

114336

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FILE FOR RECORD
SKAMANIA CO. WASH
BY Joseph Udall

SEP 2 3 51 PM '92

P. G. Young
GARY M. OLSON

NOTICE OF INTENT TO FORFEIT

Pursuant to Revised Code of Washington
Chapter 61.30.060 and .070

TO: Bernard L. Maki and Cynthia Wilson
MP 0.02R Woodard Creek Road
Skamania, Washington 98648

Registered
Ind. Ad. or
Insured
Filed 9/16/92
Mailed

YOU ARE HEREBY NOTIFIED that the Real Estate Contract
(hereinafter "Contract") described below is in default and you
are provided the following information with respect thereto:

A. Seller: Beverly A. Stacy
PO Box 464
Stevenson, WA 98648
(509) 427-8999
Agent: Joseph L. Udall
PO Box 858
Stevenson, WA 98648
(509) 427-5363

B. Description of Contract: Real Estate Contract dated
April 15, 1990, executed by Beverly A. Stacy as Seller, and
Bernard L. Maki and Cynthia Wilson, as purchasers, which Contract
or a memorandum thereof was not recorded.

C. Legal Description of the Property:

A tract of land located in the southwest quarter of the northeast
quarter of Section 34, Township 2 North, Range 6 East of the
Willamette Meridian described as follows:

Beginning at a point marking the intersection between the
northerly line of Primary State Highway No. 8 and the South
line of the southwest quarter of the northeast quarter of
said Section 34; thence turning an angle northwesterly and
running on a course having an angle of 58° 30' with the
northerly line of said highway a distance of 100 feet;
thence in a northeasterly direction along the westerly side
of an old abandoned county road a distance of 200 feet to a
point which is 172 feet distant northwesterly from a point
of said highway which is north 58° 01' east 200 feet from
the point of beginning; thence southeasterly 172 feet to the
above mentioned point on said highway; thence south 58° 01'
west 200 feet to the point of beginning, records of Skamania
County, Washington.

D. Description of each default under the Contract on which the
notice is based:

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Clenda J. Kinnick, Skamania County Recorder
By: C. J. Parson 2-6-94-1-2100

98A

1. Failure to pay the following past due items, the amounts and an itemization of which are given in (G) and (H) below: payment in the amount of \$5,030.75 including late charges, taxes and insurance.

2. The following non-monetary defaults:

none

E. Failure to cure all of the defaults listed in paragraphs (G) and (H) below on or before November 10, 1992 will result in forfeiture of the Contract.

F. The forfeiture of the Contract will result in the following:

1. All right, title and interest in the property of the purchaser and of all persons claiming through the purchaser, or whose interests are subordinate to the seller's interest, shall be terminated;

2. The purchasers' rights under the Contract shall be canceled;

3. All sums previously paid under the Contract shall belong to and be retained by the seller or other person to whom paid and entitled thereto;

4. All of the purchasers' rights in all improvements made to the property, to all unharvested crops and timber on the property shall belong to the seller;

5. The purchasers and all persons occupying the property whose interests are forfeited shall be required to surrender possession of the property, improvements and unharvested crops and timber to the seller ten (10) days after recording of the Declaration of Forfeiture, which is on or after November 20, 1992.

G. The following is a statement of payments of money in default and, where indicated, reasonable estimates thereof for any defaults not involving the failure to pay money, the actions required to cure the default:

1. Monetary delinquencies:

<u>Item</u>	<u>Amount</u>
1. Monthly real estate contract payments due as of August 15, 1992	\$2,873.35
2. Property taxes due for 1990, 1991 and 1992	\$1,486.40
3. Insurance payments due for 1990, 1991 & 1992	\$ 671.00
TOTAL	\$5,030.75

2. Actions required to cure any non-monetary default:

none

H. The following is an itemized statement of all other payments, charges, fees and costs required to cure the defaults and, where indicated, reasonable estimates thereof:

Item	Amount
1. Cost of title report	\$400.18
2. Service/posting of Notice of Intent to Forfeit	\$ 35.00 (estimated)
3. Copying/postage	\$ 15.00 (estimated)
4. Recording fees	\$ 18.00 (estimated)
5. Attorney's fees	\$500.00 (estimated)
TOTAL	\$968.18

