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Skagit County Auditor

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3 12:18PM

Document Title: Open Space Taxation Agreement

re-record to correct legal

Reference Number: description on AF# 794266/pg 3

Grantor(s):  additional grantor names on page \_\_\_

1. Skagit County Assessors office

2.

Grantee(s):  additional grantee names on page \_\_\_

1. Leo Joseph and Darlene L. Thramer

2.

Abbreviated legal description:  full legal on page(s) 3.

a ptn in Sec 2, Twp 35, Rge 3  
unit B

Assessor Parcel / Tax ID Number:  additional tax parcel number(s) on page \_\_\_

p33623

OPEN SPACE TAXATION AGREEMENT

Prepare in Triplicate with one completed copy to each of the following:  
Applicant  
Legislative Body  
County Assessor

This Agreement between LEO JOSEPH THRAMER and DARLENE L. THRAMER, husband & wife,  
hereinafter called the "owner",  
and (insert city or county) SKAGIT COUNTY  
624 Ershig Road, Bow, WA 98232

Whereas the owner of the following described real property having made application for classification of that property under the provisions of RCW 84.34,

And whereas, both the owner and legislative authority desire 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:

TIMBER LAND

(Open Space, Farm and Agricultural, 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 only be used 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, or except those residence buildings for such individuals as are engaged in the care, use, operation or management of said 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 for a period of at least ten (10) years.
- (4) This Agreement shall run with the land described herein and shall be binding upon the heirs, successors and assigns of the parties hereto.
- (5) Withdrawal: The land owner may withdraw from this Agreement if after a period of seven years the land owner makes a withdrawal request which request is irrevocable, to the assessor. Three years from the date of that request the assessor shall withdraw the land from the classification, and the applicable taxes and interest shall be imposed as provided in RCW 84.34.070.
- (6) Breach: After land has been classified and an Agreement executed, any change of the use of the land, except through compliance with items (5), (7) or (8) of this Agreement, shall be considered a breach of this Agreement, and subject to applicable taxes, penalties and interest as provided in RCW 84.34.080.
- (7) A breach of Agreement shall not occur if the change in use results from the sale of land classified under this Act within two years after the death of the owner of at least fifty percent of such land.
- (8) Eminent Domain: When any permissible action in eminent domain for the condemnation of the fee title of the land under agreement is filed or when such land is acquired as a result of a sale to a public body, this Agreement shall be null and void as of the date the action is filed and thereafter the Agreement shall not be binding on any party to it.
- (9) The County Assessor may require reports from classified land owners. If the owner fails to return a required report within ninety days, the Assessor may declare the Agreement in breach.

**794266**

  
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Legal Description of classified land:

259  
UNIT A: Section 1, Township 35 N., Rge 3 EWM, the South 577' of SW-1/4 of NW-1/4, LESS Roads. (17.25 Acres).

260  
UNIT B: Section 2, Township 35 N., Rge 3 EWM, Lot 1, LESS Roads and West 1/2, and LESS South 300' of East 300'. (16.24 Acres).  
240'

This Agreement shall be subject to the following conditions:

OWNERS AGREE TO ALLOW REASONABLE PUBLIC ACCESS FOR THE PURPOSE OF RECREATIONAL ACTIVITIES COMMENSURATE WITH THE AREA, EXCEPT THAT OWNER MAY RESTRICT HIS LAND FROM CAMPING AND MOTOR VEHICLES.



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It is declared that this Agreement contains the classification and conditions as provided for in RCW 84.34 and the conditions imposed by this Legislative Authority.

Dated November 5th, 1973

Legislative Authority:

SKAGIT COUNTY  
ASSESSOR'S OFFICE

73 DEC 10 AM 8:49

ANN ROSS  
SKAGIT COUNTY AUDITOR

SKAGIT COUNTY

City or County

By

*Edward Miller*

Title

Chairman  
Board of County Commissioners

As owner(s) of the herein described land I (we) indicate by my (our) signature(s) that I (we) are aware of the potential tax liability and hereby accept the classification and conditions of this Agreement.

Dated 12-4-73

Owner(s)

*Leo J. Shramer*

*Barbara J. Shramer*

(Must be signed by all Owners)

Subscribed and sworn to before me this

4 day of December, 1973

*La Terry Kelsey*  
Notary Public

Date signed Agreement received by Legislative Authority



794266