

When Recorded Return to:



200203010071

Skagit County Auditor

3/1/2002 Page 1 of 6 11:29AM

**NOTICE OF REMOVAL OF DESIGNATED FOREST LAND
AND COMPENSATING TAX CALCULATION
Chapter 84.33 RCW
SKAGIT COUNTY**

Grantor(s) Skagit County
Grantee(s) William and Susan Guse
Legal Description Ptns in Sec. 32, Twp. 33, Rge. 10 as attached
Assessor's Property Tax Parcel or Account Number P118913.P18876 & P18857
Reference Numbers of Documents Assigned or Released CF/DF Vio#7-2002

You are hereby notified that the above described property has been removed from designated forest land as of 3-1-02. The land no longer meets the definition and/or provisions of designated forest land for the following reason(s):

Removed with no back taxes owing per RCW 64.04.130 and RCW 84.34.210 CF-75 & DF-93

The compensating tax is due and payable to the County Treasurer 30 days from the date of this notice. If unpaid by this date, the compensating tax shall be come a lien on the land and interest on this amount will begin to accrue. The county may begin foreclosure proceedings as provided in RCW 84.64.050 if the compensating tax and interest remain unpaid.

You may apply to have the land reclassified as either Open Space Land, Farm and Agricultural Land or Timber Land under chapter 84.34 RCW. If an application for reclassification is received within 30 days of this notice, no compensating tax is due until the application is denied, or, if approved, the property is later removed from classification under chapter 84.34 RCW in accordance with RCW 84.34.108.

Date of Notice: 3-1-02
Total Compensating Tax Due: 0 Date Payment Due: 0
County Assessor or Deputy: Linda S. White, Current Use Specialist *Linda S. White*

REMOVAL FROM DESIGNATED FOREST LAND COMPENSATING TAX

The county assessor will remove land from designated forest land when any of the following occur:

1. Receipt of a notice from the land owner to remove it from designation;
2. Sale or transfer to an ownership making the land exempt from property taxation;
3. Sale or transfer of all or a portion of such land to a new owner, unless the new owner has signed a Notice of Continuance for designated forest land on the Real Estate Excise Tax Affidavit or the new owner is an heir or devisee of a deceased owner;
4. Determination by the assessor, after giving the owner written notice and an opportunity to be heard, that:
 - a. The land is no longer primarily devoted to and used for growing and harvesting timber;
 - b. The land owner has failed to comply with a final administrative or judicial order regarding a violation of the restocking, forest management, fire protection, insect and disease control, and forest debris provisions of Title 76 RCW or;
 - c. Restocking has not occurred to the extent or within the time frame specified in the application for designation as forest land.

Removal of designation applies only to the land affected, and any remaining forest land must meet the definition of forest land under RCW 84.33.035 to continue as designated forest land. Within 30 days after removal of designated forest land, the assessor shall send the owner a written notice, setting forth the reasons for the removal

COMPENSATING TAX

(RCW 84.33.140)

Compensating tax recaptures taxes that would have been paid on the land if it had been assessed and taxed at its true and fair value instead of the forest land value. The assessor uses the current year's levy rate, the last assessed forest land value, and the true and fair value as of January 1st of the year of removal from designation to calculate the compensating tax for the land being removed. The compensating tax due is the difference between the amount of taxes assessed at forest land value on the land being removed and the taxes that would have been paid at true and fair value for the period of time the land was so classified or designated as forest land, up to a maximum of nine years, plus an amount using the same calculation for the current year, up to the date of removal. The assessor will also calculate for collection, the prorated taxes for the current tax year from the time of removal to the end of the year in the year of removal at true and fair value.

APPEAL

An appeal of the removal of designation or new assessed valuation must be filed with the County Board of Equalization on or before July 1 in the year of removal or within 30 days (or 60 days if the county legislative authority has extended the deadline) of the Notice of Removal or Change of Value Notice, whichever is later.



