

When Recorded Return to:



200202010146
Skagit County Auditor

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NOTICE OF CONTINUANCE
LAND CLASSIFIED AS CURRENT USE OR FOREST LAND
Chapter 84.34 And 84.33 Revised Code of Washington

Grantor(s) Estate of Margaret Omdahl
Grantee(s) Neil Omdahl
Legal Description See Attached Exhibit "A"
Ptn is Sec 14, Twp 35, Rge 3

Assessor's Property Tax Parcel or Account Number P#4326, P#34300, P#34330, P#34319
Reference Numbers of Documents Assigned or Released 751230

If the new owner(s) of land that is classified or designated as current use or forest land wish(es) to continue the classification or designation of this land, the new owner(s) must sign below. All new owners must sign. If the new owner(s) do(es) not desire to continue the classification or designation, all additional or compensating tax calculated pursuant to RCW 84.34.108 or RCW 84.33.120, 140 shall be due and payable by the seller or transferor at the time of sale. To determine if the land qualifies to continue classification or designation, the county assessor may be consulted.

Name of New Owner(s) Neil Omdahl

Address 8669 Omdahl Lane
Bow, Washington 98232

Phone No. (360) 757-3045

Excise Tax No. _____

File No. _____

Taxing District _____

Date of Sale or Transfer 08 / 30 / 01

Date of Notice / /

Interest in Property: Fee Owner Contract Purchaser Other

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

3. **TIMBER LAND MEANS** any land in contiguous ownership of five or more acres devoted primarily to the growing and harvesting of forest crops for commercial purposes and not classified as reforestation land pursuant to Chapter 84.28 RCW. Timber land means the land only.

I/we declare that I am/we are aware of the liability of withdrawal or removal of this land from classification to the following extent:

1. If the owner has filed the proper notice of request to withdraw the classified land and the land has been classified for a minimum of ten years he/she shall pay an amount equal to the difference between the tax computed on the basis of "current use" and the tax computed on the basis of true and fair value plus interest at the same statutory rate charged on delinquent property taxes. The additional tax and interest shall be paid for the preceding seven years.
2. If land is removed from classification because of a change to a non-conforming use, land is removed prior to the minimum ten year period, or land is removed because the owner(s) failed to comply with the two year notice of withdrawal he/she shall be liable to pay the additional tax and interest described in 1 above plus a penalty of twenty percent of the additional tax and interest. The additional tax, interest, and penalty shall be paid for the preceding seven years.
3. The additional tax, interest, and/or penalty shall not be imposed if the withdrawal or removal from classification resulted solely from:
 - a) transfer to a government 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 of eminent domain in anticipation of the exercise of this power, said entity having manifested its intent in writing or by other official action;
 - c) a natural disaster such as a flood, windstorm, earthquake, or other calamity rather than by virtue of the act of the landowner changing the use of the classified land;
 - d) official action by an agency of the state of Washington or by the county or city within which the land is located that disallows the present classified use of the land;
 - e) transfer of land to a church when the land would qualify for exemption pursuant to RCW 84.36.020;
 - f) acquisition of property interests by a state or federal agency, county, city, town, metropolitan park district; metropolitan municipal corporation, nonprofit historic preservation corporation as defined in RCW 64.04.130, or nonprofit nature conservancy corporation or association as defined in RCW 84.34.250;
 - g) removal of classified farm and agricultural land on which the principal residence of the farm operator or owner or housing for employees;
 - h) 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;
 - i) the creation, sale, or transfer of forestry riparian easements under RCW 76.13.120; or
 - j) the creation, sale, or transfer of a fee interest or a conservation easement for the riparian open space program under RCW 76.09.040.

B CLASSIFICATION UNDER CHAPTER 84.33 RCW. I/we request that this land retain its classification or designation as forest land and I am/we are aware of the following definition of forest land:

FOREST LAND means and is synonymous with timber land and means all land in contiguous ownership of at least twenty acres that is primarily devoted to and used for growing and harvesting timber. Forest land means the land only.

- a) **CLASSIFIED FOREST LAND** is land whose highest and best use is the growing and harvesting of timber.
- b) **DESIGNATED FOREST LAND** is land that is primarily devoted to and used for growing and harvesting timber but whose value for other purposes may be greater than its value for use as forest land.

REV 64 0047-3 (1/03/00)



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 - a) transfer to a government 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 of eminent domain in anticipation of the exercise of this power, said entity having manifested its intent in writing or by other official action;
 - c) a natural disaster such as a flood, windstorm, earthquake, or other calamity rather than by virtue of the act of the landowner changing the use of the classified land;
 - d) official action by an agency of the state of Washington or by the county or city within which the land is located that disallows the present classified use of the land;
 - e) transfer of land to a church when the land would qualify for exemption pursuant to RCW 84.36.020;
 - f) acquisition of property interests by a state or federal agency, county, city, town, metropolitan park district; metropolitan municipal corporation, nonprofit historic preservation corporation as defined in RCW 64.04.130, or nonprofit nature conservancy corporation or association as defined in RCW 84.34.250;
 - g) removal of classified farm and agricultural land on which the principal residence of the farm operator or owner or housing for employees;
 - h) 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;
 - i) the creation, sale, or transfer of forestry riparian easements under RCW 76.13.120; or
 - j) the creation, sale, or transfer of a fee interest or a conservation easement for the riparian open space program under RCW 76.09.040.

