



199911190022

Kathy Hill, Skagit County Auditor

11/19/1999 Page 1 of 4 10:22:16AM

OPEN SPACE TAXATION AGREEMENT

CH. 84.34 RCW

17612

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

Grantor(s) SKAGIT COUNTY

Grantee(s) DONALD CALDWELL

Legal Description a portion of the SOUTH 1/2 of the SOUTH
the southwest 1/4 of Section 14, Township 34
north, Range 1 EAST, W.M.
SEE ATTACHMENT "A"

Assessor's Property Tax Parcel or Account Number P19424

Reference Numbers of Documents Assigned or Released

This agreement between DONALD CALDWELL

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body receives the signed agreement from the property owner and shall remain in effect until the property is withdrawn or removed from classification.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

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 84.34108(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 OCTOBER 25, 1999

Granting Authority:

Gabe H. Hill
COMMISSIONER 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.

Donald Caldwell
Owner(s)

Dated 11/3/99

(Must be signed by all owners)

Date signed agreement received by Legislative Authority

November 8, 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)



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11/19/1999 Page 2 of 4 10:22:16AM

To inquire about the availability of this form in an alternate format for the visually impaired, please call (360) 753-3217. Teletype (TTY) users may call (800) 451-7985.

17612

Attachment 'A'

August 9, 1999

DESCRIPTION FOR ASSESSOR'S PURPOSES
APPLICATION CF-75

That portion of the South 1/2 of the Southwest 1/4 of the Southwest 1/4 of Section 14, Township 34 North, Range 1 East, W.M. described as follows.

BEGINNING at the Northwest corner of said South 1/2 of the Southwest 1/4 of the Southwest 1/4 of Section 14, Township 34 North, Range 1 East, W.M.;

thence South 89°49'08" East 60.61 feet along the North line of said subdivision to a point on a non-tangent curve concave to the East;

thence along the arc of said curve to the left, having an initial tangent bearing of South 4°06'47" East, a radius of 370.00 feet, a central angle of 13°35'39", an arc distance of 87.79 feet; to a point of reverse curvature;

thence along the arc of said curve to the right, having a radius of 430.00 feet, through a central angle of 17°11'19", an arc distance of 129.00 feet, to a point of reverse curvature;

thence along the arc of said curve to the left, having a radius of 70.00 feet, through a central angle of 65°00'00", an arc distance of 79.41 feet to a point of tangency; thence South 65°31'07" East 131.76 feet to a point of curvature;

thence along the arc of said curve to the left, having a radius of 170.00 feet, through a central angle of 36°46'52", an arc distance of 109.13, to a point of tangency;

thence North 77°42'01" East 4.53 feet to a point on the proposed Haley Lane cul-de-sac on a non-tangent curve concave to the Southeast;

thence along the arc of said curve to the right, having an initial tangent bearing of North 29°30'38" East, a radius of 45.00 feet, a central angle of 26°43'38", an arc distance of 20.99 feet;

thence North 36°55'51" West 260.68 feet;

thence North 0°21'23" East 56.83 feet;

thence South 89°49'08" East 247.00 feet;

thence South 8°45'18" West 267.53 feet to a point on the proposed Haley Lane cul-de-sac;

thence North 59°12'02" East 50.00 feet;

thence North 7°43'06" East 240.89 feet;

thence South 89°49'08" East 150.00 feet;

thence South 0°21'23" West 245.00 feet;

thence North 89°49'08" West 153.57 feet;

thence South 59°12'02" West 65.82 feet to a point of the proposed Haley Lane cul-de-sac on a non-tangent curve, concave to the West;

LISSE & ASSOCIATES, PLLC



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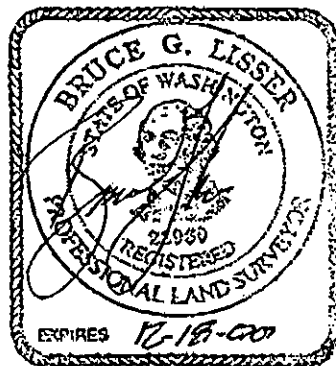
11/19/1999 Page 3 of 4 10:22:16AM

17612

thence along the arc of said cul-de-sac, having an initial tangent bearing of South 30°47'58" East, a radius of 45.00 feet, through a central angle of 55°00'00", an arc distance of 43.20 feet;
thence leaving said cul-de-sac South 65°47'58" East 45.00 feet;
thence South 33°07'14" East 130.00 feet;
thence South 0°21'23" West 110.00 feet;
thence South 89°48'31" West 215.00 feet;
thence North 0°21'23" East 214.54 feet the proposed South margin of Haley Lane, being on a non-tangent curve concave to the North;
thence along said curve having an initial tangent bearing of South 85°22'00" West, a radius of 230.00 feet, through a central angle of 7°28'48" an arc distance of 30.03 feet;
thence leaving said margin South 0°21'23" West 214.17 feet;
thence South 89°48'31" West 260.00 feet;
thence North 37°00'17" East 294.31 feet to the aforesaid South margin of proposed Haley Lane;
thence North 65°31'07" West 67.31 feet along said South margin;
thence leaving said South margin South 37°00'17" West 292.43 feet to the West line of said Southwest 1/4 of Section 14; thence North 0°21'23" East 591.01 feet along said West line to the POINT OF BEGINNING.

SUBJECT TO and TOGETHER WITH easements, reservations, restrictions, covenants, liens, leases and other instruments of record.

Situate in the County of Skagit, State of Washington.



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11/19/1999 Page 4 of 4 10:22:16AM