Compensating tax is not imposed if the removal of designation resulted solely from:

1. Transfer to a government entity in exchange for other forest land located within the state;
2. 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 such power;
3. A donation of fee title, development rights or the right to harvest timber, to a government agency or organization listed in RCW 84.34.210 and 64.04.130 for the purposes stated in those sections. When land is no longer used for these purposes, compensating tax will be imposed upon the current owner;
4. 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. When land is no longer used for these purposes, compensating tax will be imposed upon the current owner.
5. The sale or transfer of fee title to the Parks and Recreation Commission for park and recreation purposes;
6. 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;
7. The creation, sale, or transfer of forestry riparian easements under RCW 76.13.120;
8. The creation, sale, or transfer of a fee interest or a conservation easement for the riparian open space program under RCW 76.09.040;
9. The sale or transfer within two years after the death of an owner with at least a fifty percent interest in the land if the land has been continuously assessed and valued as classified or designated under chapter 84.33 RCW or classified under chapter 84.34 RCW since 1993;
10. The sale or transfer of forest land between July 22, 2001, and July 22, 2003, if;
 - a. The previous owner of the land died after January 1, 1991;
 - b. The deceased owner had at least fifty percent interest in the land; and
 - c. The land was classified or designated as forest land under chapter 84.33 RCW or classified under chapter 84.34 RCW continuously since 1993.

COMPENSATING TAX STATEMENT

Parcel No: P118913,P18876 & P18857 Date of Removal: 3-1-02

1. Calculation of Current Year's Taxes to Date of Removal.

0	÷	365	=	0
No. of days designated as forest land in the year of removal		No. of days in year		Proration Factor (To items 1a and 1b)
a. \$0	X	0	X	0
Market Value		Levy Rate		Proration Factor
b. \$0	X	0	X	0
Forest Land Value		Levy Rate		Proration Factor
c. Total amount of compensating tax for current year (subtract 1b from 1a)				= \$0

(Compensating Tax Statement continued next page)



2. Calculation of Prior Year's Compensating Tax.

Market Value (Jan 1 of year removed)	Less	Forest Land Value at Time of Removal	Multiplied By	Last Levy Rate Extended Against Land	Multiplied By	Years *	Equals	Compensating Tax
\$0	-	\$0	X	\$0	X	0	=	\$0
Recording Fee								\$14.00 <i>pa</i>
Total Amount of Prior Year's Compensating Tax								\$0

* Number of years in classification or designation, not to exceed 9.

3. Calculation of Prior Year's Compensating Tax (Total amounts for items 1 & 2). = \$0

4. Calculation of Tax for Remainder of Current Year.

<u>305</u>	÷	<u>365</u>	=	<u>.84</u>	Proration Factor
No. of days remaining after removal		No. of days in year			
a. <u>\$170,400</u>	X	<u>13.0559</u>	X	<u>.84</u>	= <u>\$1,868.78</u>
Market Value		Levy Rate		Proration Factor	
b. <u>\$12,700</u>	X	<u>13.0559</u>	X	<u>.84</u>	= <u>\$139.28</u>
Forest Land Value		Levy Rate		Proration Factor	
c. Total amount of compensating tax for current year (subtract 4b from 4a)					= <u>\$1,729.50</u>

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



EXHIBIT "A"

The land referred to in this report/policy is situated in the State of Washington, County of Skagit, and is described as follows:

Government Lots 1, 5, 6, and 9, and the West 1/2 of the Southeast 1/4, all in Section 32, Township 33 North, Range 10 East, W.M.

EXCEPT that portion of Government Lot 1, lying Easterly of the Sauk River and Northerly of the unnamed Slough as said bodies existed on July 10, 1979.

ALSO EXCEPT that portion thereof, if any, conveyed to the Quadrant Corporation by Deed recorded January 19, 1973, as Auditor's File No. 779574.

ALSO EXCEPT that portion of Government Lots 5, 6 and 9, lying between the Westerly line of the Sauk River, as said river existed on June 5, 1985, and Southerly and Easterly of the original channel of the Sauk River.

ALSO EXCEPT those portions of Government Lot 6, and the Northwest 1/4 of the Southeast 1/4 of said Section 32, lying Southerly of the following described line and its projection:

Commencing at the concrete monument marking the Southwest corner, Southeast 1/4 of said Section 32; thence North 89 degrees 29' 07" East along the South line of said Section, a distance of 1,324.76 feet to the Southeast corner of the West 1/2 of the Southeast 1/4 of said Section; thence North 0 degrees 57' 39" West, a distance of 1,883.67 feet along the East line of the West 1/2 of the Southeast 1/4 of said Section to the point of beginning of said line marked by a rebar with a plastic cap stamped "13138"; thence North 63 degrees West, a distance of 808.11 feet to a rebar with a plastic cap stamped "13138"; thence continuing North 63 degrees West to the East line of the Sauk River as located in January, 2001, and terminus of herein described line.

