



200203270019

Skagit County Auditor

3/27/2002 Page 1 of 4 9:25AM

**NOTICE OF REMOVAL OF CURRENT USE CLASSIFICATION  
AND ADDITIONAL TAX CALCULATIONS**

**Chapter 84.34 RCW****SKAGIT****COUNTY**Grantor(s): Skagit County Assessor's OfficeGrantee(s): Mark Wheeler and Cynthia JohnsonLegal Description: A ptn Gov. Lt 2 in Sec. 33, Twp. 36, Rge. 3 as described on attached.O/S#426 AF#780181 1973Assessor's Property Tax Parcel or Account Number: P118924Reference Numbers of Documents Assigned or Released: C/U VIo#13-2002

You are hereby notified that the current use classification for the above described property which has been classified as:

- ☐ Open Space Land  
☐ Timber Land  
☒ Farm and Agricultural Land

is being removed for the following reason:

- ☐ Owner's request  
☒ Property no longer qualifies under Chapter 84.34 RCW  
☐ Change to a use resulting in disqualification  
☐ Exempt Owner  
☐ Notice of Continuance not signed  
☐ Other

(state specific reason)

UNNOTED

A PORTION OF GOVERNMENT LOT 2, SECTION 33, TOWNSHIP 36 NORTH, RANGE 3 EAST, W.M., SKAGIT COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE MEANDER CORNER POST IN THE RIGHT BANK OF THE NORTH SAMISH RIVER WHERE THE WEST LINE OF SAID SECTION 33 CROSSES SAID NORTH SAMISH RIVER; THENCE ALONG SAID WEST LINE NORTH 00°25'38" EAST A DISTANCE OF 347.82 FEET TO THE NORTHWEST CORNER OF THAT CERTAIN TRACT OF LAND CONVEYED TO HENRI TIMMERS BY DEED RECORDED UNDER FILE NO. 9306210137 IN THE OFFICE OF THE AUDITOR, SAID COUNTY AND STATE, AND THE POINT OF BEGINNING. SAID POINT ALSO BEARS SOUTH 00°25'38" WEST A DISTANCE OF 53.01 FEET FROM A 2" BRASS CAP ON A PIPE MARKING THE WEST QUARTER CORNER OF SAID SECTION 33; THENCE ALONG THE SAID WEST LINE OF SECTION 33, NORTH 00°25'38" EAST A DISTANCE OF 53.01 FEET TO THE SAID WEST QUARTER CORNER; THENCE ALONG THE NORTH LINE OF SAID GOVERNMENT LOT 2, NORTH 89°36'36" EAST A DISTANCE OF 53.83 FEET TO A CURVE TO THE LEFT, HAVING A RADIUS OF 46.49 FEET, A CENTRAL ANGLE OF 66°47'19", AN ARC DISTANCE OF 54.20 FEET AND A RADIUS POINT WHICH BEARS NORTH 74°55'19" EAST FROM THE LAST DESCRIBED POINT; THENCE SOUTH 81°52'00" EAST A DISTANCE OF 116.78 FEET TO A CURVE TO THE RIGHT, HAVING A RADIUS OF 50.22 FEET, A CENTRAL ANGLE OF 75°52'26", AN ARC DISTANCE OF 66.50 FEET AND A TANGENT WHICH BEARS THE LAST DESCRIBED COURSE; THENCE ALONG SAID CURVE TO THE EAST LINE OF THAT CERTAIN TRACT OF LAND CONVEYED TO MARK WHEELER AND CYNTHIA JOHNSON BY RECORDING NO. 9508160055 SAID COUNTY AND STATE; THENCE ALONG SAID EAST LINE SOUTH 00°34'02" EAST A DISTANCE OF 170.23 FEET TO THE NORTH SAMISH RIVER; THENCE WESTERLY ALONG SAID NORTH SAMISH RIVER TO AN INTERSECTION WITH THE EAST LINE OF SAID TIMMERS TRACT PROJECTED SOUTHERLY; THENCE NORTH ALONG SAID PROJECTED LINE TO THE SOUTHEAST CORNER OF SAID TIMMERS PROPERTY; THENCE ALONG THE BOUNDARY OF SAID TIMMERS PROPERTY THE FOLLOWING 2 COURSES AND DISTANCES; THENCE NORTH 161.04 FEET; THENCE WEST 204.60 FEET TO THE NORTHWEST CORNER OF SAID TIMMERS PROPERTY AND THE POINT OF BEGINNING

