

RECORDED AT THE REQUEST OF
AND AFTER RECORDING RETURN TO:

H&L Services, Inc., Trustee
1111 Third Avenue, #3400
Seattle, WA 98101

GREEN
91850-27091

K56020

NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by SHERRY A. MILLER, AN UNMARRIED INDIVIDUAL, as grantor, to MOUNTAIN TITLE COMPANY OF KLAMATH COUNTY AN OREGON CORPORATION, as trustee, in favor of WASHINGTON MUTUAL BANK, as beneficiary, dated September 11, 1995, recorded September 25, 1995, in the mortgage records of Klamath County, Oregon, as Fee No. Volume M-95, Page 25676, covering the following described real property situated in the above county and state, to-wit:

SEE APPENDED LEGAL

The real property is more commonly known as: 2020 BRONCO LN, CHILOQUIN, OR 97624.

The undersigned hereby certifies that no assignments of the trust deed by the trustee or by the beneficiary and no appointments of a successor trustee have been made except as recorded in the mortgage records of the county or counties in which the above described real property is situate; further, that no action has been instituted to recover the debt, or any part thereof, now remaining secured by the trust deed, or, if such action has been instituted, such action has been dismissed except as permitted by ORS 86.735(4).

There is a default by the grantor or other person owing an obligation, the performance of which is secured by the trust deed, or by their successor interest, with respect to provisions therein which authorize sale in the event of default of such provision; the default for which foreclosure is made is grantor's failure to pay when due the following sums:

- a. Failure to pay the following sums:

MONTHLY PAYMENTS:

4 monthly payments at \$1,950.28 each; (July 1, 2000 through October 18, 2000.)	\$7,801.12
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LATE CHARGES:

4 late charges of \$97.51 for each monthly payment not made within 15 days of its due date.	390.04
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TOTAL MONTHLY PAYMENTS AND LATE CHARGES:	\$8,191.16
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Plus unpaid real property taxes; plus any reserve account shortage; less any unapplied funds.

By reason of the default, the beneficiary has declared all sums owing on the obligation secured by the trust deed immediately due and payable, the sums being the following, to-wit:

\$224,874.04 Principal Balance, plus interest thereon at the rate of 8.5% from June 1, 2000 through October 18, 2000; plus late charges of \$390.04 through October 18, 2000, plus \$97.51 for every month thereafter the regular monthly payment is more than 15 days late; plus unpaid real property taxes; plus any reserve account shortage; less any unapplied funds; plus all sums expended by beneficiary to protect its interest during the pendency of this proceeding.

Notice hereby is given that the beneficiary and trustee, by reason of the default, have elected and to hereby elect to foreclose the trust deed by advertisement and sale pursuant to ORS 86.705 to 86.795, and to cause to be sold at public auction to the highest bidder for cash the interest in the described property which the grantor had, or had the power to convey, at the time of the execution by grantor of the trust deed, together with any interest the grantor or the grantor's successors in interest acquired after the execution of the trust deed, to satisfy the obligations secured by the trust deed and the expenses of the sale, including the compensations of the trustee as provided by law, and the reasonable fees of trustee's attorneys.

The sale will be held at the hour of 10:00 o'clock, A.M., in accord with the standard of time established by ORS 187.110 on February 23, 2001, at the front entrance of the Klamath County Courthouse, 316 Main Street, in the City of Klamath Falls, State of Oregon, which is the hour, date and place last set for sale.

Other than as shown of record, neither the beneficiary nor the trustee has any actual notice of any person having or claiming to have any lien upon or interest in the real property hereinabove described subsequent to the interest of the trustee in the trust deed, or of any successor in interest to the grantor or of any lessee or other person in possession of or occupying the property, except:

NAME AND LAST KNOWN ADDRESS: NATURE OF RIGHT, LIEN OR INTEREST:

Sherry Green
OCCUPANTS
SHERRY A. MILLER
JOHN DOE MILLER
2020 BRONCO LANE
CHILOQUIN, OR 97624

VESTED OWNERS

P.O. BOX 360
CHILOQUIN, OR 97624

ROBERT J. O'ROURKE AND
ARLENE O. O'ROURKE
8930 HOOD MOUNTAIN CIRCLE
SANTA ROSA, CA 95409

JUNIOR LIEN HOLDER

COPELAND LUMBER YARDS, INC.
901 NE GLISSAN STREET
PORTLAND, OR 97232

JUNIOR LIEN HOLDER

MCPMAHANS FURNITURE
6320 S. 6TH STREET
KLAMATH FALLS, OR 97603

JUNIOR LIEN HOLDER

THE COMMERCIAL AGENCY
P.O. BOX 23909
PORTLAND, OR 97281

JUNIOR LIEN HOLDER

HIGHLAND COMMUNITY FEDERAL
CREDIT UNION
3737 SHASTA WAY
KLAMATH FALLS, OR 97603

JUNIOR LIEN HOLDER

CARTER-JONES COLLECTION, LLC
1143 PINE STREET
KLAMATH FALLS, OR 97601

JUNIOR LIEN HOLDER

DUNLAP & FANNING
3125 CROSBY AVENUE
KLAMATH FALLS, OR 97603

JUNIOR LIEN HOLDER

Notice is further given that any person named in ORS 86.753 has the right, at any time prior to five days before the date last set for the sale, to have this foreclosure proceeding dismissed and the trust deed reinstated by payment to the beneficiary of the entire amount then due (other than such portion of the principal as would not then be due had no default occurred) and by curing any

