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

**MALHEUR COUNTY**, *a political subdivision of the State of Oregon.*

Plaintiff,

v.

**NADINE W ATTEBERY, trustee, NADINE W ATTEBERY, DAMIAN A BETANCOURT, DEYSI CID GONZALEZ, DEYSI GONZALEZ, MARK JOSEPH FANUCCHI, ALLISON AMBER FANNUCHI, MICHAEL GONZALES, RANDY HENDRICKSON, TERESA ANN SMITH, NETTIE M HIATT, ALLEN L JONES, STEVEN R ROSS, ELROY JACKSON, ELIZABETH JACOBY, JACOB REDDICK, EUNICE H JUNG, WILLIAM DEAN LEWIS, trustee, LOUISE S. LEWIS, trustee, MICHAEL MCCLAIN, C. ROLLEAN MCCLAIN, DONNA MCGEE, PR INVESTOR SERVICES INC, agent, JOHN DOWELL, JERI LEE DOWELL, BEULAH A ROBERTS, IVOR ROBERTS, MARGARET E SMITH, CHARLES SMITH, WILLIAM R WOOD** *and also any persons owning or claiming to own or having or claiming to have any interest in any property included in the Tax Foreclosure List described herein,*

Defendants.

Case No.  
COMPLAINT

(Application for judgment of foreclosure of tax liens)

CLAIMS NOT SUBJECT TO MANDATORY ARBITRATION

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Plaintiff alleges:

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Plaintiff, a duly organized county and political subdivision of the State of Oregon,  
through its tax collector is required to commence tax foreclosure proceedings pursuant to ORS  
312.050.

2

Plaintiff has prepared a list of real properties subject to foreclosure for delinquent taxes  
pursuant to ORS 312.030, which contains the names of the several persons appearing on the  
latest tax roll as the respective owners of the tax delinquent properties, a description of each such  
property as the same appears in said latest tax roll, the year or years for which taxes are  
delinquent on each property, together with the principal amount of the delinquent taxes of each  
year, and the amount of accrued interest thereon to September 15, 2020. The Tax Foreclosure  
List is attached as "Exhibit 1" and incorporated herein.

3

The Tax Foreclosure List includes all real properties appearing on the tax rolls in the  
Office of Malheur County Tax Collector on which taxes, together with all special assessments,  
fees and other charges, have been delinquent for more than three (3) years from the earliest date  
of such delinquency. By reason of the expiration of more than three (3) years from the earliest  
date of delinquency the lien of all such delinquent taxes against each of the properties included in  
the Tax Foreclosure List has become subject to foreclosure under the provisions of ORS  
312.030.

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The amounts shown by the Tax Foreclosure List to be due and owing against the several parcels of real property described therein include all taxes both prior to and subsequent to 2019-2020 which were unpaid and delinquent on May 18, 2020, together with the accrued interest thereon; that the several defendants and each and every other person owning or claiming to own, or having or claiming to have any interest in any of said properties have neglected and refused to pay such delinquent taxes and interest; that there is due, owing and unpaid to Plaintiff the sums set out in the Tax Foreclosure List after the description of each of the several properties, and in addition thereto, interest on each of said sums at the rate of sixteen percent (16%) per annum on all delinquencies.

5

The defendants above named include each and every person appearing on the latest tax roll as the owner or owners of the several properties described in the Tax Foreclosure List and the amount of taxes which remain delinquent and unpaid as of August 19, 2020.

6

Where reference is made to a map, tax lot number and account/reference number in describing any parcel of property in the Tax Foreclosure List, such reference is to the record as of January 1, 2020, made and kept by the Office of Malheur County Assessor, which said record is a public record under ORS 308.240.

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Defendants above named, including any unknown owners, have or claim to have some interest or estate in the properties described in the Tax Foreclosure List, but whatever interest or estate they may have or claim to have is inferior and subject to the tax liens of Plaintiff.

As to each of the properties described in the Tax Foreclosure List that are held under outstanding registration of title certificates, Plaintiff will apply to the court for cancellation of all such certificates and for authorization to take such action as is necessary under Oregon law so as to properly vest title to such properties of record in the Plaintiff.

Each of the properties described in the Tax Foreclosure List was duly listed for taxation in or for each of the specified years and the assessments, equalizations, levies of taxes and all other acts required by law to make such taxes first liens on said properties were duly and regularly made and done, and that the liens and claims of Plaintiff to each of the several properties are first liens and paramount to any other interest, title estate or claim in or to any of said properties.

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Upon sale of the foreclosed properties, Plaintiff may require the assistance of this court to remove persons and property unlawfully occupying foreclosed properties.

