

107902

BOOK 115 PAGE 975

DECLARATION OF FORFEITURE

PURSUANT TO THE REVISED CODE OF WASHINGTON CHAPTER 61. et seq

Michael M. Barackman, a single man and
Nancy J. Werner, an unmarried woman
MP .08 Cathamar Park Lane
Washougal, WA 98671

FILED FOR RECORD
SKAMIA COUNTY WASH
BY *Miles & Miles, Attys*

SEP 21 11 32 AM '89

P. Lowmy
ATTORNEY
GARY H. OLSON

ALSO TO:

International Mercantile Co., Inc.
c/o Roderick Simmons
Attorney at Law
1221 2nd Avenue, Suite 410
Seattle, WA 98101

ALSO TO:

Montgomery Ward & Co.
c/o Michael D. Finney
Attorney at Law
PO Box 1596
Yakima, WA 98907

13017
REAL ESTATE & TAX
SEP 21 1989
PAID *Exempt*
and Deputy
SKAMIA COUNTY TAX SUPER.

Name, address, phone number of Seller:

Kent Evans & Pamela K. Evans,
husband and wife
MP 2.13 R Washougal River Road
Washougal, WA 98671
206-837-3669

Miles & Miles, P.S.
Attorneys at Law
1220 Main Street, Suite 545
Vancouver, WA 98660

Description of Contract:

Real estate contract dated June 24, 1981, executed by Kent Evans & Pam Evans, husband and wife, as sellers, and Michael M. Barackman, a single man, and Nancy J. Werner, an unmarried woman,

DECLARATION OF FORFEITURE - 1

Registered *✓*
Indexed *✓*
Indirect *✓*
Filed *9-22-89*
Filed

MILES & MILES, P.S.
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1220 MAIN ST. SUITE 545
FIRST FEDERAL PLAZA BLDG
MAILING ADDRESS
1701 BROADWAY, RD. 200
VANCOUVER, WA 98663
TELEPHONE 438 4280

Glenda J. Kimmel, Skamania County Assessor
By: *1/4 Parcel # 05-34 = 000000*
9-21-89

as purchasers, with contract or a memorandum thereof was recorded under no. 92698, on June 29, 1981, records of Skamania County, Washington.

Legal Description of the property:

SEE ATTACHED

Forfeiture:

The contract described above is forfeited, the purchaser's rights under the contract are cancelled and all right, title and interest in the property of the purchaser and of all persons claiming an interest in the contract, the property, or any portion of either through the purchaser, are terminated.

Surrender of possession:

All persons whose rights in the property have been terminated and who are in or come into possession of any portion of the property (including improvements and unharvested crops) are required to surrender such possession to the seller not later than September 24, 1989.

Compliance with statutory procedure:

The contract forfeiture was conducted in compliance with all requirements of RCW Chapter 61 et seq and the applicable provisions of the contract described above.

Action to set aside:

The purchaser and any person claiming any interest in the purchaser's rights under the contract or in the property who were given the Notice of Intent to Forfeit and the Declaration of Forfeiture has the right, for a period ending September 14, 1989, to commence a court action to set aside the forfeiture if the seller did not have the right to forfeit the contract or failed to comply with the provisions of RCW Chapter 61. et seq.

DECLARATION OF FORFEITURE - 2

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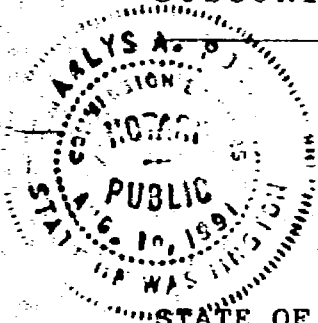
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Dated September 7, 1989

Kent Evans
SELLER

Pamela K. Evans
SELLER

SUBSCRIBED AND SWORN to before me this 11 day of Sept, 1989.



Mary A. Abel
NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON
RESIDING AT VANCOUVER. MY COMMISSION EXPIRES 8-10-91

STATE OF WASHINGTON)

County of Clark) : ss.

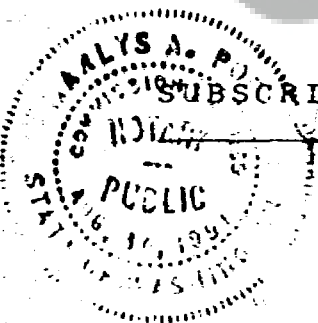
We the undersigned being first duly sworn on oath, deposes and states:

We are the Sellers in the above and foregoing document.

We have read the foregoing, understand the same and believe it to be true and accurate to the best of our knowledge.

Kent Evans
KENT EVANS

Pamela K. Evans
PAM EVANS



SUBSCRIBED AND SWORN to before me this 11 day of Sept, 1989.

Mary A. Abel
NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON
RESIDING AT VANCOUVER. MY COMMISSION EXPIRES 8-10-91

DECLARATION OF FORFEITURE - 3

MILES & MILES, P.S.
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1200 MAIN ST. SUITE 845
FIRST FEDERAL PLAZA BLDG
MAILING ADDRESS
2701 BROADWAY NO. 300
VANCOUVER WA 98661
TELEPHONE 616 4180

A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 2 NORTH, RANGE 5 EAST OF THE WILLAMETTE MERIDIAN, SKAMANIA COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:
 BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE SAID SECTION 34; THENCE NORTH $00^{\circ} 40' 49''$ WEST ALONG THE EAST LINE OF SAID SUBDIVISION 454.74 FEET; THENCE SOUTH $77^{\circ} 12' 20''$ WEST 51.40 FEET TO A POINT ON THE SOUTH LINE OF A 60 FOOT WIDE DRIVEWAY; THENCE SOUTH $77^{\circ} 12' 20''$ WEST ALONG THE SOUTH LINE OF SAID DRIVEWAY 291.95 FEET TO THE INITIAL POINT OF THE TRACT HEREBY DESCRIBED; THENCE SOUTH $77^{\circ} 12' 20''$ WEST ALONG THE SOUTH LINE OF SAID DRIVEWAY 447 FEET; THENCE SOUTH $08^{\circ} 06' 30''$ EAST 172.32 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF COUNTY ROAD NO. 1106, DESIGNATED AS THE WASHOUGAL RIVER ROAD; THENCE NORTHEASTERLY ALONG THE NORTHERLY RIGHT OF WAY LINE OF SAID WASHOUGAL RIVER ROAD TO A POINT SOUTH $08^{\circ} 06' 30''$ EAST FROM THE INITIAL POINT; THENCE NORTH $08^{\circ} 06' 30''$ WEST TO THE INITIAL POINT.