

When Recorded Return to:  
Skagit County Assessor

SKAGIT COUNTY  
KATHY HILL, CLERK

99 MAR 12 P2:11

RECORDED \_\_\_\_\_ FILED \_\_\_\_\_  
REQUEST OF \_\_\_\_\_

9903120122

OPEN SPACE TAXATION AGREEMENT  
CH. 84.34 RCW 17339

(To be used for "Open Space", "Timber Land" Classification or "Reclassification" Only)

Grantor(s) SKAGIT COUNTY  
Grantee(s) JRMTS TRUST  
Legal Description See attachment "A"  
Pth NW 1/4 Sec 12 Twp 35 Rge 3 as desc. on pg 3

Assessor's Property Tax Parcel or Account Number 350312-2-002-0105; P34131  
Reference Numbers of Documents Assigned or Released \_\_\_\_\_

This agreement between JRMTS TRUST

hereinafter called the "Owner", and SKAGIT COUNTY

hereinafter called the "Granting Authority".

Whereas the owner of the above described real property having made application for classification of that property under the provisions of CH 84.34 RCW.

And whereas, both the owner and granting authority agree 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:

Open Space Land  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 be used only 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.
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legislative body receives the signed agreement from the property owner and shall remain in effect until the property is withdrawn or removed from classification.
4. This agreement shall apply to the parcels of land described herein and shall be binding upon the heirs, successors and assignees of the parties hereto.
5. Withdrawal: The land owner may withdraw from this agreement if, after a period of eight years, he or she files a request to withdraw classification with the assessor. Two years from the date of that request the assessor shall withdraw classification from the land, and the applicable taxes and interest shall be imposed as provided in RCW 84.34.070 and 84.34.108.

REV 64 0022-1 (01-06-97)

9903120122

BK 1957 PG 0558

17339

- 6. Breach: After the effective date of this agreement, any change in use of the land, except through compliance with items (5), (7), or (9), shall be considered a breach of this agreement, and shall be subject to removal of classification and liable for applicable taxes, penalties, and interest as provided in RCW 84.34.080 and RCW 84.34.108.
- 7. A breach of agreement shall not have occurred and the additional tax shall not be imposed if removal of classification resulted solely from:
  - (a) Transfer to a governmental entity in exchange for other land located within the State of Washington.
  - (b) A taking through the exercise of the power of eminent domain, or sale or transfer to an entity having the power in anticipation of the exercise of such power and having manifested its intent in writing or by other official action.
  - (c) A natural disaster such as a flood, windstorm, earthquake, or other such calamity rather than by virtue of the act of the landowner changing the use of such property.
  - (d) Official action by an agency of the State of Washington or by the county or city where the land is located disallowing the present use of such land.
  - (e) Transfer of land to a church when such land would qualify for exemption pursuant to RCW 84.36.020.
  - (f) Acquisition of property interests by State agencies or agencies or organizations qualified under RCW 84.34.210 and 64.04.130 (See RCW 84.34.108(5)(f)).
  - (g) Removal of land classified as farm and agricultural land under RCW 84.34.020(2)(d).
- 8. The county assessor may require an owner to submit data relevant to continuing the eligibility of any parcel of land described in this agreement.
- 9. Reclassification as provided in Chapter 84.34 RCW.

This agreement shall be subject to the following conditions:

- 1. Applicant shall comply with Forest Management Plan as prepared by Anderson Forestry Consultants.
- 2. At time of harvest, applicant shall comply with all requirements of the Department of Natural Resources regarding timber harvest.

It is declared that this agreement specifies the classification and conditions as provided for in CH.84.34 RCW and the conditions imposed by this Granting Authority. This agreement to tax according to the use of the property may be annulled or canceled at any time by the Legislature.

Dated 2/23/99

Granting Authority:  
Ted W. Anderson *HW 374*  
 City or County  
 Chairman, Skagit County Board of Commissioners

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

Dated 3-5-99

[Signature]  
 Owner(s)  
 (Must be signed by all owners)

Date signed agreement received by Legislative Authority 3/5/99

Prepare in triplicate with one completed copy to each of the following: Owner, Legislative Authority, County Assessor

"A"

17339

Skagit County Property ID: P34131  
Tax Account Number: 350312-2-002-0105

JRMTS TRUST acquired the W1/2 W1/2 NE1/4 NW1/4 except the North 20 feet of Section 12, Township 35 North, Range 3 East, W.M., Skagit County, containing 10+/- acres in 1982. The property address is 1514 Samish Heights Road, Bow, WA 98232. A private residence is being constructed next to an existing garage on a 1 acre homesite.

*except 1 acre homesite as described below:*

A one (1) acre homesite has been developed. A private residence is being constructed next to an existing garage on the 1 acre homesite. The Homesite is described as follows: Beginning at the northeast corner of the W1/2 W1/2 NE1/4 NW1/4, thence south along the east line of said W1/2 W1/2 NE1/4 NW1/4 90 feet, thence Due West 50 feet to the True Point of Beginning; thence Due West 242 feet, thence Due South 180 feet, thence Due East 242 feet, thence Due North 180 feet to the True Point Of Beginning, containing 1.0+/- acre all in Section 12, Township 35 North, Range 3 East, W.M., Skagit County.

P93

9903120122

BK1957PG0560