AFTER RECORDING RETURN TO: Shapiro & Kreisman 201 NE Park Plaza Drive, #150 Vancouver, WA 98684 04-17536 A DEFICI State of Oregon, County of Klamath Recorded 03/05/2004 10.49 Am Vol M04 Pg 127/9-2/ Linda Smith, County Clerk Fee\$ 3100 # of Pgs 3

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

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.

Said sale will be held at the hour of 11:00 am, in accordance with the standard time established by ORS 187.110 on July 14, 2004, at the following place: at the main entrance of the Klamath County Courthouse, located at 316 Main Street, in the City of Klamath Falls, County of Klamath, State of Oregon, which is the hour, date and place last set for said sale.

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 tendering the performance required under the obligation or trust deed, and in addition to paying said 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 attorneys fees not exceeding the amounts provided by said ORS 86.753.

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

The Fair Debt Collection Practice Act requires that we state the following: This is an attempt to collect a debt, and any information obtained will be used for that purpose. If a discharge has been obtained by any party through bankruptcy proceedings: This shall not be construed to be an attempt to collect the outstanding indebtedness or hold you personally liable for the debt.

Y D. SUTHERLAND

Successor Trustee

STATE OF WASHINGTON

COUNTY OF CLARK

SUBSCRIBED AND SWORN to before me this 200 by Kelly D. Sutherland, Successor Trustee.

gnarn E Halme c for Washington 11-79-07 Notary Public for Washington

My commission expires _

Lender Loan #:

12682217

GXHIBIT "A"

A tract of land mituated in Section 19 and 20. Township 39 South, Range 9 East of the Willamatte 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, 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 579.56 feet to a point being a 1/2 inch iron pin; thence South 789.22 feet to a point being a 1/2 inch iron pin; thence South 789.22 feet to a point being a 1/2 inch iron pin on the Northerly right of way line of Joe Wright Road; thence South 89 degrees 28' 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.

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