

AFTER RECORDING RETURN TO:  
Shapiro & Kreisman  
201 NE Park Plaza Drive, #150  
Vancouver, WA 98684  
03-16592

State of Oregon, County of Klamath  
Recorded 07/24/2003 2:56 p m  
Vol M03 Pg 52382-83  
Linda Smith, County Clerk  
Fee \$ 2600 # of Pgs 2

### NOTICE OF DEFAULT AND ELECTION TO SELL

A default has occurred under the terms of a trust deed made by Robert E. Day and Lorraine G. Day, husband and wife as Joint Tenants, with Rights of Survivorship, as grantor to First American, as trustee, in favor of PNC Mortgage Corp. of America, as beneficiary, dated March 8, 2000, recorded March 14, 2000, in the mortgage records of Klamath County, Oregon, in Book No. M00, at Page 8319, beneficial interest having been assigned to Washington Mutual Bank, F.A., successor by merger to Washington Home Loans, Inc. fka PNC Mortgage Corp. of America, as covering the following described real property:

All of Block B, First Addition to Klamath Falls, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon  
**COMMONLY KNOWN AS:** 801 North 8th Street, Klamath Falls, OR 97601

Kelly D. Sutherland, Successor Trustee, hereby certifies that no action has been instituted to recover the debt, or any part thereof, now remaining secured by the said 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 said trust deed, or by their successor in 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 in the sum of \$637.74, from December 1, 2002, monthly payments in the sum of \$650.13, from February 1, 2003, together with all costs, disbursements, and/or fees incurred or paid by the beneficiary and/or trustee, their employees, agents or assigns.

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

\$61,286.91, together with interest thereon at the rate of 8.37500% per annum from November 1, 2002, together with all costs, disbursements, and/or fees incurred or paid by the beneficiary and/or trustee, their employees, agents or assigns.

Notice hereby is given that the beneficiary and trustee, by reason of said default, have elected and do hereby elect to foreclosure said 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 execution by him of the trust deed, together with any interest the grantor or his successors in interest acquired after the execution of the trust deed, to satisfy the obligations secured by said

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