

04 MAR 5 AM 10:49

AFTER RECORDING RETURN TO:
Shapiro & Kreisman
201 NE Park Plaza Drive, #150
Vancouver, WA 98684
04-17536

State of Oregon, County of Klamath
Recorded 03/05/2004 10:49 AM
Vol M04 Pg 12719-21
Linda Smith, County Clerk
Fee\$ 31⁰⁰ # of Pgs 3

A58761

NOTICE OF DEFAULT AND ELECTION TO SELL

A default has occurred under the terms of a trust deed made by John S. Anderson and Dinah L. Anderson, tenants by the entirety, as grantor, to Aspen Title Company, as trustee, in favor of Washington Mutual Bank, as beneficiary, dated July 13, 1998, recorded July 23, 1998, in the mortgage records of Klamath County, Oregon, in Book No. Volume No. M98, at Page 26854, as covering the following described real property:

See complete Legal Description attached hereto as exhibit "A"
COMMONLY KNOWN AS: 6445 Highway 97 South, 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 \$1,551.02, from November 1, 2003, and monthly payments in the sum of \$1,529.38, from February 1, 2004, 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:

\$149,992.12, together with interest thereon at the rate of 7.87500% per annum from October 1, 2003, 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

EXHIBIT "A"

A tract of land situated in Section 19 and 20, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, being more particularly described as follows:

Commencing at a 5/8 inch iron pin at the intersection of the Northerly right of way line of Joe Wright Road (County) with the Easterly right of way line of the Dalles-California Highway, U.S. 97 in the NE 1/4 NE 1/4 of Section 19, Township 39 South, Range 9 East of the Willamette Meridian, the true point of beginning; thence North 03 degrees 38' 00" East 568.68 feet to a point being a 1/2 inch iron pin; thence East 679.36 feet to a point being a 1/2 inch iron pin; thence South 789.22 feet to a 1/2 inch iron pin on the Northerly right of way line of Joe Wright Road; thence South 89 degrees 20' 26" West 272.50 feet along the Northerly right of way of Joe Wright Road to a 5/8 inch iron pin on the Northerly right of way line of Joe Wright Road; thence North 63 degrees 09' 52" West 496.60 feet along the Northerly right of way line of Joe Wright Road to said 5/8 inch iron pin being the point of beginning.

CODE 164 MAP 3909-1900 TL 200

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of American the 23rd of July A.D., 19 98 at 11:15 o'clock A M., and duly recorded in Vol. M98 of Mortgages on Page 26854

Fee: \$30.00

Bernetha G. J. Zisch, County Clerk
By Kathleen Brasel