

When Recorded Return to:



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, Skagit County Auditor

8/27/2001 Page 1 of 3 12:23:54PM

OPEN SPACE TAXATION AGREEMENT

Chapter 84.34 RCW

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

Grantor(s) SKAGIT COUNTY

Grantee(s) MARY MUREAU

Legal Description See Attachment "A"

S¹/₂ Sec 23, Twp 36, Rge 3

Assessor's Property Tax Parcel or Account Number P118240

Reference Numbers of Documents Assigned or Released _____

This agreement between MARY MUREAU

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 Chapter 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legislative body receives the signed agreement from the property owner and shall remain in effect until the property is withdrawn or removed from classification.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 landowner 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:
- Transfer to a governmental entity in exchange for other land located within the State of Washington.
 - 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.
 - A natural disaster such as a flood, windstorm, earthquake, or other such calamity rather than by virtue of the act of the land owner changing the use of such property.
 - 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.
 - Transfer of land to a church when such land would qualify for exemption pursuant to RCW 84.36.020.
 - 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)).
 - Removal of land classified as farm and agricultural land under RCW 84.34.020(2)(d).
 - Removal of land from classification after enactment of a statutory exemption that qualifies the land for exemption and receipt of notice from the owner to remove the land from classification.
 - The creation, sale, or transfer of forestry riparian easements under RCW 76.13.120.
 - The creation, sale, or transfer of a fee interest or a conservation easement for the riparian open space program under RCW 76.09.040.
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:

- The applicant shall comply with the Timber Management Plan as Submitted
- At the time of harvest, the applicant shall comply with all requirements of the Department of Natural Resources regarding harvest of timber.

It is declared that this agreement specifies the classification and conditions as provided for in Chapter 84.34 RCW and the conditions imposed by this Granting Authority. This agreement to tax according to the use of the property is not a contract and can be annulled or canceled at any time by the Legislature (RCW 84.34.070).

Dated 7/2/01

Granting Authority:

Red W Anderson ^{DM KO} Chairman
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.

Mary M. Murlan
Owner(s)
(Must be signed by all owners)

Dated July 25, 2001

Date signed agreement received by Legislative Authority

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

To inquire about the availability of this notice in an alternate format for the visually impaired or in a language other than English, please call (360) 753-3217. Teletype (TTY) users may call (800) 451-7985.

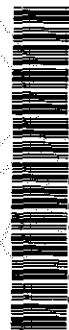


PORTION OF LOT 2 OF SHORT PLAT#99-0001 AF#9906220015 LOCATED IN S1/2 S1/2 OF SECTION DEFINED AS FOLLOWS: BEGINNING AT A POINT ON THE S1/4 CORNER; THENCE CONTINUE NORTH 950 FEET MORE OR LESS TO POINT OF BEGINNING; THENCE NORTHWESTERLY AT A 31 DEGREE ANGLE, 200 FEET MORE OR LESS; THENCE EAST 350 FEET MORE OR LESS; THENCE SOUTH 500 FEET MORE OR LESS TO THE SOUTH LINE OF LOT 2 OF SAID SHORT PLAT; THENCE WEST 50 FEET MORE OR LESS; THENCE NORTH 50 FEET MORE OR LESS; THENCE NORTHWESTERLY 300 FEET TO THE POINT OF BEGINNING. ALSO INCLUDES FOLLOWING DESCRIBED TRACT: BEGINNING AT A POINT ON S1/4 CORNER; THENCE NORTH TO INTERSECTION OF COUNTY ROAD & SECTION LINE; THENCE NORTHWESTERLY ALONG COUNTY ROAD, 450 FEET MORE OR LESS TO POINT OF BEGINNING; THENCE SOUTH 180 FEET MORE OR LESS TO SOUTH LINE OF LOT 2 OF SAID SHORT PLAT; THENCE WEST ALONG SOUTH LINE OF LOT 2, 350 FEET MORE OR LESS; THENCE NORTH 180 FEET MORE OR LESS; THENCE EAST 350 FEET MORE OR LESS TO POINT OF BEGINNING. EXCEPT COUNTY ROAD AKA WOOD ROAD

Except any portion of the following description lying within the above described

That portion of Lot 2, Skagit County Short Plat No. 99-0001, approved June 6, 1999 and recorded June 22, 1999 in Volume 14 of Short Plats, Pages 33-34, under Auditor's File No. 9906220015, being a portion of the South ½ of Section 23, Township 36 North, Range 3 East, W.M., described as follows:

Commencing at the Southeast corner of said Lot 2, Skagit County Short Plat No. 99-0001; thence North 1°27'24" West 653.17 feet along the East line of said Lot 2 to an angle point of said Lot 2 on the North line of the Southwest ¼ of the Southeast ¼ of said Section 23, Township 36 North, Range 3 East, W.M.; thence South 89°38'02" West 180.00 feet along said North line to the TRUE POINT OF BEGINNING; thence South 1°27'24" East 210.00 feet parallel with the East line of said Lot 2, Skagit County Short Plat No. 99-0001; thence South 89°38'02" West 207.50 feet; thence North 1°27'24" West 210.00 feet to a point bearing South 89°38'02" West from the TRUE POINT OF BEGINNING; thence North 89°38'02" East 207.50 feet to the TRUE POINT OF BEGINNING.



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