



200306110062

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) MELANIE SHEAFE BRUCH
Grantee(s) MELANIE S. BRUCH, TRUSTEE FOR THE MELANIE BRUCH LIVING TRUST DATED JULY 17, 2002
Legal Description

SEE ATTACHED

portions of sections 5, 6, 7, 8, Twp 33, Range 3

Assessor's Property Tax Parcel or Account Number P15480
Reference Numbers of Documents Assigned or Released _____

If the new owner(s) of land that is classified as current use or designated as forest land wish 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 84.33.140, 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) MELANIE S. BRUCH, TRUSTEE FOR THE MELANIE BRUCH LIVING TRUST, DATED JULY 17, 2002

Address 9840 BELFAIR ROAD
BELLEVUE, WA 98004

Phone No. _____ Excise Tax No. _____

File No. _____ Levy Code _____

Date of Sale or Transfer _____ Date of Notice _____

Interest in Property: Fee Owner Contract Purchaser Other

For tax assistance, visit <http://dor.wa.gov> or call (800) 647-7706. To inquire about the availability of this document in an alternate format for the visually impaired, please call (360) 486-2342. Teletype (TTY) users may call (800) 451-7985.

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

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, wetland, 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 parcel of land or contiguous parcels of land in the same ownership of twenty or more acres: (i) devoted 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 or contiguous parcels of land in the same ownership of at least five acres but less than twenty acres devoted primarily to agricultural uses which has produced 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
- c. any parcel of land that is less than five acres devoted primarily to agricultural uses which has produced 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 farm and agricultural land is classified pursuant to RCW 84.34.020 (e) 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 parcels 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 parcel or contiguous parcels of land in the same ownership of five or more acres devoted primarily to the growing and harvesting of forest crops for commercial purposes. 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;
 - 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;
 - k. the sale or transfer of land within two years after the death of the owner of at least a fifty percent interest in the land if the land has been assessed and valued as designated forest land under chapter 84.33 RCW, or classified under this chapter 84.34 continuously since 1993;
 - l. the sale or transfer of land after the death of the owner of at least a fifty percent interest in the land if the land has been assessed and valued as designated forest land under chapter 84.33 RCW, or classified under this chapter 84.34 RCW continuously since 1993 and the sale or transfer takes place within two years after July 22, 2001, and the death of the owner occurred after January 1, 1991; or
 - m. the date of death shown on a death certificate is the date used.



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

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

I/we declare that I am/we are aware of the liability of removal of this land from designated forest land 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 dollar rate of the last levy extended against the land, multiplied by a number, not greater than nine, equal to the number of years the land was designated as forest land.

The compensating tax shall not be imposed if the removal of 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. At such time as the land is not used for the purposes enumerated, the compensating tax specified in subsection (11) of this section shall be imposed upon the current owner;
- 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;
- 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;
- h. the sale or transfer of land within two years after the death of the owner of at least a fifty percent interest in the land if the land has been assessed and valued as designated forest land under chapter 84.33 RCW, or classified under chapter 84.34 continuously since 1993;
- i. the sale or transfer of land after the death of the owner of at least a fifty percent interest in the land if the land has been assessed and valued as designated forest land under chapter 84.33 RCW, or classified under chapter 84.34 RCW continuously since 1993 and the sale or transfer takes place within two years after July 22, 2001, and the death of the owner occurred after January 1, 1991; or
- j. the date of death shown on the death certificate is the date used.

The agreement to tax according to use of the property is not a contract and can be annulled or canceled at any time by the Legislature (RCW 84.34.070).

<u>MELANIE S. BRUCH</u>	_____
Property Owner	Date
<u>9840 BELFAIR, BELLEVUE, WA 98004</u>	_____
Address	
<u>Melanie S. Bruch</u>	<u>5/27/03</u>
Property Owner	Date
_____	_____
Address	
_____	_____
Property Owner	Date
_____	_____
Address	



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EXHIBIT A



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DODGE VALLEY FARM

The SW $\frac{1}{4}$ of section 5, township 33 north, range 3 east, W.M., EXCEPT county road rights of way and EXCEPT those portions thereof conveyed to and condemned by Drainage District No. 22 and Dike District No. 9.

