

**WHEN RECORDED RETURN TO:**

Victor W. VanKoten

VanKoten & Cleaveland LLC

417 Sherman Avenue, Suite 7

Hood River, OR 97031

**DOCUMENT TITLE(S)**

NON-MERGER DEED IN LIEU OF FORECLOSURE/FORFEITURE

**REFERENCE NUMBER(S)** of Documents assigned or released:

☐ Additional numbers on page \_\_\_\_ of document.

**GRANTOR(S):**

Shelley Jean Messersmith

☐ Additional names on page \_\_\_\_ of document.

**GRANTEE(S):**

Richard H. Estey

☐ Additional names on page \_\_\_\_ of document.

**LEGAL DESCRIPTION** (Abbreviated: i.e. Lot, Block, Plat or Section, Township, Range, Quarter):

Lot 1 Estey SP BK 3 PG 193  
311 Josheanka Drive, Carson, Washington 98610

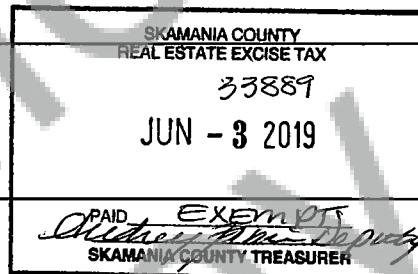
☐ Complete legal on page \_\_\_\_ of document.

**TAX PARCEL NUMBER(S):**

03082020040300 *zm 6/3/19*

☐ Additional parcel numbers on page \_\_\_\_ of document.

The Auditor/Recorder will rely on the information provided on this form. The staff will not read the document to verify the accuracy or completeness of the indexing information.



After Recording Deliver to:

Victor W. VanKoten  
VanKoten & Cleaveland, LLC  
417 Sherman Avenue, Suite 7  
Hood River, OR 97031

Grantor: Shelley Jean Messersmith

Grantee: Richard H. Estey

Abbreviated Legal: Lot 1 Estey SP BK 3 PG 193  
311 Josheanka Dr., Carson, WA 98610

Assessor's Tax Parcel Number: 03082020040300

#### NON-MERGER DEED IN LIEU OF FORECLOSURE/FORFIETURE

Shelley Jean Messersmith, Grantor, for and in consideration of ZERO and NO/100 DOLLARS (\$0.00), bargains, sells and conveys to Richard H. Estey, Grantee, her undivided one-half interest as Purchaser of the following described real property, situated in the County of Skamania, State of Washington:

SEE EXHIBIT A ATTACHED HERETO.

Grantor covenants that this Deed is absolute in effect and conveys all of Grantor's undivided one-half of the equitable title and vendee's interest in and to the above-described real property to Grantee, and does not operate as a mortgage, trust, or security of any kind. Grantor is the equitable owner of an undivided one-half of said real property, subject only to the fee simple title and vendor's lien of Grantee under the Real Estate Contract dated April 1, 2016, recorded on April 7, 2016 as number 2016000668, Records of Skamania County, Washington.

This Non-Merger Deed in Lieu of Foreclosure/Forfeiture does not affect a merger of the fee simple title/vendor's lien of Grantee under the aforesaid Real Estate Contract with the equitable title/vendee's interest of Grantee under said Real Estate Contract. The fee simple title/vendor's interest of Grantee and the equitable title/vendee's interest of Grantor shall remain separate and distinct and shall not merge. Grantee reserves all of his

rights of foreclosure and forfeiture of the Real Estate Contract at any time as to any party with any claim, interest, or lien on the property.

The Real Estate Contract is now in default by virtue of Grantor's failure to pay the monthly payments due for two months in the total amount of \$2,206.00 and delinquent real property taxes in the amount of \$8,404.68. As a result, Grantee could immediately commence an appropriate foreclosure proceeding.

By acceptance of this Non-Merger Deed in Lieu of Foreclosure/Forfeiture, Grantee covenants and agrees that he shall ever forbear from taking any action whatsoever against Grantor, and that in any proceeding to foreclose or forfeit the Real Estate Contract for the purpose of eliminating any rights or claims of others, shall not seek, obtain, or permit a deficiency judgment or other judgment of any kind against Grantor, or Grantor's heirs or assigns, such rights and remedies being hereby waived.

Grantor waives, surrenders, conveys, and relinquishes any equity of redemption or other rights of redemption concerning the property and the Real Estate Contract described above.

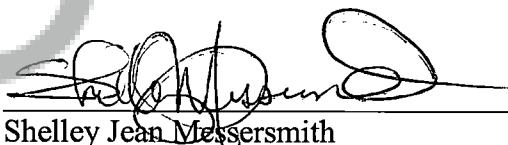
Grantor has read and fully understands the above terms and is not acting under any duress, undue influence, or misrepresentations of Grantee, Grantee's agents, lawyers, or any other person.

The consideration for this transfer stated in terms of dollars is ZERO and NO/100 DOLLARS (\$0.00). However, the actual consideration consists of other value given as stated above, which is the whole consideration.

This conveyance is subject to all items of record as of the date of this Deed.

Dated: 05-08-2019, 2019.

GRANTOR:


  
Shelley Jean Messersmith

STATE OF Washington )  
County of Clark ) ss.

On this 8<sup>th</sup> day of May, 2019, personally appeared before me **SHELLEY JEAN MESSERSMITH**, to me known to be the individual

described in and who executed the within and foregoing instrument, and acknowledged that she signed the same as her free and voluntary act and deed.



  
Notary Public for Amy E. Martin *Notary Public*  
My Commission Expires: 05-01-2021

Unofficial Copy

EXHIBIT 'A'

A tract of land in the East Half of the Northwest Quarter, in Section 20, Township 3 North, Range 8 East, of the Willamette Meridian, located in the County of Skamania, State of Washington, described as follows:

Lot 1 ESTEY Short Plat, recorded in Book 3, Page 193, in Skamania County.

Skamania County Assessor

Date 6-3-19 Parcel# 03082020040300  
*ym*