

When Recorded Return to:
ASSESSOR

KATHY HILL
SKAGIT COUNTY CLERK

9907130002

99 JUL 13 18:34

OPEN SPACE TAXATION AGREEMENT
CH. 84.34 RCW

RECORDED _____ FILED _____
REQUEST OF _____
17482

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

Grantor(s) SKAGIT COUNTY

Grantee(s) DeLois Fox and Scott Macmurchie

Legal Description See "Exhibit A" Attached

Pin SE 1/4 & SW 1/4 Sec 22 Twp 36 Rge 3

Assessor's Property Tax Parcel or Account Number P113088, P113089, P113090, P47978

Reference Numbers of Documents Assigned or Released _____

This agreement between DeLois Fox and Scott Macmurchie

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legislative body receives the signed agreement from the property owner and shall remain in effect until the property is withdrawn or removed from classification.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 84.34.103.

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

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SKAGIT COUNTY
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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 84.34.060 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:

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 JUNE 22, 1999

Granting Authority:

Led W Anderson
 City or County
SKAGIT COUNTY BOARD OF COMMISSIONERS
 Title

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 7-1-99

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

Date signed agreement received by Legislative Authority

JUNE 6, 1999

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

REV 64 0022-2 (01-06-97)

To inquire about the availability of this form in an alternate format for the visually impaired, please call (360) 731-3272. TDD users may call (800) 451-7985.

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BK 2018 PG 0511

EXHIBIT "A"

PARCEL A:

17482

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A portion of the Southeast Quarter and the Southwest Quarter of Section 22, Township 36 North, Range 3 East of the Willamette Meridian, being more particularly described as follows:

Beginning at the Northwest corner of the Southwest Quarter of the Southeast Quarter of said Section 22;
thence South 45°36'37" East along the diagonal line between the Northwest corner and the Southeast corner of the Southwest Quarter of the Southeast Quarter of said Section 22 a distance of 712.36 feet;
thence South 33°37'15" East a distance of 239.59 feet;
thence South 44°20'58" East a distance of 298.72 feet;
thence South 28°26'30" East a distance of 332.21 feet;
thence South 55°00'52" West a distance of 89.85 feet to a point lying 60.00 feet North (as measured perpendicular) of the South line of the Southeast Quarter of said Section 22;
thence North 89°18'20" West parallel with and 60 feet Northerly of the South line of the Southeast Quarter of said Section 22 a distance of 594.88 feet;
thence North 00°41'40" East a distance of 209.00 feet;
thence North 89°18'20" West a distance of 209.00 feet;
thence South 00°41'40" West a distance of 209.00 feet;
thence North 89°18'20" West parallel with and 60 feet Northerly of the South line of said Southeast Quarter of Section 22 a distance of 121.59 feet;
thence South 89°19'18" West parallel with and 60 feet North of the South line of the Southwest Quarter of said Section 22 a distance of 377.55 feet;
thence North 18°32'07" East a distance of 197.47 feet;
thence North 16°22'52" East a distance of 770.92 feet;
thence North 39°18'26" West a distance of 92.03 feet;
thence North 69°56'50" West a distance of 318.69 feet;
thence North 54°07'08" West a distance of 630.62 feet to the Southeasterly line of the plat of Morrison's Addition to Blanchard according to the plat thereof, recorded in Volume 3 of Plats, page 92, records of Skagit County, Washington;
thence North 44°10'19" East along the Southeasterly line of said Morrison's Addition to Blanchard a distance of 189.36 feet to the centerline of Mc Elroy Slough as it existed on October 1, 1997;

continued

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EXHIBIT "A"

17482

PARCEL A continued

thence continuing Southeasterly along the existing centerline of Mc Elroy Slough the following courses:

thence South 66°47'18" East a distance of 121.90 feet;
thence South 29°31'40" East a distance of 89.45 feet;
thence South 16°41'59" East a distance of 107.47 feet;
thence South 32°27'38" East a distance of 84.10 feet;
thence South 57°49'46" East a distance of 82.13 feet;
thence South 70°51'35" East a distance of 66.90 feet to the North line of the Southeast Quarter of the Southwest Quarter of said Section 22;
thence North 89°52'25" East along the North line of the Southeast Quarter of the Southwest Quarter of Section 22 a distance of 459.41 feet to the point of beginning.

PARCEL B:

An easement being sixty (60) feet wide for ingress and egress in a portion of the Southwest Quarter and the Southeast Quarter of Section 22, Township 36 North, Range 3 East of the Willamette Meridian, being more particularly described as follows:

The South 60 feet of the Southwest Quarter of said Section 22 lying East of the Burlington Northern Railroad right-of-way and together with the South 60.00 feet of the West 925.74 feet of the Southeast Quarter of said Section 22.

Situated in Skagit County, Washington.

- END OF EXHIBIT "A" -

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