EXCEPT ANY PORTION THEREOF LYING WITHIN THE DIKING DISTRICT AND DRAINAGE DISTRICT RIGHT OF WAYS - 1255 Rd

UNNOTED



200203270019

Skagit County Auditor

## PENALTY AND APPEAL

The property owner may appeal the assessor's removal of classification to the County Board of Equalization. Said Board may be reconvened to consider the appeal. The appeal must be filed within 30 calendar days following the date this notice is mailed.

Upon removal of classification from this property, an additional tax shall be imposed equal to the sum of the following:

1. The difference between the property tax that was levied upon the current use value and the tax that would have been levied upon the fair market value for the seven tax years preceding removal in addition to the portion of the tax year when the removal takes place; plus
2. Interest at the statutory rate charged on delinquent property taxes specified in RCW 84.56.020 from April 30 of the year the tax would have been paid without penalty to the date of removal; plus
3. A penalty of 20% added to the total amount computed in 1 and 2 above, **except** when the property owner complies with the withdrawal procedure specified in RCW 84.34.070, or where the additional tax is not applied as provided in 4 (below).
4. The additional tax specified in 1 and 2 (above) **shall not** be imposed if removal of 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 such power.
  - 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 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) (farm homesite value).
  - 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.
  - 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.

Ronda S. White  
County Assessor or Deputy

3/27/02  
Date

# **REMOVAL OF CURRENT USE ASSESSMENT AND COMPENSATING TAX CALCULATIONS**

**To:** Mark Wheeler and Cynthia Johnson  
4851 NE 39th St  
Seattle, WA 98105

<b>ACCOUNT NUMBER:</b>	P118924
<b>LEGAL DESCRIPTION:</b>	see attached
<b>VIOLATION NUMBER:</b>	13-2002
<b>DATE OF REMOVAL:</b>	3-27-02
<b>DATE SENT TO TREASURER:</b>	3-27-02
<b>DATE SENT TO OWNER:</b>	3-28-02
<b>YOU ARE HEARBY NOTIFIED THE ABOVE DESCRIBED PROPERTY HAS BEEN REMOVED FROM:</b>	Farm and Agriculture
<b>THE REASON FOR REMOVAL IS:</b>	No Longer Qualifies.

## **OPEN SPACE VIOLATION CALCULATION**

Levy Code	1140	Violation Date			Mar-02				
No. of Years	Tax Year	Levy Rate	Market Value	Market A/V Tax	Current Use A/V	Current Use Tax	Tax Difference	Interest	Totals
1	2002	13.4177	700	\$9.39	100	\$1.34	\$8.05	0%	\$8.05
2	2001	13.5654	700	\$9.50	100	\$1.36	\$8.14	11%	\$9.04
3	2000	13.8383	700	\$9.69	100	\$1.38	\$8.30	23%	\$10.21
4	1999	13.9181	700	\$9.74	100	\$1.39	\$8.35	35%	\$11.27
5	1998	13.6270	700	\$9.54	100	\$1.36	\$8.18	47%	\$12.02
6	1997	14.5090	600	\$8.71	100	\$1.45	\$7.25	59%	\$11.53
7	1996	13.6908	600	\$8.21	100	\$1.37	\$6.85	71%	\$11.71
								Subtotal	\$73.83
								20% Penalty	\$13.16
								Total	
								Tax Due	\$86.99

**THESE TAXES ARE DUE AND PAYABLE ON: April 29, 2002**

**DATE:** 03/27/2002

SKAGIT COUNTY TREASURER  
P.O. BOX 518  
MOUNT VERNON, WA 98273  
(360) 336-9350



200203270019  
Skagit County Auditor  
3/27/2002 Page 4 of 4 9:25AM