

When Recorded Return to:

Timothy K Garrison
18579 West Lakeview Lane
Mount Vernon, WA 98273



200211140195
Skagit County Auditor
11/14/2002 Page 1 of 9 12:34PM

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

Grantor(s) Timothy K. Garrison & Cynthia Garrison, hwt.
Grantee(s) Timothy K. Garrison & Cynthia Garrison, hwt. Charles H. Garrison & Janet M. Garrison, hwt
Legal Description Portions of the SW 1/4 and the SE 1/4 of Section 1,
Township 33 North, Range 4 East, W.M. described on the attachment
hereto.

Assessor's Property Tax Parcel or Account Number P107200, P99341, P112734 P100296
Reference Numbers of Documents Assigned or Released _____

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) Timothy K. Garrison & Cynthia Garrison, hwt
Charles H. Garrison & Janet M. Garrison, hwt
Address c/o 18579 West Lakeview Lane
Mount Vernon, WA 98273

Phone No. 360-419-9964 Excise Tax No. _____
File No. _____ Taxing District _____

Date of Sale or Transfer / / 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

A. CLASSIFICATION UNDER CHAPTER 84.34 RCW. I/we request that this land retains the current use classification as ☐ Open Space Land, ☐ Farm and Agricultural Land, ☒ Timberland, and I am/we are aware of the following use classification of the land:

1. OPEN SPACE LAND MEANS EITHER:

- a) any land area so designated by an official comprehensive land use plan adopted by any city or county and zoned accordingly; or
- b) any land area, the preservation of which in its present use would: (i) conserve and enhance natural or scenic resources; (ii) protect streams or water supply; (iii) promote conservation of soils, wetlands, beaches, or tidal marshes; (iv) enhance the value to the public of abutting or neighboring parks, forests, wildlife preserves, nature reservations or sanctuaries or other open space; (v) enhance recreation opportunities; (vi) preserve historic sites; (vii) preserve visual quality along highway, road, and street corridors or scenic vistas; or (viii) retain in its natural state tracts of land not less than one acre situated in an urban area and open to public use on such conditions as may be reasonably required by the legislative body granting the open space classification; or
- c) any land that meets the definition of farm and agricultural conservation land. "Farm and agricultural conservation land is either: (i) land that was previously classified as open space farm and agricultural land that no longer meets the criteria of farm and agricultural land, and that is reclassified as open space and under RCW 84.34.020(1); or (ii) land that is traditional farmland that is not classified under chapter 84.33 or 84.34 RCW, that has not been irrevocably devoted to a use inconsistent with agricultural uses, and that has a high potential for returning to commercial agriculture.

2. FARM AND AGRICULTURAL LAND MEANS EITHER:

- a) any land in contiguous ownership of twenty or more acres devoted: (i) primarily to the production of livestock or agricultural commodities, for commercial purposes; or (ii) enrolled in the federal conservation reserve program or its successor administered by the United States department of agriculture; or (iii) other similar commercial activities as may be established by rule; or
- b) any parcel of land at least five acres but less than twenty acres devoted primarily to agricultural uses and produces a gross income equal to two hundred dollars or more per acre per year for three out of the five calendar years preceding the date of application for classification under chapter 84.34 RCW; or
- d) any parcel of land that is less than five acres devoted primarily to agricultural uses and produces a gross income equal to fifteen hundred dollars or more per year for three out of the five calendar years preceding the date of application for classification under chapter 84.34 RCW; or
- d) any land on which the principal place of residence of the farm operator or owner of land or housing for employees is sited if the classified farm and agricultural land is classified pursuant to subsection (a) of this section, if the residence or housing is on or contiguous to the classified parcel, and the use of the residence or housing is integral to the use of the classified land for agricultural purposes.

Agricultural land also includes (i) land on which appurtenances necessary for the production, preparation, or sale of commercial agricultural products are situated when the appurtenances are used in conjunction with the land(s) producing agricultural products, (ii) land incidentally used for an activity or enterprise that is compatible with commercial agricultural purposes as long as the incidental use does not exceed twenty percent of the classified land, and (iii) any noncontiguous parcel of land from one to five acres in size that constitutes an integral part of the commercial agricultural operations of a classified parcel of farm and agricultural land.



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)



200211140195
Skagit County Auditor
11/14/2002 Page 3 of 9 12:34PM

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:

- transfer to a government entity in exchange for other forest 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 of eminent domain in anticipation of the exercise of this power;
- 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;
- the sale or transfer of fee title to the parks and recreation commission for park and recreation purposes;
- 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;
- the creation, sale, or transfer of forestry riparian easements under RCW 76.13.120; or
- 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).

