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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.

ROGER ALLEN, CHARLENE A BAIR, DEBBIE STRETCH, CONNIE STRONG, ROBERT BAIR, DAMIAN A BETANCOURT, DEYSI BETANCOURT, DEYSI CID GONZALEZ, BISEL FAMILY TRUST, WILLIAM BURKHARDT, DEMA BURKHARDT, LINDA K EASON, JOHN F BUTLER, EMMA L BUTLER, JUAN CANTU, SYLVIA CANTU, MARTIN E CLARK, LYN R CLARK, MELINDA A COOK, SUSAN COX, JAY FARLEY, CHERYL FARLEY, ROSA GONZALEZ, ELIDA DANIEL, KATHERINE S GRAY, RANDY HENDRICKSON, TERESA ANN SMITH, TODD DEAN HENRICKS, SHIRLEY N LASSITER, NOE S VALDIVIA, NORMA A VALDIVIA, JOSEPH P MC KENNA JR, ANTHONY J MC KENNA, BEARCAT TRUST, ISABEL M MEDRANO, BAUDELIO RODRIGUEZ, CHARLES A TESTER, SALLY A TESTER, REGINALD R TURNER, ALBERTO VILLARREAL
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

1 Plaintiff alleges:

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4 Plaintiff, a duly organized county and political subdivision of the State of Oregon,
5 through its tax collector is required to commence tax foreclosure proceedings pursuant to ORS
6 312.050.

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9 Plaintiff has prepared a list of real properties subject to foreclosure for delinquent taxes
10 pursuant to ORS 312.030, which contains the names of the several persons appearing on the
11 latest tax roll as the respective owners of the tax delinquent properties, a description of each such
12 property as the same appears in said latest tax roll, the year or years for which taxes are
13 delinquent on each property, together with the principal amount of the delinquent taxes of each
14 year, and the amount of accrued interest thereon to September 15, 2016. The Tax Foreclosure
15 List is attached as "Exhibit 1" and incorporated herein.
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19 The Tax Foreclosure List includes all real properties appearing on the tax rolls in the
20 Office of Malheur County Tax Collector on which taxes, together with all special assessments,
21 fees and other charges, have been delinquent for more than three (3) years from the earliest date
22 of such delinquency. By reason of the expiration of more than three (3) years from the earliest
23 date of delinquency the lien of all such delinquent taxes against each of the properties included in
24 the Tax Foreclosure List has become subject to foreclosure under the provisions of ORS
25 312.030.
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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 2015-2016 which were unpaid and delinquent on May 15, 2016, 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.

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 17, 2016.

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, 2016, 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.

9

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.

10

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

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2 WHEREFORE, Plaintiff prays for General Judgment of this court for the full amount of
3 taxes, special assessments, fees or other charges, and interest due on and charged against each of
4 the several properties on the Tax Foreclosure List, together with interest thereon at the rate of
5 sixteen percent (16%) per annum from September 15, 2016 to the date of such General
6 Judgment, and accruing interest on said General Judgment at the legal rate of interest per annum
7 thereafter; and
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9 For a General Judgment that the amounts of such taxes, special assessments, fees or other
10 charges and interest are first liens on the respective parcels of real property included in the Tax
11 Foreclosure List; and that such liens are paramount and superior to any and all claims to such
12 properties by defendants, or any of them by any person known or unknown, owing or claiming to
13 own, or having or claiming to have any lien thereon, or right, title or interest therein, and that
14 each and all of them be forever foreclosed and barred from asserting any claims whatsoever to
15 any of said real properties adverse to the liens and claims of Plaintiff, its successors or assigns,
16 excepting only the right of redemption provided by law; and that the several properties against
17 which the General Judgment is entered shall be ordered sold to Malheur County for the
18 respective amounts of taxes and interest for which such properties are severally liable; and
19

20 That the Clerk of the Court be directed to serve on the Tax Collector of Malheur County,
21 a certified copy of the General Judgment, included in which shall be a list of the properties so
22 ordered sold, with the amounts due thereon; and that said General Judgment, shall constitute and
23 be considered to all intents and purposes a certificate of sale to Malheur County for each of the
24 properties therein described; that where any parcel of real property covered by such General
25 Judgment is under a registration of title certificate, such certificate shall be cancelled, and that
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2 such further action shall be taken under the provision of Oregon Laws so as to properly vest title
3 to such properties in the Plaintiff; that said Tax Collector shall take further steps in the matter as
4 are provided by law; and for such other and further relief as may be just and equitable in the
5 premises, including as appropriate the remedies of Writ of Assistance or Writ of Execution to
6 obtain possession of the foreclosed properties.
7

8 Dated this 18th day of August 2016.

9
10 s/ _____
11 STEPHANIE WILLIAMS
12 County Counsel, Malheur County, Oregon
13 OSB #925449
14 swilliams@malheurco.org
15 Attorney for Plaintiff
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2016 FORECLOSURE LIST