WHEREFORE, Plaintiff prays for General Judgment of this court for the full amount of taxes, special assessments, fees or other charges, and interest due on and charged against each of the several properties on the Tax Foreclosure List, together with interest thereon at the rate of sixteen percent (16%) per annum from September 15, 2020 to the date of such General Judgment, and accruing interest on said General Judgment at the legal rate of interest per annum thereafter; and

For a General Judgment that the amounts of such taxes, special assessments, fees or other charges and interest are first liens on the respective parcels of real property included in the Tax Foreclosure List; and that such liens are paramount and superior to any and all claims to such properties by defendants, or any of them by any person known or unknown, owing or claiming to own, or having or claiming to have any lien thereon, or right, title or interest therein, and that each and all of them be forever foreclosed and barred from asserting any claims whatsoever to any of said real properties adverse to the liens and claims of Plaintiff, its successors or assigns, excepting only the right of redemption provided by law; and that the several properties against which the General Judgment is entered shall be ordered sold to Malheur County for the respective amounts of taxes and interest for which such properties are severally liable; and

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That the Clerk of the Court be directed to serve on the Tax Collector of Malheur County, a certified copy of the General Judgment, included in which shall be a list of the properties so ordered sold, with the amounts due thereon; and that said General Judgment, shall constitute and be considered to all intents and purposes a certificate of sale to Malheur County for each of the properties therein described; that where any parcel of real property covered by such General Judgment is under a registration of title certificate, such certificate shall be cancelled, and that such further action shall be taken under the provision of Oregon Laws so as to properly vest title to such properties in the Plaintiff; that said Tax Collector shall take further steps in the matter as are provided by law; and for such other and further relief as may be just and equitable in the premises, including as appropriate the remedies of Writ of Assistance or Writ of Execution to obtain possession of the foreclosed properties.

Dated this 19th day of August 2020.

s/Stephanie Williams  
County Counsel, Malheur County, Oregon  
OSB #925449  
swilliams@malheurco.org  
Attorney for Plaintiff

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2020 FORECLOSURE LIST

TAX TAX INT TO TOTAL  
YEAR AMT 9/15/2020 AMOUNT

MAP/LOT 18S4705BD 3600 CODE- 15  
ACCT#- 8014 NADINE W ATTEBERY, TRUSTEE of the ATTEBERY TRUST dated  
November 6, 1998  
2016/17 555.28 318.34 873.62  
2017/18 557.05 230.23 787.28  
2018/19 577.83 146.36 724.19  
2019/20 601.81 56.15 657.96  
TOTAL 2,291.97 751.08 3,043.05

MAP/LOT 18S4705BD 3200 CODE- 15  
ACCT#- 19718 NADINE W ATTEBERY  
2016/17 2,279.68 1,306.94 3,586.62  
2017/18 2,286.17 944.87 3,231.04  
2018/19 2,360.65 597.95 2,958.60  
2019/20 2,493.38 232.63 2,726.01  
TOTAL 9,419.88 3,082.39 12,502.27

MAP/LOT 18S4705BD 3200 CODE- 15  
ACCT#- 900295 NADINE W ATTEBERY  
2016/17 42.48 24.35 66.83  
2017/18 42.29 17.48 59.77  
2018/19 48.14 12.20 60.34  
2019/20 45.18 4.22 49.40  
TOTAL 178.09 58.25 236.34

MAP/LOT 18S4705BD 3200 CODE- 15  
ACCT#- 902717 NADINE W ATTEBERY  
2016/17 49.56 28.41 77.97  
2017/18 49.34 20.40 69.74  
2018/19 56.16 14.22 70.38  
2019/20 52.71 4.92 57.63  
TOTAL 207.77 67.95 275.72

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MAP/LOT 18S4710DA 5800 CODE- 1  
ACCT#- 18467 DAMIAN A BETANCOURT

2016/17	227.88	129.81	357.69
2017/18	255.11	105.44	360.55
2018/19	263.20	66.66	329.86
<u>2019/20</u>	<u>280.66</u>	<u>26.19</u>	<u>306.85</u>
TOTAL	1,026.85	328.10	1,354.95

MAP/LOT 18S4710DA 5800 CODE- 1  
ACCT#- 901099 DAMIAN A BETANCOURT  
DEYSI CID GONZALEZ

2016/17	19.02	10.21	29.23
2017/18	40.05	16.55	56.60
2018/19	40.60	10.29	50.89
<u>2019/20</u>	<u>39.74</u>	<u>3.72</u>	<u>43.46</u>
TOTAL	139.41	40.77	180.18

MAP/LOT 18S4710DA 6000 CODE- 1  
ACCT#- 18469 DAMIAN A BETANCOURT  
DEYSI GONZALEZ

2016/17	225.74	128.49	354.23
2017/18	255.11	105.44	360.55
2018/19	263.20	66.66	329.86
<u>2019/20</u>	<u>280.66</u>	<u>26.19</u>	<u>306.85</u>
TOTAL	1,024.71	326.78	1,351.49

