

When Recorded Return to:



200210280005
Skagit County Auditor
10/28/2002 Page 1 of 4 8:41AM

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) BERT and KARIN J. KING HASSELBERG

Legal Description A portion of the SE 1/4 of Section 22, Township 36, Range 3 East, W.M.,
Skagit County, Washington See attached

Assessor's Property Tax Parcel or Account Number P48081

Reference Numbers of Documents Assigned or Released _____

This agreement between BERT and KARIN J. KING HASSELBERG

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

XX ☒ 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legislative body receives the signed agreement from the property owner and shall remain in effect until the property is withdrawn or removed from classification.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 applicants shall comply with the Timber Management Plan as submitted.
- At the time of harvesting, applicants shall comply with all requirements of the Washington Department of Natural Resources in regard to the harvesting 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

10/15/02

Granting Authority:

Skagit County Commissioners

City or County

Don Winkler

K.D. TA

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.

Bert Hasselberg

Owner(s)

Dated

10-18-02

Karin J. King Hasselberg

(Must be signed by all owners)

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.

REV 64 0022-2 (1/03/00)



200210280005

Skagit County Auditor

10/28/2002 Page 2 of 4 8:41AM

February 11, 2002

Description for Bert and Karin Hasselberg Parcel

That portion of the Northwest 1/4 of the Southeast 1/4 and of the Southwest 1/4 of the Southeast 1/4 of Section 22, Township 36 North, Range 3 East, W.M., described as follows:

BEGINNING at the Northwest corner of said Northwest 1/4 of the Southeast 1/4 (center of Section 22);
thence South 89°34'13" East, 1331.33 feet along the North line of said Northwest 1/4 of the Southeast 1/4 to the Northeast corner thereof and being the TRUE POINT OF BEGINNING also being the Northeast corner of that certain parcel described on Quit Claim Deed to Jim L. Zachariasen and Kim T. Zachariasen, husband and wife, recorded under Skagit County Auditor's File No. 2000104040031;
thence South 0°35'25" East, 459.04 feet along the East line of said Northwest 1/4 of the Southeast 1/4;
thence South 43°46'00" West, 582.53 feet;
thence South 45°36'24" West, 800.00 feet;
thence South 50°59'03" East, 185.93 feet;
thence South 13°13'24" East, 297.76 feet, more or less, to a point on a line run between the Southeast corner of said Southwest 1/4 of the Southeast 1/4 to the Northwest corner of said Southwest 1/4 of the Southeast 1/4 also being the northeasterly line of Lot 3, Skagit County Short Plat No. 97-0069, recorded under Skagit County Auditor's File No. 200002040101;
thence along said line North 45°36'36" West, 509.25 feet, more or less, to the Southeast line of that certain tract conveyed to Wendell P. Morrison by Deed dated December 16, 1925 and recorded January 11, 1926 in Volume 138 of Deeds, page 445, records of Skagit County, Washington;
thence North 33°02'20" East, 51.78 feet, more or less, along the southeasterly line of said Morrison tract to the toe of the hill and the southeasterly corner of said Morrison tract;
thence along said toe of the hill, being the easterly line of said Morrison tract as follows:
thence North 60°47'52" West, 47.91 feet;
thence North 3°57'22" West, 76.07 feet;
thence North 16°59'43" West, 74.01 feet, more or less, to the Northeast corner of said Morrison tract;
thence South 89°34'23" West, 143.35 feet, more or less, along the North line of said Morrison tract to a point on a line run from the Southwest corner of said Northwest 1/4 of the Southeast 1/4 to the Northeast corner of said Northwest 1/4 of the Southeast 1/4, also being a point on the southeasterly line of that certain parcel described on Quit Claim Deed to



200210280005

Skagit County Auditor

David C. Hasselberg and Karen M. Hasselberg, husband and wife,
recorded under Skagit County Auditor's File No. 200012070077 and
bearing South 45°36'24" West from the TRUE POINT OF BEGINNING;
thence North 45°36'24" West along said southeasterly line, or line
extended, 1826.32 feet, more or less, to the TRUE POINT OF
BEGINNING.



200210280005
Skagit County Auditor

10/28/2002 Page 4 of 4 8:41AM