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FILED FOR RECORD
SKAMANIA COUNTY, WASH

BY *Kielinski/Laurie*

Nov 27 4 47 PM '89

P. Lavery

GARRETT OLSON

DECLARATION OF FORFEITURE
OF REAL ESTATE CONTRACT

TO: GARY R. HAINS and DIANE J. HAINS
21113 Church Lake Drive
Sumner, WA 98390

The Real Estate Contract set forth below has been forfeited. Please read this Declaration carefully. Please contact an attorney if you do not understand it.

A. Seller's name, address and telephone number are:

Nell L. Hill
R. Lee MacDonald
23300 W. Arata Road, #156
Troutdale, Oregon 97060
(503) 667-8499

B. Real Estate Contract dated January 22, 1987, by and between Nell L. Hill, a single woman, and R. Lee MacDonald, a single woman, as tenants in common, as sellers, and GARY R. HAINS and DIANE J. HAINS, husband and wife, as purchasers, recorded under Skamania County Auditor's File No. 102555 on January 22, 1987 in Book 103 at Page 991.

C. Legal description of Property:

Commencing at a point on the East line of the Southwest Quarter of the Southeast Quarter of Section 26, Township 2 North, Range 6 East of the Willamette Meridian, Skamania County, Washington, which point is 493 feet North of the South 16th corner of said Southeast Quarter; thence North 81° 13' West 75 feet, more or less, to the extension Southerly of the East line of that parcel of land deeded to Gary R. Hains, et ux., by deed recorded December 5, 1985 in Book 85 on page 358; thence North 02° 45' West 305 feet to the Northeast corner of said Hains parcel; thence North 81° 13' West 787 feet, more or less, to a point which bears South 25° 14' West from the Northeast corner of the Northwest Quarter of the Southeast Quarter of said Section 26; thence North 25° 14' East to the intersection with the North line of the Southwest Quarter of the Southeast Quarter of said Section 26; thence East along the said North line to the Northwest corner of that parcel deeded to James A. Kallas, et ux., by deed recorded March 29, 1979 in Book 76 on page 323; thence South 06° 23' East along the West line of said Kallas parcel to the Northeast corner of that parcel deeded to Ernest C. Roberts, et ux., by deed recorded July 7, 1975 in Book 69 on page 162; thence West along Roberts' North line 100 feet; thence South 06° 23' East along Roberts' West line 200 feet; thence East along the North

Glinda J. Hill, Skamania County Assessor
By *Mc* 2-6-26-4-1001

REAL ESTATE EXCISE TAX

13170

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PAID

SKAMANIA COUNTY TREASURER

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line of Tiny Road 400 feet, more or less, to the East line of the Southwest Quarter of the Southeast Quarter of said Section 26; thence South along said East line to the point of beginning.

SUBJECT TO an easement, including its terms, covenants and provisions, as disclosed by instrument in favor of Northwestern Electric Company, a Washington corporation, recorded September 24, 1930 in Book "W" of Deeds at page 481 for an electric transmission line.

AND SUBJECT TO an easement, including its terms, covenants and provisions, as disclosed by instrument in favor of Bonneville Power Administration recorded July 19, 1957 under Skamania County Auditor's File No. 52469 in Book 44 at page 18 for an electric transmission line.

AND SUBJECT TO the rights of the public in that portion of the above described real estate lying within Tiny Road and Little Street.

D. This Real Estate Contract is forfeited. The purchasers' rights under the contract are cancelled and all right, title and interest in the property of the purchasers and of all persons claiming an interest in the contract, the property, or any portion of either, are terminated.

E. 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 December 7, 1989 (not less than ten (10) days after the Declaration of Forfeiture is recorded, or such longer period provided in the contract).

F. This Real Estate Contract was forfeited in compliance with the RCW 61.30.010 et seq. and any applicable provisions of the contract.

G. The purchasers and any person claiming any interest in the purchasers' rights under the contract or in the property who are given the notice of intent to forfeit and the declaration of forfeiture have the right, for a period of sixty days following the date the Declaration of Forfeiture is recorded, to commence a court action to set the forfeiture aside if the seller did not have the right to forfeit the contract or failed to comply with the applicable Washington statutes.

Date of this Declaration: November 27, 1989

Nell L. Hill, Seller

R. Lee MacDonald, Seller