MAP/LOT 18S4710DA 6000 CODE- 1  
ACCT#- 902033 DAMIAN A BETANCOURT

2016/17	--	--	--
2017/18	43.09	17.80	60.89
2018/19	43.64	11.06	54.70
<u>2019/20</u>	<u>42.78</u>	<u>3.99</u>	<u>46.77</u>
TOTAL	129.51	32.85	162.36



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MAP/LOT 32S4105 1200 CODE- 39  
ACCT#- 12164 MARK JOSEPH FANUCCHI  
ALLISON AMBER FANUCCHI

2016/17	2.59	1.48	4.07
2017/18	2.63	1.08	3.71
2018/19	2.71	.68	3.39
<u>2019/20</u>	<u>2.80</u>	<u>.26</u>	<u>3.06</u>
TOTAL	10.73	3.50	14.23

MAP/LOT 18S4704AD 1507 CODE- 1  
ACCT#- 650 MICHAEL GONZALES

2016/17	264.44	151.61	416.05
2017/18	271.08	112.04	383.12
2018/19	279.67	70.84	350.51
<u>2019/20</u>	<u>298.26</u>	<u>27.83</u>	<u>326.09</u>
TOTAL	1,113.45	362.32	1,475.77

MAP/LOT 18S4706A 2900 CODE- 15  
ACCT#- 18542 RANDY HENDRICKSON  
TERESA ANN SMITH

2016/17	111.50	60.48	171.98
2017/18	258.46	106.82	365.28
2018/19	268.07	67.90	335.97
<u>2019/20</u>	<u>285.25</u>	<u>26.61</u>	<u>311.86</u>
TOTAL	923.28	261.81	1,185.09

MAP/LOT 18S4706A 2900 CODE- 15  
ACCT#- 903776 RANDY HENDRICKSON  
TERESA ANN SMITH

2016/17	158.63	90.03	248.66
2017/18	176.98	73.14	250.12
2018/19	163.96	41.53	205.49
<u>2019/20</u>	<u>159.72</u>	<u>14.91</u>	<u>174.63</u>
TOTAL	659.29	219.61	878.90

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MAP/LOT 19S4719D 100 CODE- 29  
ACCT#- 9731            NETTIE M HIATT  
                             ALLEN L JONES  
                             STEVEN R ROSS

2016/17	974.13	538.92	1,513.05
2017/18	1,424.26	588.64	2,012.90
2018/19	1,488.81	377.12	1,865.93
<u>2019/20</u>	<u>1,604.31</u>	<u>149.67</u>	<u>1,753.98</u>
TOTAL	5,491.51	971.93	7,145.86

MAP/LOT 19S4732AA 5500 CODE- 2  
ACCT#- 3890            ELROY JACKSON

2016/17	556.16	318.15	874.31
2017/18	571.20	236.08	807.28
2018/19	619.88	157.01	776.89
<u>2019/20</u>	<u>636.47</u>	<u>59.38</u>	<u>695.85</u>
TOTAL	2,383.71	770.62	3,154.33

MAP/LOT 20S4205BC 1400 CODE- 16  
ACCT#- 8897            ELIZABETH JACOBY  
                             JACOB REDDICK

2016/17	91.49	52.46	143.95
2017/18	93.69	38.73	132.42
2018/19	96.87	24.54	121.41
<u>2019/20</u>	<u>99.60</u>	<u>9.30</u>	<u>108.90</u>
TOTAL	381.65	125.03	506.68

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MAP/LOT 20S4205BC 1400 CODE- 16  
ACCT#- 901469 ELIZABETH JACOBY  
JACOB REDDICK

2016/17	62.14	35.62	97.76
2017/18	61.86	25.57	87.43
2018/19	62.05	15.72	77.77
<u>2019/20</u>	<u>59.21</u>	<u>5.52</u>	<u>64.73</u>
TOTAL	245.26	82.43	327.69

MAP/LOT 20S4205BC 1900 CODE- 16  
ACCT#- 8905 ELIZABETH JACOBY  
JACOB REDDICK

2016/17	2.61	1.49	4.10
2017/18	2.65	1.09	3.74
2018/19	2.73	.69	3.42
<u>2019/20</u>	<u>2.81</u>	<u>.27</u>	<u>3.08</u>
TOTAL	10.80	3.54	14.34

MAP/LOT 31S41 11101 CODE- 39  
ACCT#- 11905 EUNICE H JUNG

2016/17	10.00	5.73	15.73
2017/18	10.24	4.24	14.48
2018/19	10.60	2.69	13.29
<u>2019/20</u>	<u>10.88</u>	<u>1.01</u>	<u>11.89</u>
TOTAL	41.72	13.67	55.39