The total amount necessary to cure the monetary default is the sum of the amounts in (G)(1) and (H), which is \$5,998.93 plus the amount of any payments and late charges which fall due after the date of this Notice of Intent to Forfeit and on or prior to the date the default is cured. Monies and other documents required to cure the default may be tendered to:

JOSEPH L. UDALL, Agent
P.O. Box 858
Stevenson, WA 98648
(509) 427-5363

I. Any person to whom this notice is given has the right to contest the forfeiture or to seek an extension of time to cure the default if the default does not involve a failure to pay money, or both, by filing and serving a summons and complaint before the Declaration of Forfeiture is recorded, which is on or after November 10, 1992. NO EXTENSION IS AVAILABLE FOR DEFAULTS WHICH ARE A FAILURE TO PAY MONEY.

J. Any person to whom this notice is given may have the right to request a court to order a public sale of the property, and such public sale will be ordered only if the court finds that the fair market value of the property substantially exceeds the debt owed under the contract and any other liens having priority over the seller's interest in the property; that the excess, if any, of the highest bid at the sale over the debt owed under the contract will be applied to the liens eliminated by the sale and the balance, if any, paid to the purchaser; that the court will require the person who requests the sale to deposit the anticipated sale costs with the clerk of the court; and that any action to obtain an order for public sale must be commenced by filing and serving the Summons and Complaint before the Declaration of Forfeiture is recorded, which is on or after November 10, 1992.

K. The seller is not required to give any person any other notice of default before the Declaration of Forfeiture is given.

DATED this 11th day of August, 1992.

Beverly A. Stacy, SELLER

Joseph Z. Udall
by JOSEPH Z. UDALL, Agent
P.O. Box 858
Stevenson, WA 98648
(509) 427-5363

AFFIDAVIT OF MAILING

STATE OF WASHINGTON

ss.

COUNTY OF SKAMANIA

I, the undersigned, being first duly sworn on oath, depose and say:

I am a citizen of the United States of America; over the age of 18 years; not a party to the above entitled proceedings; and am in all ways competent to be a witness herein.

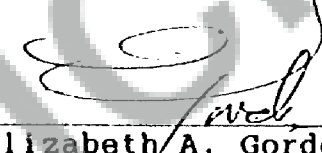
That on this date below written, at the request of attorney for the Plaintiff, Joseph L. Udall, I did mail copies of the following instruments in true form to the following parties at the addresses shown which are believed by me to be the last known addresses of said parties, properly addressed, in a sealed envelope, postage prepaid, and deposited in the United States mails.

Name and Address:DEFENDANT:

Bernard L. Maki and
Cynthia Wilson
MP 0.02R Woodard Ck. Rd.
Skamania, WA 98648

Item Mailed:

Notice of Intent to Forfeit


Elizabeth A. Gordon, Affiant

SUBSCRIBED and SWORN to before me this 27th day of

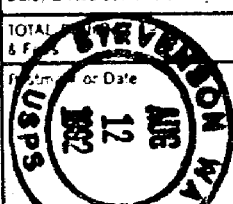
August, 1992


Notary Public in and for the
State of Washington, residing
at Stevenson

P 858 878-236

**Certified Mail Receipt**

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

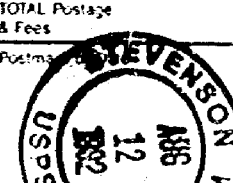
Sent to <u>Bernard L. Maki</u>	
Street & No. <u>MP 0.02R Woodard Ck Rd</u>	
PO, State & ZIP Code <u>Skamania, WA 98648</u>	
Postage	\$ <u>.29</u>
Certified Fee	<u>1.00</u>
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	<u>1.00</u>
Return Receipt Showing to Whom, Date, & Address of Delivery	
TOTAL Postage & Fees	\$ <u>2.29</u>
Postmark or Date 	

PS Form 3800, June 1990

P 858 878-237

**Certified Mail Receipt**

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

Sent to <u>Cynthia Wilson</u>	
Street & No. <u>MP 0.02R Woodard Ck Rd</u>	
PO, State & ZIP Code <u>Skamania, WA 98648</u>	
Postage	\$ <u>.29</u>
Certified Fee	<u>1.00</u>
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	<u>1.00</u>
Return Receipt Showing to Whom, Date, & Address of Delivery	
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Postmark or Date 	

PS Form 3800, June 1990