The following described real property situate in Klamath County, Oregon:

A parcel of land situated in Sections 14 and 15, Township 34 South, Range 7 East of the Willamette Meridian, more particularly described as follows:

Beginning at the Southeast corner of the $W\frac{1}{2}W\frac{1}{2}NW\frac{1}{4}$ of said Section 14; thence North along the East line of said $W\frac{1}{2}W\frac{1}{2}NW\frac{1}{4}$ 183 feet to a point where said East line intersects the centerline of an existing access road said point hereafter being referred to as Point "A"; thence leaving said East line $W\frac{1}{2}W\frac{1}{2}NW\frac{1}{4}$ and following said existing access road in a Westerly direction through portions of said Sections 14 and 15 the following courses and distances: North $61^{\circ}48'34''$ West, 493.18 feet to the beginning of a curve to the left; thence along the arc of a 293.3 feet radius curve to the left, 175.30 feet (delta = $34^{\circ}14'43''$) to the end of curve; thence South $86^{\circ}56'43''$ West, 174.64 feet to the beginning of a curve to the right; thence along the arc of a 576.01 feet radius curve to the right 135.84 feet (delta = $13^{\circ}30'45''$) to the end of curve; thence North $82^{\circ}32'32''$ West 150.41 feet to an angle point; thence North $88^{\circ}43'02''$ West, 281.85 feet to an angle point; thence North $92^{\circ}51'42''$ West, 205.13 feet to the beginning of a curve to the right; thence along the arc of a 278.37 feet radius curve to the right 158.59 feet (delta = $32^{\circ}38'31''$) to a point of reverse curve; thence along the arc of a 458.60 feet radius curve to the left 227.21 feet (delta = $28^{\circ}23'15''$) to the end of curve; thence North $78^{\circ}36'26''$ West 436.87 feet to an angle point; thence North $75^{\circ}35'04''$ West 131.21 feet to the beginning of a curve to the left; thence along the arc of a 262.74 feet radius curve to the left 201.07 feet (delta = $43^{\circ}50'47''$) to the end of curve; thence South $60^{\circ}34'09''$ West, 315.67 feet to an angle point; thence South $54^{\circ}20'06''$ West, 422.43 feet to the beginning of a curve to the right; thence along the arc of a 333.03 feet radius curve to the right 122.21 feet to a point on curve (delta = $21^{\circ}01'33''$) said point on curve being a point where said road centerline intersects the Easterly boundary of that certain parcel of land described in Deed recorded in Deed Volume M75 page 437, Klamath County Deed Records said point also being referred to hereinafter as Point "B" thence leaving said road center line South $02^{\circ}31'11''$ East, 429.72 feet to a $\frac{3}{4}$ inch iron pin; thence South 69° West, 208 feet to a $\frac{3}{4}$ inch iron pin on the Easterly bank of the Williamson River; thence Southerly along the Easterly bank of said Williamson River to a point where said river bank intersects the South line of Government Lot 10 of said Section 15; thence East along the South line of said Government Lot 10 to the Southeast corner thereof; thence East along the South line of the $N\frac{1}{2}NE\frac{1}{4}SE\frac{1}{4}$ of said Section 15 to the Southeast corner thereof; thence East along the South line of the $NW\frac{1}{4}NW\frac{1}{4}SW\frac{1}{4}$ of said Section 14 to the Southeast corner thereof; thence North to the point of beginning.

TOGETHER WITH a non-exclusive private roadway easement for use in common with others over and across a strip of land 30.00 feet in width lying immediately adjacent to but Northerly of the roadway centerline described above running Westerly from Point "A" to Point "B"/

ALSO TOGETHER WITH a tract of land situated in the $E\frac{1}{2}SW\frac{1}{4}NW\frac{1}{4}$ and $NE\frac{1}{4}NW\frac{1}{4}SW\frac{1}{4}$, Section 14, Township 34 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon:

Beginning at a point on the West line of said $NE\frac{1}{4}NW\frac{1}{4}SW\frac{1}{4}$ from which the Southwest corner of same (NW SW $\frac{1}{64}$ Section 14) bears South 00 degrees 13' 09" West 346.24 feet; thence North 00 degrees 13' 09" East 320.02 feet, to the Northwest corner of (C-W-W $\frac{1}{64}$ Section 14); thence North 00 degrees 12' 49" East, along the West line of said $E\frac{1}{2}SW\frac{1}{4}NW\frac{1}{4}$, 174.49 feet; thence South 61 degrees 47' 24" East 75.16 feet; thence South 24 degrees 53' 45" East 81.93 feet; thence South 14 degrees 56' 04" West 398.10 feet to the point of beginning.

AND EXCEPTING THEREFROM a tract of land situated in the $NW\frac{1}{4}NW\frac{1}{4}SW\frac{1}{4}$, Section 14, Township 34 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon.

Beginning at the Southeast corner of said $NW\frac{1}{4}NW\frac{1}{4}SW\frac{1}{4}$ (NW SW $\frac{1}{64}$ Section 14); thence South 89 degrees 35' 50" West along the South line of same, 94.31 feet; thence North 15 degrees 24' 42" East 359.84 feet to East line of same; thence South 00 degrees 13' 09" West 346.24 feet to the point of beginning.

State of Oregon, County of Klamath
Recorded 10/20/00, at 340 P m.
In Vol. M00 Page 38402
Linda Smith,
County Clerk Fee \$ 36⁰⁰