[Signature] Property Owner 11/12/02 Date
Tim K. GARRISON

18579 W. LAKEVIEW MT. VERNON, WA. 98274
Address

[Signature] Property Owner 11/12/02 Date
Cynthia L. Garrison

18579 W. Lakeview Lane, Mt Vernon WA 98274
Address

Charles H Garrison 3rd Property Owner 11/14/02 Date
Charles H Garrison 3rd

4543 Mc Gee Rd Modesto CA 95357
Address

[Signature] Property Owner 11/14/02 Date
Janet M Garrison

4543 Mc Gee Rd, Modesto, CA 95357
Address

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



200211140195
Skagit County Auditor

Parcel "A":

The Northeast 1/4 of the Southeast 1/4 of the Southwest 1/4, and the West 1/2 of the Southwest 1/4 of the Southeast 1/4, EXCEPT the South 113.5 feet of the East 100 feet of said West 1/2, all in Section 1, Township 33 North, Range 4 East, W.M.

Parcel "B":

That portion of the following described Tract "X", which lies Southwesterly of a line described as follows:

Beginning at the Northwest corner of said East 1/2 of the Northwest 1/4 of the Southeast 1/4, as said point is shown on that certain Record of Survey, recorded in Book 12 of Surveys, on Page 24, under Auditor's File No. 9111200104, in the Auditor's Office of Skagit County, Washington; thence South 00 degrees 40' 02" West along the West line thereof, for a distance of 100.00 feet to the Northwest corner of that certain tract of land conveyed to David Welts, by instrument dated August 7, 1991, and recorded under Auditor's File No. 9108120013, records of said County and State; thence continuing along the said West line South 00 degrees 40' 02" West, a distance of 357.08 feet to the true point of beginning of this line description; thence South 43 degrees 21' 07" East, a distance of 21.61 feet; thence South 23 degrees 54' 09" East, a distance of 43.82 feet; thence South 44 degrees 33' 47" East, a distance of 56.23 feet; thence South 80 degrees 48' 47" East, a distance of 94.39 feet; thence South 01 degrees 00' 00" East, a distance of 184.50 feet; thence South 32 degrees 18' 11" East, a distance of 551.03 feet; thence South 09 degrees 11' 34" East, a distance of 252.03 feet; thence South 45 degrees 09' 29" East, a distance of 197.77 feet to the East line of said East 1/2 of the West 1/2 of the Southeast 1/4 of Section 1, and the terminus of this line description. , All in Section 1, Township 33 North, Range 4 East, W.M.

Tract "X":

That portion of the East 1/2 of the West 1/2 of the Southeast 1/4 of Section 1, Township 33 North, Range 4 East, W.M., described as follows:

Beginning at the Northwest corner of said East 1/2 of the Northwest 1/4 of the Southeast 1/4, as said point is shown on that certain Record of Survey recorded in Book 12 of Surveys, on Page 24, under Auditor's File No. 9111200104, in the Auditor's Office of Skagit County, Washington; thence South 00 degrees 40' 02" West along the



200211140195

Skagit County Auditor

West line thereof, for a distance of 100.00 feet to the Northwest corner of that certain tract of land conveyed to David Welts by instrument dated August, 7, 1991, and recorded under Auditor's File No. 9108120013, records of said County and State, said point being the true point of beginning; thence South 52 degrees 18' 14" East along the Northerly line of said Welts Tract, for a distance of 232.31 feet; thence South 12 degrees 30' 01" East, for a distance of 125.86 feet to the point of curvature of a curve to the right, said curve having a radius of 321.98 feet, and said point lying on the centerline of those certain easements for ingress, egress and utilities described in instruments recorded under Auditor's File Nos. 9103080006, 9108120012 and 9108120015, records of said County and State; thence Southerly following said centerline along said curve to the right through a central angle of 19 degrees 22' 13", for an arc distance of 108.85 feet to a point of compound curvature; thence Southwesterly along a curve to the right, said curve having a radius of 73.23 feet, continuing to follow said centerline through a central angle of 57 degrees 08' 04", for an arc distance of 73.02 feet to a point of compound curvature; thence Westerly along a curve to the right, said curve having a radius of 25 degrees 56' 58", for an arc distance of 67.29 feet to a point of compound curvature; thence Westerly along a curve to the right, said curve having a radius of 79.12 feet, continuing to follow said centerline through a central angle of 25 degrees 10' 08", for an arc distance of 34.76 feet; thence South 25 degrees 07' 22" West, leaving said centerline, for a distance of 53.67 feet to a point lying 60.00 feet East of, as measured at right angles to said West line of the East 1/2 of the Northwest 1/4 of the Southeast 1/4; thence South 17 degrees 15' 34" East, for a distance of 374.76 feet; thence South 30 degrees 13' 40" East, for a distance of 101.82 feet; thence South 04 degrees 37' 49" East, for a distance of 114.30 feet; thence South 06 degrees 09' 38" West, for a distance of 63.20 feet; thence South 36 degrees 53' 16" West, for a distance of 94.48 feet; thence South 61 degrees 40' 06" West, for a distance of 94.82 feet; thence South 79 degrees 30' 06" West, for a distance of 25.70 feet; thence South 18 degrees 00' 00" East, for a distance of 121.48 feet; thence South 72 degrees 00' 00" West, for a distance of 113.00 feet to a point on the West line of said East 1/2 of the Southwest 1/4 of the Southeast 1/4, said point lying 140.00 feet Southerly of the Northwest corner thereof; thence North 00 degrees 40' 20" East along said West line, for a distance of 140.00 feet to said Northwest corner, said point being also the Southwest corner of said East 1/2 of the Northwest 1/4 of the Southeast 1/4; thence North 00 degrees 40' 02" East along the West line of said East 1/2 of the Northwest 1/4 of the Southeast 1/4, for a distance of 1244.75 feet to the true point of beginning.