MAP/LOT 18S4717A 4900 CODE- 15  
ACCT#- 8545 WILLIAM DEAN LEWIS & LOUISE S. LEWIS, TRUSTEES *of the*  
*WILLIAM DEAN LEWIS AND LOUISE S. LEWIS REVOCABLE*  
*LIVING TRUST, DATED THE 27<sup>TH</sup> DAY OF JANUARY 2001*

2016/17	59.71	31.84	91.55
2017/18	179.63	74.24	253.87
2018/19	185.65	47.02	232.67
<u>2019/20</u>	<u>196.39</u>	<u>18.33</u>	<u>214.72</u>
TOTAL	621.38	171.43	792.81

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MAP/LOT 18S4717A 5500 CODE- 15  
ACCT#- 8551 WILLIAM DEAN LEWIS & LOUISE S. LEWIS, TRUSTEES, *of the*  
*WILLIAM DEAN LEWIS AND LOUISE S. LEWIS REVOCABLE*  
*LIVING TRUST, DATED THE 27TH DAY OF JANUARY 2001*

2016/17	607.14	323.79	930.93
2017/18	1,867.06	771.66	2,638.72
2018/19	1,975.28	500.34	2,475.62
<u>2019/20</u>	<u>2,076.23</u>	<u>193.71</u>	<u>2,269.94</u>
TOTAL	6,525.71	1,789.50	8,315.21

MAP/LOT 20S4625C 500 CODE- 32  
ACCT#- 10258 MICHAEL MCCLAIN  
C. ROLLEAN MCCLAIN

2016/17	1,180.00	664.01	1,844.01
2017/18	1,474.52	609.42	2,083.94
2018/19	1,587.43	402.10	1,989.53
<u>2019/20</u>	<u>1,632.77</u>	<u>152.34</u>	<u>1,785.11</u>
TOTAL	5,874.72	1,827.87	7,702.59

MAP/LOT 17S4731AA 1400 CODE- 15  
ACCT#- 7256 DONNA MCGEE

2016/17	1,217.03	673.38	1,890.41
2017/18	1,848.33	763.91	2,612.24
2018/19	1,878.15	475.74	2,353.89
<u>2019/20</u>	<u>1,943.75</u>	<u>181.35</u>	<u>2,125.10</u>
TOTAL	6,887.26	2,094.38	8,981.64

MAP/LOT 18S4530AD 2000 CODE- 3  
ACCT#- 5149 PR INVESTOR SERVICES INC *as Agent for the Series 2000-A*  
*Noteholders in Meridian Mortgage Investors Fund I*  
JOHN DOWELL  
JERI LEE DOWELL

2016/17	800.90	459.15	1,260.05
2017/18	843.63	348.67	1,192.30
2018/19	876.14	221.93	1,098.07
<u>2019/20</u>	<u>897.75</u>	<u>83.76</u>	<u>981.51</u>
TOTAL	3,418.42	1,113.51	4,531.93

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MAP/LOT 31S41 7900 CODE- 39  
ACCT#- 11870 BEULAH A ROBERTS

2016/17	10.00	5.73	15.73
2017/18	10.24	4.24	14.48
2018/19	10.60	2.69	13.29
<u>2019/20</u>	<u>10.88</u>	<u>1.01</u>	<u>11.89</u>
TOTAL	41.72	13.67	55.39

MAP/LOT 31S41 17501 CODE- 39  
ACCT#- 11976 IVOR ROBERTS

2016/17	10.00	5.73	15.73
2017/18	10.24	4.24	14.48
2018/19	10.60	2.69	13.29
<u>2019/20</u>	<u>10.88</u>	<u>1.01</u>	<u>11.89</u>
TOTAL	41.72	13.67	55.39

MAP/LOT 15S4224D 1200 CODE- 9  
ACCT#- 5768 MARGARET E SMITH  
CHARLES SMITH

2016/17	21.38	12.26	33.64
2017/18	22.90	9.46	32.36
2018/19	23.95	6.06	30.01
<u>2019/20</u>	<u>24.47</u>	<u>2.28</u>	<u>26.75</u>
TOTAL	92.70	30.06	122.76

MAP/LOT 31S41 19300 CODE- 39  
ACCT#- 11990 WILLIAM R WOOD

2016/17	19.95	11.44	31.39
2017/18	20.43	8.44	28.87
2018/19	21.12	5.34	26.46
<u>2019/20</u>	<u>21.72</u>	<u>2.04</u>	<u>23.76</u>
TOTAL	83.22	27.26	110.48