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I/we declare that I am/we are aware of the liability of removal of this land from classification or designation and upon removal a compensating tax shall be imposed that shall be equal to the difference between the amount of tax last levied on the land as forest land and an amount equal to the new assessed valuation of the land multiplied by the mileage rate of the last levy extended against the land, multiplied by a number, not greater than ten, equal to the number of years the land was classified or designated as forest land.

The compensating tax shall not be imposed if the removal of classification or designation resulted solely from:

- a) transfer to a government entity in exchange for other forest 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 of eminent domain in anticipation of the exercise of this power;
- c) a donation of fee title, development rights, or the right to harvest timber, to a government agency or organization qualified under RCW 84.34.210 and 64.04.130 for the purposes enumerated in those sections or the sale or transfer of fee title to a governmental entity or a nonprofit nature conservancy corporation, as defined in RCW 64.04.130, exclusively for the protection and conservation of lands recommended for state natural area preserve purposes by the natural heritage council and natural heritage plan as defined in Chapter 79.70 RCW;
- d) the sale or transfer of fee title to the parks and recreation commission for park and recreation purposes;
- e) official action by an agency of the State of Washington or by the county or city within which the land is located that disallows the present use of such land;
- f) the creation, sale, or transfer of forestry riparian easements under RCW 76.13.120; or
- g) the creation, sale, or transfer of a fee interest or a conservation easement for the riparian open space program under RCW 76.09.040.

Agreement to tax according to use shall not be considered to be a contract and can be abrogated at any time by the legislature in which event no additional tax or penalty shall be imposed. (RCW 84.34.070).

April Omdahl 11/9/01
Property Owner Date

8669 Omdahl Lane
Bow WA 98232
Address

Property Owner / /
Date

Address

Property Owner / /
Date

Address

Property Owner / /
Date

Address

REV 64 0047-4 (1/03/00)



PARCEL "A" (Margaret Omdal)

That portion of the North Half of the Southwest Quarter of Section 14, Township 35 North, Range 3 East, W.M., EXCEPT the West 1750.86 feet thereof, described as follows:

Beginning at the Northeast corner of said Southwest Quarter of Section 14; thence South $3^{\circ}31'22''$ East along the East line of said Southwest Quarter, 510.29 feet; thence South $22^{\circ}53'40''$ West, 375.48 feet; thence South $75^{\circ}29'38''$ West, 369.78 feet; thence North $89^{\circ}50'46''$ West, parallel with the North line of said Southwest Quarter, 324.00 feet to the West line of the above-described parcel; thence North $2^{\circ}19'31''$ West along said West line 950.00 feet to the Northwest corner of the above-described parcel; thence South $89^{\circ}50'46''$ East along said North line of the Southwest Quarter, 835.25 feet to the POINT OF BEGINNING.

PARCEL "B" (Margaret Omdal)

The Northwest Quarter of the Southeast Quarter of Section 14, Township 35 North, Range 3 East, W.M.

EXCEPT the North 669.37 feet thereof.

ALSO EXCEPT the following described parcel:

Commencing at the South Quarter corner of said Section 14; thence North $3^{\circ}31'22''$ West along the West line of said Southeast Quarter, 1,598.75 feet; thence North $23^{\circ}02'09''$ East, 38.46 feet to an angle point in that certain parcel of land as shown on Record of Survey recorded in Book 6 of Surveys, page 74, records of Skagit County, Washington, under Auditor's File No. 8505090030, said angle point being the TRUE POINT OF BEGINNING; thence South $66^{\circ}57'51''$ East along the Southerly line of said parcel, 109 feet, more or less, to the Southeast corner of said parcel; thence Northerly along the East line of said parcel, 166 feet, more or less, to the Northeast corner of said parcel; thence South $70^{\circ}40'17''$ East, 25 feet, more or less, to the centerline of the Samish River; thence Northerly along said centerline, 240 feet, more or less, to the intersection with the South line of the North 669.37 feet of said Northwest Quarter of the southeast Quarter of Section 14; thence North $89^{\circ}50'46''$ West, along said South line, 190 feet, more or less, to the intersection with the West line of said Northwest Quarter of the Southeast Quarter; thence South $3^{\circ}31'22''$ East along said West line, 392.77 feet to a point which bears South $23^{\circ}02'09''$ West from the TRUE POINT OF BEGINNING; thence North $23^{\circ}02'09''$ East, 38.46 feet to the TRUE POINT OF BEGINNING.

PARCEL "C" (Margaret Omdal)

The West four rods of the Southwest Quarter of the Southeast Quarter of Section 14, Township 35 North, Range 3 East, W.M.

EXCEPT road along the South line thereof.



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PARCEL "D" P-34300 (Margaret Omdal)

That portion of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 14, Township 35 North, Range 3 East, W.M., lying Southwesterly of the Pacific Northwest Traction Company right-of-way.

Also, that portion of the North 669.37 feet of the Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 14, Township 35 North, Range 3 East, W.M., lying Southwesterly of the Pacific Northwest Traction Company right-of-way and Easterly of the thread of the Samish River.



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