Parcel "C":

The South 113.5 feet of the East 100 feet of the West 1/2 of the Southwest 1/4 of the Southeast 1/4 of Section 1, Township 33 North, Range 4 East, W.M.

Parcel "D":

That portion of the East 1/2 of the West 1/2 of the Southeast 1/4 of Section 1, Township 33 North, Range 4 East, W.M., lying Southwesterly of the same line



200211140195

Skagit County Auditor

12:34PM

Page 6 of 9

11/14/2002

described in Parcel "B" above.

EXCEPT that portion lying within Tract "X" above-described.

Parcels "A", "B", "C" and "D" above-described being together with a 60.00 foot wide ingress, egress and utilities easement as disclosed in Deed recorded under Auditor's File No. 9103080006, records of Skagit County, Washington.

ALSO TOGETHER WITH a non-exclusive easement for ingress, egress and utilities over, under and across a strip of land 60.00 feet in width, said easement lying 30.00 feet on each side of the following described centerline:

Beginning at the Northwest corner of said East 1/2 of the Northwest 1/4 of the Southeast 1/4, as said point is shown on that certain Record of Survey in Book 12 of Surveys, on Page 24, under Auditor's File No. 9111200104, in the Auditor's Office of Skagit County, Washington; thence South 00 degrees 40' 02" West along the West line thereof, for a distance of 100.00 feet to the Northwest corner of that certain tract of land conveyed to David Welts, by instrument dated August 7, 1991, and recorded under Auditor's File No. 9108120013, records of said County and State; thence South 52 degrees 18' 14" East, along the Northerly line of said Welts Tract, for a distance of 232.31 feet; thence South 12 degrees 30' 01" East, for a distance of 125.86 feet to the point of curvature of a curve to the right, said curve having a radius of 321.98 feet, and said point lying on the centerline of those certain easements for ingress, egress and utilities described in instruments recorded under Auditor's File Nos. 9103080006, 9108120012 and 9108120015, records of said County and State; thence Southerly, following said centerline along said curve to the right through a central angle of 19 degrees 22' 13", for an arc distance of 108.85 feet to a point of compound curvature; thence Southwesterly along a curve to the right, said curve having a radius of 73.23 feet, continuing to follow said centerline through a central angle of 57 degrees 08' 04" for an arc distance of 73.02 feet to a point of compound curvature; thence Westerly along a curve to the right said curve having a radius of 25 degrees 56' 53" for an arc distance of 67.29 feet to a point of compound curvature; thence Westerly along a curve to the right, said curve having a radius of 79.12 feet, continuing to follow said centerline through a central angle of 25 degrees 10' 08" for an arc distance of 34.76 feet to the true point of beginning; thence South 25 degrees 07' 22" West for a distance of 53.67 feet to a point lying 60.00 feet East of, as measured at right angles to said West line of the East 1/2 of the Northwest 1/4 of the Southeast 1/4; thence South 17 degrees 16' 34" East for a distance of 374.76 feet; thence South 30 degrees 18' 40" East for a distance of 101.82 feet; thence South 04 degrees 37' 49" East for a distance of 114.30 feet; thence South 06 degrees 09' 38" West for a distance of 63.20 feet; thence South 36 degrees 53' 16" West for a distance of 94.48 feet; thence South 61 degrees 40' 06" West for a distance of 94.82 feet; thence South 79 degrees 30' 06" West for a distance of 25.70 feet to the end of said centerline.

