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

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

7 Plaintiff,

8 v.

9 **MARY LU BAGLEY; ERIKA R. BILL,**  
10 **ROBERT E. BILL AND JUDITH L. BILL,**  
*co-trustees of the Erika R. Bill Revocable*  
11 *Living Trust dated March 22, 1996;*  
12 **MARTIN CASTELLANOZ; PRISCILLA**  
**CASTELLANOZ; DONNA B COLLINS;**  
13 **TODD DEAN HENRICKS; EMMA I.**  
**HOUX,** *as sole trustee of the Restated Emma*  
14 *I. Houx Revocable Living Trust, as*  
*completely restated on December 5, 2013;*  
15 **RONALD L. LOPEZ; WILLIAM MAC**  
**GILLIVRAY; MARY MAC GILLIVRAY;**  
16 **JOSE LUIS MARTINEZ JR.; JOSE LUIS**  
**MARTINEZ SR; JESSIE RODRIGUEZ;**  
17 **MICHELLE A. SADAMORI; JASON**  
**TOLMAN; YVONNE TOLMAN; BILLY**  
18 **TUCKER,** *and also any persons owning or*  
*claiming to own or having or claiming to have*  
19 *any interest in any property included in the*  
*2023 Tax Foreclosure List described herein,*

20 Defendants.

Case No.  
COMPLAINT

(Application for judgment of foreclosure of tax liens)

CLAIMS NOT SUBJECT TO MANDATORY  
ARBITRATION

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22 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.

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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, 2023. 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

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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 2022-23 which were unpaid and delinquent on May 17, 2023, 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.

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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 27, 2023.

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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, 2023, 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.

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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.

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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

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properties are first liens and paramount to any other interest, title estate or claim in or to any of said properties.

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, 2023 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

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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

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 23rd day of August 2023.

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

2023 FORECLOSURE LIST

TAX YEAR	TAX AMT	INT TO 9/15/2023	TOTAL AMOUNT
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MAP/LOT 15S4224CD		1600 CODE- 9	
ACCT#- 5746		BAGLEY, MARY LU	
2019/20	673.85	386.31	1,060.16
2020/21	689.83	285.10	974.93
2021/22	738.75	187.14	925.89
<u>2022/23</u>	<u>722.84</u>	<u>64.23</u>	<u>787.07</u>
TOTAL	2,825.27	922.78	3,748.05

MAP/LOT 23S3727D		1400 CODE- 22	
ACCT#- 9213		ERIKA R. BILL, ROBERT E. BILL, and JUDITH L. BILL, <i>Co-trustees of the Erika R. Bill Revocable Living Trust dated March 22, 1996</i>	
2019/20	0.10	0.06	0.16
2020/21	0.10	0.03	0.13
2021/22	0.10	0.03	0.13
<u>2022/23</u>	<u>0.09</u>	<u>--</u>	<u>0.09</u>
TOTAL	0.39	0.12	0.51

MAP/LOT 19S4732BB		3600 CODE- 2	
ACCT#- 4229		CASTELLANOZ, MARTIN CASTELLANOZ, PRISCILLA	
2019/20	1,458.69	836.27	2,294.96
2020/21	1,497.22	618.81	2,116.03
2021/22	1,537.98	389.57	1,927.55
<u>2022/23</u>	<u>1,579.11</u>	<u>140.33</u>	<u>1,719.44</u>
TOTAL	6,073.00	1,984.98	8,057.98

MAP/LOT 19S4732BB		3800 CODE- 2	
ACCT#- 4231		CASTELLANOZ, MARTIN CASTELLANOZ, PRISCILLA	
2019/20	134.48	77.09	211.57
2020/21	139.31	57.57	196.88
2021/22	180.90	45.82	226.72
<u>2022/23</u>	<u>180.81</u>	<u>16.06</u>	<u>196.87</u>
TOTAL	635.50	196.54	832.04

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TAX TAX INT TO TOTAL  
YEAR AMT 9/15/2023 AMOUNT

MAP/LOT 18S4707DA 1702 CODE- 15  
ACCT#- 8228 COLLINS, DONNA B  
2019/20 801.13 459.28 1,260.41  
2020/21 828.45 342.40 1,170.85  
2021/22 841.39 213.12 1,054.51  
2022/23 856.73 76.13 932.86  
TOTAL 3,327.70 1,090.93 4,418.63

