

'02 MAR 20 PM 1:22

RECORDED AT THE REQUEST OF  
AND AFTER RECORDING RETURN TO:  
Roger Clayton  
H&L Services, Inc.  
1111 Third Avenue, #3400  
Seattle, WA 98101

Vol M02 Page 16355

State of Oregon, County of Klamath  
Recorded 03/20/2002 1:22 p.m.  
Vol M02, Pg 16355-58  
Linda Smith, County Clerk  
Fee \$ 36.00 # of Pgs 4

SCOTT  
93531-930738

*K58319*

**NOTICE OF DEFAULT AND ELECTION TO SELL**

Reference is made to that certain trust deed made by VIRGLE LEE SCOTT AND ELSIE SCOTT, AS HUSBAND AND WIFE, as Grantors, to ASPEN TITLE AND ESCROW, AN OREGON CORPORATION, as Trustee, in favor of WASHINGTON MUTUAL BANK, A WASHINGTON CORPORATION, as Beneficiary, which is dated AUGUST 21, 1997, and recorded on AUGUST 22, 1997, in the Mortgage Records of Klamath County, Oregon, as INSTRUMENT No. 44051, VOLUME M97, PAGE 27658, covering the following described real and personal property (the "Property") situated in the above county and state, to-wit:

LOTS 18 AND 19, BLOCK 10, SECOND ADDITION TO NIMROD RIVER PARK, IN THE COUNTY OF KLAMATH, STATE OF OREGON.

The property includes a 1974 28 X 60 mobile home. Manufacturer Silvecrest, Serial No. WS922XGWS922U. The mobile home shall be permanently affixed to the real estate and not severed or removed therefrom without the prior written consent of the Beneficiary. Together with all personal property, which is now or may hereafter be attached to, located in or used or intended to be used in connection herewith (collectively "The Property").

The Beneficiary has elected to treat the property as real estate and to sell it as real estate at the trustee's sale.

The Property is more commonly known as: 32656 HARNEY ROAD, SPRAGUE RIVER, OR 97639.

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 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:

MONTHLY PAYMENTS:	
Number of monthly payments	6
Amount of each monthly payment (SEPTEMBER 21, 2001 through FEBRUARY 21, 2002)	\$524.64
	Monthly Payments subtotal \$3,147.84
LATE CHARGES:	
	Late Charges subtotal \$ 188.53
TOTAL MONTHLY PAYMENTS AND LATE CHARGES:	
	\$3,336.37

In order to cure the default and reinstate this loan, the above amount must be paid in full, in addition to all trustee's and attorneys fees and costs incurred in connection with this or other past foreclosures, and any bankruptcy fees, plus all NSF check fees and miscellaneous lender fees; less any unapplied funds.

*K36*

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:

A principal balance of \$52,872.24, plus interest thereon at the rate of 11.250% from September 4, 2001, until paid; plus late charges of \$26.23 for every month thereafter the regular monthly payment is more than 15 days late; plus reconveyance fees of \$65.00; plus miscellaneous lender fees of \$7.60; plus attorney and trustee's fees and costs for this foreclosure, less any unapplied funds; plus all sums expended by beneficiary to protect its interest during the pendency of this proceeding.

The Beneficiary has elected to proceed as to both the personal property and the real property in accordance with the rights with respect to the real property and as permitted by O.R.S. 79.5010(4). 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 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 FRIDAY, AUGUST 2, 2002, 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 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:
Virgle Lee Scott aka Virgle L. Scott 32656 Harney Road Sprague River, OR 97639	Grantor
Elsie Scott aka Elsie M. Scott 32656 Harney Road Sprague River, OR 97639	Grantor
Residents/Occupants of Premises 32656 Harney Road Sprague River, OR 97639	Occupants
Cindy L. Temple 32656 Harney Road Sprague River, OR 97639	Grantor
Jeweley A. Orth 32656 Harney Road Sprague River, OR 97639	Grantor
Virgle Lee Scott aka Virgle L. Scott P.O. Box 167 Sprague River, OR 97639	Grantor
Elsie Scott aka Elsie M. Scott P.O. Box 167 Sprague River, OR 97639	Grantor

Cindy L. Temple  
P.O. Box 167  
Sprague River, OR 97639

Grantor

Jeweley A. Orth  
P.O. Box 167  
Sprague River, OR 97639

Grantor

Virgle Lee Scott  
aka Virgle L. Scott  
13101 Algoma Road  
Klamath Falls, OR 97601

Grantor

Elsie Scott  
aka Elsie M. Scott  
13101 Algoma Road  
Klamath Falls, OR 97601

Grantor

Cindy L. Temple  
13101 Algoma Road  
Klamath Falls, OR 97601

Grantor


Jeweley A. Orth  
13101 Algoma Road  
Klamath Falls, OR 97601

Grantor

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 other default complained of herein that is capable of being cured by tending the performance required under the obligation or trust deed, and in addition to paying the above sums or tendering the performance necessary to cure the default, by paying all costs and expenses actually incurred in enforcing the obligation and trust deed, together with trustee's and attorney's fees incurred in connection with this or other past foreclosure and any related bankruptcy fees not exceeding the amounts provided by ORS 86.753.

In construing this notice, the singular includes the plural, the word "grantor" includes any successor in interest to the grantor as well as any other person owing the obligation, the performance of which is secured by trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

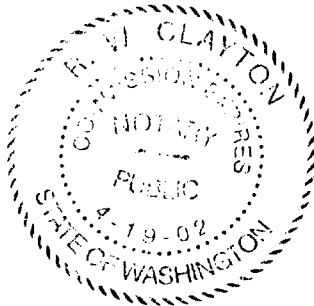
DATED: March 19, 2002.

  
Cory B. Zion, Successor Trustee  
c/o H&L SERVICES, INC.  
1111 THIRD AVENUE, #3400  
Seattle, Washington 98104-7006  
(206) 386-5470

[illegible]

On this 19th day of March, 2002, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Cory B. Zion, to me known to be the Successor Trustee that executed the foregoing instrument, and acknowledged the said instrument to be his free and voluntary act and deed for the uses and purposes therein mentioned.

Witness my hand and official seal hereto affixed the day and year first above written.



Print name: MW. CLAYTON  
Notary Public in and for the State of Washington  
Residing at EDMONDS  
My Commission Expires: April 19, 2002