TOGETHER WITH a non-exclusive, 20-foot wide easement for ingress and egress the centerline of which is described as follows:

Commencing at the concrete monument marking the Southwest corner of the Southeast 1/4 of said Section 32; thence South 89 degrees 26' 49" West, 737.44 feet along the South line of the Southwest 1/4 of said Section 32, to the centerline of an existing dirt road and the true point of beginning of this easement description; thence along the centerline of said dirt road the following courses and distances:



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North 17 degrees 24' 09" West, 7.97 feet; North 22 degrees 33' 22" West, 47.48 feet; North 02 degrees 13' 28" East, 24.58 feet; North 24 degrees 54' 51" East, 19.05 feet; North 56 degrees 15' 36" East, 23.28 feet; North 82 degrees 59' 57" East, 28.90 feet; South 84 degrees 11' 25" East, 46.48 feet; South 84 degrees 46' 35" East, 45.75 feet; North 85 degrees 51' 54" East, 41.05 feet; North 79 degrees 56' 13" East, 36.78 feet; North 70 degrees 36' 24" East, 43.16 feet; North 65 degrees 52' 14" East, 128.73 feet; North 60 degrees 34' 04" East, 33.21 feet; North 54 degrees 17' 57" East, 40.05 feet; North 46 degrees 14' 03" East, 36.83 feet; North 39 degrees 10' 01" East, 31.06 feet; North 35 degrees 15' 50" East, 47.44 feet; North 35 degrees 03' 59" East, 50.93 feet; North 34 degrees 03' 06" East, 48.16 feet; North 20 degrees 28' 07" East, 59.62 feet; North 03 degrees 06' 56" East, 62.38 feet; North 06 degrees 59' 09" East, 32.14 feet; North 09 degrees 13' 56" East, 60.73 feet; North 00 degrees 47' 37" West, 28.99 feet; North 09 degrees 38' 21" West, 59.17 feet; North 06 degrees 02' 10" West, 28.55 feet; North 04 degrees 22' 18" East, 28.84 feet; North 23 degrees 03' 09" East, 42.45 feet; North 37 degrees 03' 05" East, 44.47 feet; North 32 degrees 46' 34" East, 40.12 feet; North 26 degrees 11' 57" East, 47.01 feet; North 19 degrees 22' 06" East, 67.81 feet; North 30 degrees 59' 47" East, 21.28 feet; North 46 degrees 10' 13" East, 47.03 feet; North 40 degrees 48' 47" East, 90.32 feet; North 47 degrees 36' 18" East, 23.79 feet; North 48 degrees 20' 29" East, 52.64 feet; North 39 degrees 06' 20" East, 68.04 feet; North 34 degrees 43' 26" East, 52.53 feet; North 42 degrees 24' 20" East, 29.43 feet; North 46 degrees 42' 40" East, 62.15 feet; North 45 degrees 35' 30" East, 34.25 feet; North 46 degrees 41' 27" East, 33.65 feet; North 51 degrees 14' 14" East, 23.25 feet; North 56 degrees 03' 55" East, 42.85 feet; North 58 degrees 14' 11" East, 38.55 feet; North 60 degrees 13' 44" East, 55.49 feet; North 47 degrees 05' 41" East, 48.76 feet; North 39 degrees 30' 53" East, 83.81 feet; North 40 degrees 22' 36" East, 58.67 feet; North 25 degrees 21' 52" East, 61.99 feet; North 17 degrees 43' 21" East, 101.81 feet; North 09 degrees 10' 43" East, 58.66 feet; North 03 degrees 02' 36" East, 64.50 feet; North 04 degrees 42' 16" West, 82.43 feet; North 13 degrees 32' 18" East, 99.73 feet; North 19 degrees 00' 38" East, 71.78 feet; North 30 degrees 22' 10" East, 70.80 feet; North 39 degrees 47' 21" East, 50.31 feet to the terminus of said centerline, which bears South 74 degrees 41' 44" West, 1912.69 feet from a concrete monument marking the Northeast corner of the Southeast 1/4 of said Section 32; EXCEPT that portion of this easement lying within Government Lot 9 and the Southwest 1/4 of the Southeast 1/4 of said Section 32.



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