ALSO TOGETHER WITH a non-exclusive easement for ingress, egress and utilities over, under and across the following described tracts of land:



200211140195

Skagit County Auditor

Beginning at the Southwest corner of said East 1/2 of the Northwest 1/4 of the Southeast 1/4 of Section 1; thence North 00 degrees 40' 02" East along the West line thereof, for a distance of 710.00 feet to the true point of beginning; thence South 40 degrees 04' 47" for a distance of 108.80 feet to the Westerly line of the above-described 60-foot strip of land; thence North 17 degrees 15' 34" West along said Westerly line for a distance of 140.14 feet; thence North 25 degrees 07' 22" East continuing to follow said Westerly line to its intersection with the Southwesterly line of said easements recorded under Auditor's File Nos. 9103080006 and 9108120015; thence Northwesterly along said Southwesterly line to said West line of the East 1/2; thence South 00 degrees 40' 02" West along the West line to the true point of beginning; and

Beginning at the Southwest corner of said East 1/2 of the Northwest 1/4 of the Southeast 1/4 of Section 1; thence North 00 degrees 40' 02" East along the West line thereof, for a distance of 710.00 feet; thence South 40 degrees 04' 47" East for a distance of 108.80 feet to the Westerly line of the above-described 60-foot strip of land; thence North 72 degrees 44' 26" East for a distance of 60.00 feet to the Easterly line thereof; thence North 17 degrees 15' 34" West along said Easterly line for a distance of 44.10 feet to the true point of beginning; thence continuing North 17 degrees 15' 34" West along said Easterly line for a distance of 72.78 feet; thence North 25 degrees 07' 22" East continuing to follow said Easterly line to its intersection with the Southerly line of said easements recorded under Auditor's File Nos. 9103080006 and 9108120015; thence Easterly along said Southerly line to a point which bears North 07 degrees 52' 17" East from the true point of beginning; thence South 07 degrees 52' 17" West to the true point of beginning.

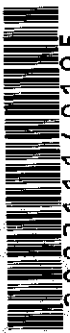
ALSO TOGETHER WITH an easement for road purposes as described in the certain Road Easement, recorded May 13, 1982, under Auditor's File No. 8205130073.

ALSO TOGETHER WITH a non-exclusive road easement, over and along rights-of-way 60 feet in width over and across portions of the South 1/2 of the Southwest 1/4 of Section 1, and the South 1/2 of Section 2, Township 33 North, Range 4 East, W.M., as more fully provided for under Skagit County Auditor's File Nos. 714488, 714489 and 714490, the same being a permanent road easement.

ALSO TOGETHER WITH a non-exclusive easement to hook-up to existing utilities located on that portion of Tract "X" lying Northerly of the line described in Parcel "B" herein.

ALSO TOGETHER WITH a non-exclusive easement for ingress, egress and utilities over, under and across the following described tract:

A strip of land 60.00 feet in width over, under, across and through Lot 73, in the plat of "FIRST ADDITION TO BIG LAKE WATERFRONT TRACTS", as per plat recorded in Volume 4 of Plats, Page 15, records of Skagit County, Washington, AND Government



200211140195

Skagit County Auditor

Page 8 of 9

11/14/2002 12:34PM

57' 25" West, a distance of 123.03 feet; thence Southerly on a curve to the left having a radius of 50.00 feet, an arc distance of 118.67 feet; thence South 61 degrees 01' 58" East, a distance of 47.64 feet; thence Southeasterly on a curve to the right having a radius of 535.00 feet, an arc distance of 116.19 feet; thence South 48 degrees 35' 20" East, a distance of 113.04 feet; thence Southeasterly on a curve to the right having a radius of 200.00 feet, an arc distance of 58.95 feet; thence South 31 degrees 42' 08" East, a distance of 117.82 feet; thence Southeasterly on a curve to the left having a radius of 160.00 feet, an arc distance of 117.86 feet to a point of reverse curvature; thence Southerly on a curve to the right having a radius of 115.00 feet, an arc distance of 110.17 feet; thence South 19 degrees 01' 05" East, a distance of 109.54 feet; thence Southerly on a curve to the right having a radius of 150.00 feet, an arc distance of 46.62 feet to a point of compound curvature; thence Southeasterly on a curve to the left having a radius of 215.00 feet, an arc distance of 67.71 feet to a point of compound curvature; thence Southeasterly on a curve to the left having a radius of 75.00 feet, an arc distance of 94.63 feet; thence North 88 degrees 27' 01" East, a distance of 54.81 feet and the terminus of this centerline description.

(Said 60-foot easement is more particularly shown on the face of Short Plat No. 94-003, and 96-066, and is more commonly known as "Blackberry Lane". Any discrepancy between this document and recorded Short Plats, the Short Plats will hold.)



200211140195

Skagit County Auditor

11/14/2002 Page 9 of 9 12:34PM