The SE $\frac{1}{4}$, the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ and government lot 7 of section 6, township 33 north, range 3 east, W.M., EXCEPT county road rights of way and EXCEPT those portions thereof conveyed to and condemned by Drainage District No. 22 and Dike District No. 9.

Government Lots 1 and 2 and the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of section 7, township 33 north, range 3 east, W.M., EXCEPT county road rights of way and EXCEPT those portions thereof conveyed to and condemned by Drainage District No. 22 and Dike District No. 9.

The north half of the NW $\frac{1}{4}$ of Section 8, township 33 north, range 3 east, W.M., EXCEPT county road rights of way and EXCEPT those portions thereof conveyed to and condemned by Drainage District No. 22 and Dike District No. 9.

SUBJECT TO:

(a) Easement for the right to lay, maintain, operate, relay and remove at any time a pipe or pipes, line or lines, for the transportation of water, together with right of ingress and egress to and from the same, over and across a strip of land 20.0 feet in width being 10.0 feet on each side of the following described center line to-wit: Beginning at a point in the east-west center line of the above described section 6, lying north 89°39'20" west 1145.20 feet from the east quarter corner of said section 6; thence south 8°45'30" east 544.7 feet; then south 26°18'30" east 632.1 feet, as granted by Louise N. Chamberlain, a single woman, to Public Utility District No. 1 of Skagit County, Washington, a Municipal Corporation, by instrument dated January 14, 1954, and recorded January 15, 1954, under Auditor's File No. 497225.

(b) Easement for electric transmission line, together with right of ingress and egress over grantors adjoining property and including covenants against blasting without notice, as granted to Puget Sound Power & Light Company, a Massachusetts corporation, by instrument dated December 27, 1956 and recorded December 31, 1956, under Auditor's File No. 545850. (Affects the NE ¼ of the SW ¼ and the north half of the SE ¼ of said section 6.)

EDISON FARM

Government lots 2,3 and 4 of section 4, township 35 north, range 3 east, W.M., EXCEPT road and ditch rights of way and EXCEPT that portion of said lot 4 conveyed to the State of Washington for highway purposes, under deed dated January 9, 1951, and recorded February 9, 1951, under Skagit County Auditor's File No. 456757.

Government lot 5 of section 33, township 36 north, range 3 east, W.M., EXCEPT those portions thereof lying within the boundaries of the following described tracts, to-wit: Beginning at the corner of sections 32 and 33, 4 and 5, townships 36 and 35, North, range 3 east, W.M.; thence easterly on section line between sections 4 and 33, 20 chains; thence north in said section 33, 935.2 feet to the true point of beginning; thence east 185.15 feet; thence north 17' east 211.1 feet to south bank of North Samish River; thence south along said south bank, north 73° and 17' west 330.5 feet; thence south 31' west 123.1 feet; thence north 89°29' west 149.9 feet; thence south 4' east 184.3 feet; thence east 281.25 feet to true point of beginning, AND ALSO EXCEPT the following described tract, to-wit; Beginning at corner of sections 32, 33, 4 and 5 of townships 36



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and 35 north, range 3 east, W.M.; thence easterly on section line, between sections 4 and 33, 15.74 chains; thence north in said section 33, 701.8 feet to true point of beginning; thence east 466.4 feet; thence north 233.4 feet to present southeast fence corner of School yard; thence west on fence line, 466.4 feet; thence south 233.4 feet to true point of beginning.

