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FILED FOR RECORD SKAMANIA CO. WASH BY Kiclpuski & Assoc

APR 10 4 30 PM '97
Prowry
AUDITOR GARY M. OLSON

AFTER RECORDING MAIL TO:

Kielpinski & Associates, P.C. P.O. Box 510 Stevenson WA 98648 (509) 427-5665

Document Title(s) or transactions contained therein:

Notice of Intent to Forfeit Real Estate Contract

Grantor(s): [Last name first, then first name and initials]

Goulet, Michael and Robin (Purchaser being forfeited)

Grantee(s): [Last name first, then first name and initials] Nielsen, Jack and Sandra (Seller declaring a Forfeiture)

Abbreviated Legal [i.e., lot/block/plat Description: sec/twp/range/4/4]

Lot 2 of the Evergreen Short Plat, Recorded in Book 3 of Short Plats, Page 121, Skamania County Records.

o Complete legal description is on page _6_ of document

Reference Number(s) of Documents Assigned [Bk/Pg/Aud#]

Book 143, Page 250, File No. 119471 (Real Estate Contract)

Assessor's Property Tax Parcel/Account Number(s):

03-09-14-2-0-1100

NOTICE OF INTENT TO FORFEIT REAL ESTATE CONTRACT RCW 61.30 et seq.

TO:

Michael and Robin Goulet

542 NE 3rd

Canby, Or 97013

Michael and Robin Goulet 3741 Cook-Underwood Rd.

Cook, WA 98605

AND TO: All RCW 61.30.040 Notice Persons

- 1. You and each of you are hereby notified that unless the default(s) hereinafter referred to under the Contract hereinafter referred to are cured on or before the forfeiture date hereinafter referred to, the legal owner of the property described in the Contract will elect to declare a forfeiture of and cancel the Contract.
- The Contract herein referred to was executed in writing on May 13, 1994 by Jack George Nielsen and Sandra Elaine Nielsen as Seller, providing for the sale to Michael L. Goulet and Robin Goulet as Purchaser, of the following-described real property situate in Skamania County, Washington:

SEE ATTACHED EXHIBIT "A"

The Contract was recorded under Auditor's No. 119471, records of Skamania County, Washington.

- The default(s) herein referred to consist of following:
 - (a) Failure to make monthly installment payments when due;
 - (b) Failure to pay real estate property taxes when due;
 - (c) Failure to pay property insurance when due.
- The contract will be forfeited on July 17, 1997 if all defaults are not cured by that date.
- The effects of forfeiture include, to the extent applicable, that:

- a) All right, title and interest in the property of the purchaser and, to the extent elected by the seller, of all persons claiming through the purchaser, or whose interests are otherwise subordinate to the seller's interest in the property shall be terminated;
- (b) The purchaser's rights under the contract shall be canceled;
- (c) 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;
- (d) All of the purchaser's rights in all improvements made to the property and in unharvested crops and timber thereon shall belong to the seller; and
- (e) The purchaser and all other 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 days after the declaration of forfeiture is recorded.
- 6. In order to cure the default(s), you must pay the following amounts or take the following action:

Payments for November 1996 through March, 1997 @ 423.52/month (5 months)

\$ 2,117.60

Late charges

156.55

Past due real estate taxes for 1994, 1995, 1996 and to March, 1997 (plus additional penalties and interest to March 25, 1997)

2,904.06

TOTAL AMOUNT PAST DUE:

\$ 5,178.21

In addition, you must reinstate property insurance.

7. In addition, the following payments, charges, fees and costs must be paid to cure the default(s) if the default(s) are cured before the Declaration of Forfeiture is recorded:

Cost of:	
Title Report	\$ 358.45
Postage	4.00
Photocopies	6.00
Service of Process	
Telephone Charges	5.00
Recording Fees	14.00
Attorney Fees	750.00
Other	- 4
TOTAL ADDITIONAL COSTS:	 \$1,137.45

8. The person to whom this notice is given may have 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 commencing a court action by filing and serving the summons and complaint before the declaration of forfeiture is recorded. forfeiture is recorded.

- 9. The person to whom this notice is given may have the right to request a court to order a public sale of the property. 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. 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 will be applied to the liens eliminated by the sale and the balance, if any, paid the purchaser. The court will require the person who, requests the sale to deposit the anticipated sale costs with the clerk of the court. 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.
- 10. The Seller is not required to give any person any other notice of default before the declaration which completes the forfeiture is given.

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DATED this 7th day of April, 1997.

SELLER:

Jack and Sandra Nielsen

ATTORNEY FOR SELLI Jan C. Kielpinski

Ř: | WSB # 3716

Address: 41 Jessup Rd. Cook, WA 98605

Phone: (509) 538-2398

KIELPINSKI & ASSOCIATES, P.C. P.O. Box 510 (40 Cascade Ave., Suite 110) Stevenson WA 98648 (509) 427-5665

OTHER PARTIES ENTITLED TO NOTICE PURSUANT TO RCW 61.30.040:

Party or Parties in Possession (None)

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AFFIDAVIT OF MAILING

STATE OF WASHINGTON

County of Skamania)

I certify that on the 10th day of April, 1997, I served the foregoing Notice of Intent to Forfeit Real Estate Contract pursuant to RCW 61.30.050 by depositing true copies thereof in the U.S. mails at Stevenson, Washington, in sealed envelopes, with postage paid, one copy of regular mail and one copy by Certified, Return Receipt mail, directed as follows:

Michael and Robin Goulet 542 NE 3rd Canby, Or 97013

Michael and Robin Goulet 3741 Cook-Underwood Rd. Cook, WA 98605

KIELPINSKI & ASSOCIATES, P.C.

Marni McKenzie
Legal Secretary

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SIGNED and sworn to before me this 10th day of April, 1997 by Marni McKenzie.

ANITA R. SMITH
STATE OF WASHINGTON
NOTARY — PUBLIC

ANITA R. SMITH,

NOTARY PUBLIC in and for the State of Washington

Commission expires: 11/10/99

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EXHIBIT "A"

A tract of land in the Southeast quarter of the Northwest quarter of Section 14. Township 3 North, Range 9 East of the Willamette Meridiam, Skamania County, State of Washington, described as follows:

Lot 2 of the Carl Nielsen short Flat, recorded in Book 3 of short Plats, Fage 121. Skamania County records.

SUBJECT TO: Rights of others thereto entitles in and to the continued uninterrupted flow of Squaw Creek, and rights of upper and lower riparian owners in and to the use of the waters and the natural flow thereof; Any adverse claim based upon the assertation that Squaw Creek has moved; Preservation of the right of way over the North 20 feet and one half of the water rights including the terms and provisions thereof, recorded December 1, 1911, in Book N. Page 377; Easement for pipeline, recorded August 13, 1937, in Book Z. Page 382; Easement as shown on the recorded Short Plats.