TAX YEAR	TAX AMOUNT	INT TO 9/15/2016	TOTAL AMOUNT
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MAP/LOT 18S4704CD 10401 CODE-1
 ACCT#- 1177 ROGER ALLEN

2012/13	1,034.02	592.81	1,626.83
2013/14	1,045.67	432.17	1,477.84
2014/15	1,079.48	273.43	1,352.91
2015/16	1,100.09	102.63	1,202.72
TOTAL	4,259.26	1,401.04	5,660.30

MAP/LOT 18S4707DA 1100 CODE-15
 ACCT#- 8220 CHARLENE A BAIR
 DEBBIE STRETCH
 CONNIE STRONG
 ROBERT BAIR

2012/13	423.06	236.12	659.18
2013/14	552.96	228.54	781.50
2014/15	597.65	151.38	749.03
2015/16	604.84	56.43	661.27
TOTAL	2,178.51	672.47	2,850.98

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

2012/13	224.17	128.52	352.69
2013/14	226.74	93.71	320.45
2014/15	235.75	59.71	295.46
2015/16	242.44	22.62	265.06
TOTAL	929.10	304.56	1,233.66

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

2012/13	224.17	128.52	352.69
2013/14	226.74	93.71	320.45
2014/15	235.75	59.71	295.46
2015/16	242.44	22.62	265.06
TOTAL	929.10	304.56	1,233.66

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

2012/13	75.35	43.19	118.54
2013/14	74.35	30.72	105.07
2014/15	67.56	17.11	84.67
2015/16	70.05	6.53	76.58
TOTAL	287.31	97.55	384.86

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

2013/14	56.85	23.44	80.29
2014/15	53.02	13.43	66.45
2015/16	55.04	5.14	60.18
TOTAL	164.91	42.01	206.92

MAP/LOT 33S40 8303 CODE-39
 ACCT#- 12409 BISEL FAMILY TRUST

2012/13	2.41	1.38	3.79
2013/14	2.42	1.00	3.42
2014/15	2.47	.63	3.10
2015/16	2.57	.24	2.81
TOTAL	9.87	3.25	13.12

MAP/LOT 19S4730B 200 CODE-29
 ACCT#- 9697 WILLIAM BURKHARDT
 DEMA BURKHARDT
 LINDA K EASON

2012/13	579.02	326.95	905.97
2013/14	711.33	293.99	1,005.32
2014/15	729.12	184.68	913.80
2015/16	659.41	61.53	720.94
TOTAL	2,678.88	867.15	3,546.03

MAP/LOT 31S4125 3500 CODE-39
 ACCT#- 11962 JOHN F BUTLER
 EMMA L BUTLER

2012/13	1.02	.58	1.60
2013/14	1.02	.42	1.44
2014/15	1.06	.27	1.33
2015/16	1.07	.10	1.17
TOTAL	4.17	1.37	5.54

MAP/LOT 18S4710DA 1900 CODE-1
 ACCT#- 3340 JUAN CANTU
 SYLVIA CANTU

2012/13	165.64	91.45	257.09
2013/14	266.60	110.18	376.78
2014/15	277.19	70.21	347.40
2015/16	285.08	26.60	311.68
TOTAL	994.51	298.44	1,292.95

MAP/LOT 18S4710DA 1900 CODE-1
 ACCT#- 902645 JUAN CANTU
 SYLVIA CANTU

2012/13	117.39	63.24	180.63
2013/14	298.92	123.55	422.47
2014/15	273.13	69.18	342.31
2015/16	282.93	26.40	309.33
TOTAL	972.37	282.37	1,254.74

MAP/LOT 19S4731A 1500 CODE-2
 ACCT#- 9913 MARTIN E CLARK
 LYN R CLARK

2012/13	740.95	395.15	1,136.10
2013/14	2,171.20	897.36	3,068.56
2014/15	2,044.90	517.97	2,562.87
2015/16	3,064.50	285.93	3,350.43
TOTAL	8,021.55	2,096.41	10,117.96

MAP/LOT 33S40 8302 CODE-39
 ACCT#- 12408 MELINDA A COOK

2012/13	2.41	1.38	3.79
2013/14	2.42	1.00	3.42
2014/15	2.47	.63	3.10
2015/16	2.57	.24	2.81
TOTAL	9.87	3.25	13.12

MAP/LOT 18S4703BD 600 CODE-1
 ACCT#- 261 SUSAN COX

2003/4	341.04	686.61	1,027.65
2004/5	350.94	650.40	1,001.34
2005/6	359.46	608.67	968.13
2006/7	370.04	567.38	937.42
2007/8	381.02	523.25	904.27
2008/9	397.69	482.52	880.21
2012/13	500.74	287.08	787.82
2013/14	506.31	209.25	715.56
2014/15	525.78	133.17	658.95
2015/16	540.30	50.41	590.71
TOTAL	4,273.32	4,198.74	8,472.06

MAP/LOT 16S47 15400 CODE-12
 ACCT#- 6303 JAY FARLEY
 CHERYL FARLEY

2012/13	578.16	330.67	908.83
2013/14	603.80	249.55	853.35
2014/15	627.00	158.82	785.82
2015/16	636.41	59.38	695.79
TOTAL	2,445.37	798.42	3,243.79