All that portion of government lot 4, section 33, township 36 north, range 3 east, W.M., lying south of the south line of Gilmore Avenue and the south line thereof extended easterly, as shown on the plat of "Edison Haller's Additions", according to plat recorded in volume 2 of plats, page 87, records of Skagit County, Washington, EXCEPT the west 360 feet thereof, lying easterly of the County road along the west line of said lot 4 and EXCEPT that portion thereof lying within the boundaries of the following described tract:

Beginning at corner of sections 32, 33, 4 and 5 of townships 36 and 35 north, range 3 east, W.M.; thence easterly on section line, between sections 4 and 33, 15.74 chains; thence north in said section 33, 701.8 feet to true point of beginning; thence east 466.4 feet; thence north 233.4 feet to present southeast fence corner of School yard; thence west on fence line, 466.4 feet; thence south 233.4 feet to true point of beginning.

Beginning at a point on the East line of the County Road along the West side of the Government Lot Four (4); Section Thirty-Three (33), Township Thirty-Six (36) North, Range Three (3) East of the Willamette Meridian, which is the Southwest corner of that certain tract of land conveyed to N. Shumaker by Deed dated December 8, 1917, and recorded January 11, 1919, in Volume 111 of Deeds, Page 597, under Auditor's File No. 129953, records of Skagit County, Washington; thence South on the East line of said road 120 feet; thence East 360 feet; thence North 120 feet to the Southeast corner of said Shumaker tract; thence West 360 feet to the place of beginning, Except ditch rights of way, if any, over said premises, as conveyed by Deed from Tillman Dahl and Elizabeth Dahl, also known as Lizzie Dahl, dated May 23, 1944, recorded in Volume 195 of Deeds, page 241, Auditor's File No. 373953. Also Subject to easement in favor of Blanchard-Edison Water Association, a corporation, for the right to lay, maintain, operate, relay and remove a pipe or pipes, line or lines, for the transportation of water, etc. as granted by Louise N. Chamberlain, an unmarried woman, on September 14, 1956, by instrument recorded June 20, 1957, under Auditor's File No. 552787.

Tax Lot No. 3 in Section 32, Township 36 North, Range 3 East W.M., Skagit County, Washington, otherwise and legally described as follows to wit:



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Part of lot 9, section 32, township 36 north, range 3 east, W.M., described as follows:

Beginning at a point on the east line of said lot 9, 750 feet north of the southeast corner thereof; (said point being the southeast corner of that certain tract conveyed to A. J. Edwards by deed recorded May 3, 1881, in volume 4 of deeds, page 227); thence west 148.5 feet to the true point of beginning of this description; thence north 132 feet, more or less, to the south bank of the North Samish River; thence westerly along the south bank of said North Samish River 100 feet, more or less, to a point that is 242 feet west of the east line of said lot 9; thence south 102 feet, more or less, to a point west of the true point of beginning; thence east to the true point of beginning.

SUBJECT TO:

(a) Easement for the right to lay, maintain, operate, relay and remove a pipe or pipes, line or lines, for the transportation of water together with ingress and egress to and from the same over and across government lot 4 of section 4, township 35 north, range 3 east, W.M., as granted by Louise N. Chamberlain, an unmarried woman, to the Blanchard-Edison Water Association, a corporation, by instrument dated September 14, 1956 and recorded June 20, 1957, under Auditor's File No. 552787.



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Edison Farms

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330305-3-003-0004/15451
330307-1-001-0123/15501
330308-2-002-0004/15535
330305-3-002-0120/15450
330305-3-004-0003/15452
330307-1-001-0008/15500
330308-2-001-0005/15533
330305-3-001-0105/15449
330307-1-001-0001/15494
330306-4-001-0003/15489
330306-4-001-0110/15490
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330306-4-003-0001/15492
330308-2-001-0120/15534

Dodge Valley Farms

350304-1-002-0100/33786
350304-2-004-0008/33788
360333-3-010-0004/48536
350304-2-003-0009/33787
360333-3-011-0003/48537
360332-4-011-0004/48508
360333-3-011-0302/107509
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