with
15 the East line of said Griffin Tract a distance of 371.30 feet to the point of
16 beginning.

- 17
- 18 4. **Homestead Exemption.** A dispute over title to the Property and right to claim the
19 homestead exemption is currently under appeal in the Oregon Court of Appeals under Case
20 No. A169261 (arising from Clackamas County Case No. 18CV02117) between Sharon Neal
21 and Natalia Neal. When a homestead exemption applies in a Sheriff's sale of a "dwelling",
22 ORS 18.395(8) requires that the Sheriff receives a minimum bid (received in cash or certified
23 funds) of the homestead exemption (\$40,000) plus the costs of the sale for the sale to be
24 executed. Any amount collected by the Sheriff at the sale towards the homestead exemption
25 of \$40,000 shall be deposited by the Sheriff with the clerk of this Court and not disbursed to
26 anyone pending a motion and then order to disburse Sheriff's sale proceeds.
- 27 5. **Time is of the essence.** The need for the sale is critical. There exists a serious public safety
28 hazard on the Property. A large retaining wall on the Property has been identified by
geotechnical engineers as being at the point of collapse, which endangers the lives of people
and property below it, including Oregon State Highway 224. The Sheriff is directed to sell
the Property as soon as allowable under the statutes (ORS 18.924).

Signed: 7/30/2020 03:01 PM



Circuit Court Judge Susie L. Norby

FILED: October 06, 2021

IN THE COURT OF APPEALS OF THE STATE OF OREGON

In The Matter of a Foreign Judgment Rendered in the Case of

**DE LAGE LANDEN FINANCIAL SERVICES, INC.,
Plaintiff-Respondent,**

and

**SHARON NEAL,
Assignee-Respondent,**

v.

**OCULUS, INC.,
Defendant,**

and

**NATALIA A. NEAL,
Defendant-Appellant.**

**Clackamas County Circuit Court
17CV03554**

A174398

Susie L. Norby, Judge.

Submitted on September 03, 2021.

Before Armstrong, Presiding Judge, and Tookey, Judge, and Aoyagi, Judge.

Attorney for Appellant: Natalia Neal *pro se*.

Attorney for Respondent Sharon Neal: Trevor Robins.

Thomas Wolf waived appearance for respondent De Lage Landen Financial Services, Inc.

AFFIRMED WITHOUT OPINION

Ex. B p 1 of 2

DESIGNATION OF PREVAILING PARTY AND AWARD OF COSTS

Prevailing party: Respondents

- No costs allowed as to Respondent De Lage Financial Services, Inc.
 Costs allowed, payable by Appellant as to Respondent Sharon Neal.
-

IN THE SUPREME COURT OF THE STATE OF OREGON
In The Matter of a Foreign Judgment Rendered in the Case of

DE LAGE LANDEN FINANCIAL SERVICES, INC.,
Plaintiff-Respondent,
Respondent on Review,

and

SHARON NEAL,
Assignee-Respondent,
Respondent on Review,

v.

OCULUS, INC.,
Defendant,

and

NATALIA A. NEAL,
Defendant-Appellant,
Petitioner on Review.

Court of Appeals
A174398

S069177

ORDER DENYING REVIEW

Upon consideration by the court.

The court has considered the petition for review and orders that it be denied. Further, the court will not allow any extensions of time to file a petition for reconsideration. A party seeking reconsideration shall file a petition for reconsideration within 14 days after the date of this order. ORAP 9.25.



MARTHA L. WALTERS
CHIEF JUSTICE, SUPREME COURT
4/21/2022 8:25 AM

c: Thomas K Wolf
Sharon Neal
Natalia Alexandrovna Neal

els

ORDER DENYING REVIEW

REPLIES SHOULD BE DIRECTED TO: State Court Administrator, Records Section,
Supreme Court Building, 1163 State Street, Salem, OR 97301-2563
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Ex. C

IN THE SUPREME COURT OF THE STATE OF OREGON

In The Matter of a Foreign Judgment Rendered in the Case of

DE LAGE LANDEN FINANCIAL SERVICES, INC.,
Plaintiff-Respondent,
Respondent on Review,

and

SHARON NEAL,
Assignee-Respondent,
Respondent on Review,

v.

OCULUS, INC.,
Defendant,

and

NATALIA A. NEAL,
Defendant-Appellant,
Petitioner on Review.


Court of Appeals
A174398

S069177

ORDER DENYING PETITION FOR RECONSIDERATION

Upon consideration by the court.

The court has considered the petition for reconsideration and orders that it be denied.


MARTHA L. WALTERS
CHIEF JUSTICE, SUPREME COURT
6/2/2022 9:13 AM

c: Thomas K Wolf
Sharon Neal
Natalia Alexandrovna Neal
MS

ORDER DENYING PETITION FOR RECONSIDERATION

REPLIES SHOULD BE DIRECTED TO: State Court Administrator, Records Section,
Supreme Court Building, 1163 State Street, Salem, OR 97301-2563

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Ex. D