MAP/LOT 16S47 15400 CODE-12
 ACCT#- 903905 JAY FARLEY
 CHERYL FARLEY

2012/13	527.54	296.76	824.30
2013/14	658.72	272.25	930.97
2014/15	601.85	152.45	754.30
2015/16	624.89	58.30	683.19
TOTAL	2,413.00	779.76	3,192.76

MAP/LOT 18S4703BC 4200 CODE-1
 ACCT#- 130 ROSA GONZALEZ
 ELIDA DANIEL

2012/13	275.69	158.05	433.74
2013/14	278.87	115.26	394.13
2014/15	289.91	73.43	363.34
2015/16	298.17	27.82	325.99
TOTAL	1,142.64	374.56	1,517.20

MAP/LOT 19S4729DB 1800 CODE-2
 ACCT#- 16854 KATHERINE S GRAY

2013/14	69.15	27.04	96.19
2014/15	118.27	29.96	148.23
2015/16	108.19	10.09	118.28
TOTAL	295.61	67.09	362.70

MAP/LOT 19S4729DB 1800 CODE-2
 ACCT#- 903456 KATHERINE S GRAY

2012/13	154.15	82.21	236.36
2013/14	603.37	249.37	852.74
2014/15	538.15	136.31	674.46
2015/16	498.75	46.53	545.28
TOTAL	1,794.42	514.42	2,308.84

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

2012/13	230.96	132.41	363.37
2013/14	234.29	96.83	331.12
2014/15	244.15	61.84	305.99
2015/16	251.28	23.44	274.72
TOTAL	960.68	314.52	1,275.20

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

2012/13	205.79	117.98	323.77
2013/14	202.83	83.83	286.66
2014/15	186.23	47.17	233.40
2015/16	192.92	18.00	210.92
TOTAL	787.77	266.98	1,054.75

MAP/LOT 18S4710CD 1800 CODE-15
 ACCT#- 8389 TODD DEAN HENRICKS

2012/13	881.08	505.12	1,386.20
2013/14	848.91	350.85	1,199.76
2014/15	891.02	225.69	1,116.71
2015/16	914.21	85.29	999.50
TOTAL	3,535.22	1,166.95	4,702.17

MAP/LOT 19S4732BA 2700 CODE-2
 ACCT#- 4111 SHIRLEY N LASSITER
 NOE S VALDIVIA
 NORMA A VALDIVIA

2012/13	734.42	420.98	1,155.40
2013/14	741.59	306.51	1,048.10
2014/15	756.35	191.59	947.94
2015/16	683.09	63.73	746.82
TOTAL	2,915.45	982.81	3,898.26

MAP/LOT 17S4716 900 CODE-15
 ACCT#- 6901 JOSEPH P JR MC KENNA
 ANTHONY J MC KENNA
 BEARCAT TRUST

2012/13	1.33	.76	2.09
2013/14	1.34	.55	1.89
2014/15	1.39	.35	1.74
2015/16	1.43	.13	1.56
TOTAL	5.49	1.79	7.28

MAP/LOT 18S4703BD 700 CODE-1
 ACCT#- 262 ISABEL M MEDRANO
 2012/13 655.33 374.60 1,029.93
 2013/14 690.45 285.36 975.81
 2014/15 717.23 181.67 898.90
 2015/16 737.21 68.79 806.00
 TOTAL 2,800.22 910.42 3,710.64

MAP/LOT 18S4704AD 5800 CODE-1
 ACCT#- 724 BAUDELIO RODRIGUEZ
 2012/13 1,110.28 636.52 1,746.80
 2013/14 1,122.86 464.08 1,586.94
 2014/15 1,162.30 294.41 1,456.71
 2015/16 1,194.64 111.46 1,306.10
 TOTAL 4,590.08 1,506.47 6,096.55

MAP/LOT 18S4520CB 1700 CODE-3
 ACCT#- 4587 CHARLES A TESTER
 SALLY A TESTER
 2012/13 902.30 517.08 1,419.38
 2013/14 184.08 76.08 260.16
 2014/15 188.57 47.77 236.34
 2015/16 193.52 18.06 211.58
 TOTAL 1,468.47 658.99 2,127.46

MAP/LOT 31S41 19400 CODE-39
 ACCT#- 11991 REGINALD R TURNER
 2012/13 18.51 10.61 29.12
 2013/14 18.70 7.72 26.42
 2014/15 19.17 4.85 24.02
 2015/16 19.72 1.84 21.56
 TOTAL 76.10 25.02 101.12

MAP/LOT 18S4704DA 6700 CODE-1
 ACCT#- 1255 ALBERTO VILLARREAL
 2012/13 545.98 313.00 858.98
 2013/14 552.06 228.17 780.23
 2014/15 573.34 145.23 718.57
 2015/16 589.22 54.98 644.20
 TOTAL 2,260.60 741.38 3,001.98