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

Kenneth Yuill, an individual,
Plaintiff,

vs.

Home Depot, USA, Inc., a Delaware corporation and Oregon foreign business corporation; the State of Oregon, by and through its Department of Transportation; Clatsop County of Oregon; Douglass Land and Trust Company a/k/a Douglas Land and Trust Company, an inactive Oregon corporation; All Other Occupants and Claimants, if any,
Defendants.

Case No.: 21CV29018

GENERAL JUDGMENT BY DEFAULT AGAINST DEFENDANTS CLATSOP COUNTY OF OREGON AND THE STATE OF OREGON, BY AND THROUGH ITS DEPARTMENT OF TRANSPORTATION

This matter came before this Court on Plaintiff's motion for a Judgment by Default against Defendant Clatsop County of Oregon ("Clatsop County") and Defendant the State of Oregon by and through its Department of Transportation ("ODOT"). It appeared to the Court from an examination of the records and files that an order of default was entered against Clatsop County on September 1, 2021, and that an order of default was entered against ODOT on 10-7-2021.

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Based on the records and files herein, the Court finding generally in favor of Plaintiff and against Defendants Clatsop County and ODOT (together, "Defendants"), and the Court being fully advised in the premises;

Now, therefore, IT IS HEREBY ADJUDGED that:

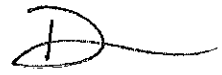
A. Plaintiff is the owner in fee simple of the Property (as described in Plaintiff's Complaint) and is entitled to possession thereof, free of any estate, title, claim, lien, or interest of Defendants or those claiming under Defendants. Title in the premises and in the Property is quieted in Plaintiff. The Property is legally described as follows:

A tract of land situated in the Northwest quarter of Section 27, Township 8 North, Range 10 West, Willamette Meridian, City of Warrenton, County of Clatsop, State of Oregon, being bounded as follows:
On the West by the Warrenton Cut Off Road No. 200;
On the South by the Westerly projection of the South line of the Subdivision of Tract 3, Chelsea, as recorded in Plat Book 1, page 13, dated December 3, 1889;
On the East by said Tract 3; and
On the North by the Westerly projection of the South line of Lot 9, Block 2, said Tract 3.

B. Defendants and those claiming under Defendants are enjoined from asserting any estate, title, claim, lien, or interest in the premises or Property or any portion thereof; and

C. Neither Plaintiff nor Defendants shall be awarded their costs, disbursements, or attorney fees incurred herein.

Signed: 10/7/2021 10:29 AM



Circuit Court Judge Dawn M. McIntosh

Submitted by:
Christian Zupancic, OSB #135475
Attorney for Plaintiff Kenneth Yuill

1 UTCR 5.100 CERTIFICATE OF COMPLIANCE

2 The proposed order or judgment submitted with this certificate is ready for judicial signature because:

3 1. Each opposing party affected by this order or judgment has stipulated to the order or
4 judgment, as shown by each opposing party's signature on the document being submitted.

5 2. Each opposing party affected by this order or judgment has approved the order or
6 judgment, as shown by signature on the document being submitted or by written confirmation of
7 approval sent to me.

8 3. I have served a copy of this order or judgment on all parties entitled to service and:

9 a. No objection has been served on me.

10 b. I received objections that I could not resolve with the opposing party
11 despite reasonable efforts to do so. I have filed a copy of the objections I received and indicated which
12 objections remain unresolved.

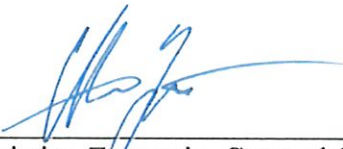
13 c. After conferring about objections, _____ [role and
14 name of opposing party] agreed to independently file any remaining objection.

15 4. Service is not required pursuant to subsection (3) of this rule, or by statute, rule, or
16 otherwise.

17 5. This is a proposed judgment that includes an award of punitive damages and notice has
18 been served on the Director of the Crime Victims' Assistance Section as required by subsection (5) of
19 this rule.

20 6. Other: _____.

21 DATED: October 4, 2021.

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26 Christian Zupancic, Counsel for Plaintiff