

APPLICATION NO. 488

761960

OPEN SPACE TAXATION AGREEMENT

Prepare in Triplicate
with one completed copy
to each of the following:
Applicant
Legislative Body
County Assessor

This Agreement between ELDEN B. EGBERS and VERNON G. EGBERS

hereinafter called the "owner",
and (insert city or county) SKAGIT COUNTY

Route #2, Box 260, Mount Vernon, Wa 98273

Whereas the owner of the following described real property having made application for classification of that property under the provisions of RCW 84.34,

And whereas, both the owner and legislative authority desire to limit the use of said property, recognizing that such land has substantial public value as open space and that the preservation of such land constitutes an important physical, social, esthetic and economic asset to the public, and both parties agree that the classification of the property during the life of this Agreement shall be for:

FARM AND AGRICULTURAL

(Open Space, Farm and Agricultural, Timber Land)

Now, therefore, the parties, in consideration of the mutual covenants and conditions set forth herein, do agree as follows:

- (1) During the term of this Agreement, the land shall only be used in accordance with the preservation of its classified use.
- (2) No structures shall be erected upon such land except those directly related to, and compatible with the classified use of the land, or except those residence buildings for such individuals as are engaged in the care, use, operation or management of said land.
- (3) This Agreement shall be effective commencing on the date the legislative body receives the signed Agreement from the property owner, and shall remain in effect for a period of at least ten (10) years.
- (4) This Agreement shall run with the land described herein and shall be binding upon the heirs, successors and assigns of the parties hereto.
- (5) Withdrawal: The land owner may withdraw from this Agreement if after a period of seven years the land owner makes a withdrawal request which request is irrevocable, to the assessor. Three years from the date of that request the assessor shall withdraw the land from the classification, and the applicable taxes and interest shall be imposed as provided in RCW 84.34.070.
- (6) Breach: After land has been classified and an Agreement executed, any change of the use of the land, except through compliance with items (5), (7) or (8) of this Agreement, shall be considered a breach of this Agreement, and subject to applicable taxes, penalties and interest as provided in RCW 84.34.080.
- (7) A breach of Agreement shall not occur if the change in use results from the sale of land classified under this Act within two years after the death of the owner of at least fifty percent of such land.
- (8) Eminent Domain: When any permissible action in eminent domain for the condemnation of the fee title of the land under agreement is filed or when such land is acquired as a result of a sale to a public body, this Agreement shall be null and void as of the date the action is filed and thereafter the Agreement shall not be binding on any party to it.
- (9) The County Assessor may require reports from classified land owners. If the owner fails to return a required report within ninety days, the Assessor may declare the Agreement in breach.

Legal Description of classified land: 72.91 Acres:

ALL in Section 5, Township 34 North, Range 3 EWM:
Southwest Quarter of Northeast Quarter, LESS Rd & Tr.
Southeast Quarter of Northwest Quarter, LESS Rd & Tr. & Tax 9.

This Agreement shall be subject to the following conditions:

SKAGIT COUNTY
ASSESSOR'S OFFICE

REQUEST OF

71 DEC 17 AM 9:05

ANN ROSS
SEAL COUNTY AUDITOR

11-12

761960

It is declared that this Agreement contains the classification and conditions as provided for in RCW 84.34 and the conditions imposed by this Legislative Authority.

Dated November 18th, 1971

Legislative Authority:

SKAGIT COUNTY
City or County

By Arnold M. Hansen Title
Chairman
Board of County Commissioners

As owner(s) of the herein described land I (we) indicate by my (our) signature(s) that I (we) are aware of the potential tax liability and hereby accept the classification and conditions of this Agreement.

Dated December 15, 1971

Robert B. Egner
Owner(s)

Vernon A. Egner

(Must be signed by all Owners)

Subscribed and sworn to before me this

15th day of December, 1971

John B. Hampling
Notary Public

Date signed Agreement received by Legislative Authority _____

RECEIVED
DEC 16 1971

SKAGIT COUNTY
COMMISSIONER

Official Records

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