MAP/LOT 18S4710CD 1800 CODE- 15  
ACCT#- 8389 HENRICKS, TODD DEAN  
2019/20 1,025.13 587.63 1,612.76  
2020/21 1,073.15 443.53 1,516.68  
2021/22 1,100.48 278.75 1,379.23  
2022/23 1,120.65 99.59 1,220.24  
TOTAL 4,319.41 1,409.50 5,728.91

MAP/LOT 32S40 7300 CODE- 39  
ACCT#- 12104 EMMA I. HOUX, *as sole trustee of the Restated Emma I.  
Houx Revocable Trust, as completely restated on December 5,  
2013*  
2019/20 18.47 10.59 29.06  
2020/21 18.95 7.83 26.78  
2021/22 20.53 5.20 25.73  
2022/23 19.96 1.77 21.73  
TOTAL 77.91 25.39 103.30

MAP/LOT 18S4521D 900 CODE- 43  
ACCT#- 19204 LOPEZ, RONALD L  
2019/20 -- -- --  
2020/21 299.86 123.94 423.80  
2021/22 321.82 81.51 403.33  
2022/23 314.46 27.95 342.41  
TOTAL 936.14 233.40 1,169.54



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TAX      TAX      INT TO      TOTAL  
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MAP/LOT 18S4521D                      900 CODE- 43  
ACCT#- 903518                              LOPEZ, RONALD L  
2019/20    359.94    202.51    562.45  
2020/21    525.90    217.35    743.25  
2021/22    591.14    149.73    740.87  
2022/23    685.67    60.93    746.60  
TOTAL 2,162.65    630.52    2,793.17

MAP/LOT 31S41                              5600 CODE- 39  
ACCT#- 11841                              MAC GILLIVRAY, WILLIAM  
    MAC GILLIVRAY, MARY  
2019/20    5.40            3.09    8.49  
2020/21    5.52    2.28    7.80  
2021/22    6.00    1.53    7.53  
2022/23    5.82    .51    6.33  
TOTAL 22.74    7.41    30.15

MAP/LOT 16S4736                              800 CODE- 12  
ACCT#- 6422                              MARTINEZ, JOSE LUIS JR 50%  
    MARTINEZ, JOSE LUIS SR 50%  
2019/20    5.11    2.73    7.84  
2020/21    413.86    171.04    584.90  
2021/22    440.03    111.45    551.48  
2022/23    293.24    26.06    319.30  
TOTAL 1,152.24    311.28    1,463.52

MAP/LOT 17S4733B                              3600 CODE- 15  
ACCT#- 7322                              RODRIGUEZ, JESSIE  
2019/20    662.05    379.55    1,041.60  
2020/21    675.48    279.18    954.66  
2021/22    685.97    173.76    859.73  
2022/23    698.43    62.07    760.50  
TOTAL 2,721.93    894.56    3,616.49

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<u>TAX</u>	<u>TAX</u>	<u>INT TO</u>	<u>TOTAL</u>
<u>YEAR</u>	<u>AMT</u>	<u>9/15/2023</u>	<u>AMOUNT</u>

MAP/LOT 19S4732CA		2100 CODE- 2	
ACCT#- 4424		SADAMORI, MICHELLE A	
2019/20	1,834.76	1,051.87	2,886.63
2020/21	2,035.27	841.18	2,876.45
2021/22	2,090.71	529.57	2,620.28
<u>2022/23</u>	<u>2,146.66</u>	<u>190.77</u>	<u>2,337.43</u>
TOTAL	8,107.40	2,613.39	10,720.79

MAP/LOT 18S4530AA		8700 CODE- 3	
ACCT#- 5039		TOLMAN, JASON	
		TOLMAN, YVONNE	
2019/20	1,120.49	640.16	1,760.65
2020/21	1,294.83	535.15	1,829.98
2021/22	1,365.16	345.79	1,710.95
<u>2022/23</u>	<u>1,363.73</u>	<u>121.19</u>	<u>1,484.92</u>
TOTAL	5,144.21	1,642.29	6,786.50

MAP/LOT 19S4729CC		1600 CODE- 2	
ACCT#- 3439		TUCKER, BILLY	
2019/20	137.74	78.97	162.73
2020/21	141.49	58.48	199.97
2021/22	145.44	36.84	182.28
<u>2022/23</u>	<u>149.45</u>	<u>13.28</u>	<u>162.73</u>
TOTAL	574.12	187.57	761.69