

When Recorded Return to:

Seaward Investments  
P.O. Box 98  
Mount Vernon, WA  
98273



200404080084

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) Alfco, Inc., a WA corporation  
Grantee(s) Seaward Investments, Inc., a WA corporation  
Legal Description Portions of Government Lots 2, 3 and 4 and a portion of the Southeast 1/4 of the Southwest 1/4 of Section 30, Township 34 North, Range 4 East, W.M.; Together with a portion of the Northeast 1/4 of the Northwest 1/4 of Section 31, Township 34 North, Range 4 East, W.M.  
P28764 P28776 P28779 P28780  
Assessor's Property Tax Parcel or Account Number P28784 P28867 P29293  
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) Seaward Investments, Inc.  
P.O. Box 98  
Address Mount Vernon, WA 98273  
\_\_\_\_\_  
Phone No. \_\_\_\_\_ 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)



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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:

- 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;
- 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; or
- 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.

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).

Seaward Investments, Inc. By: Jeane Cannell 3/15/04  
Property Owner Date  
P.O. Box 98  
Mount Vernon, WA 98273  
Address

\_\_\_\_\_  
Property Owner Date

\_\_\_\_\_  
Address

\_\_\_\_\_  
Property Owner Date

\_\_\_\_\_  
Address

\_\_\_\_\_  
Property Owner Date

\_\_\_\_\_  
Address

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



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Skagit County Auditor

Parcel "A"

That portion of the East 832 feet of Government Lots 1 and 2, Section 30, Township 34 North, Range 4 East, W.M., lying South of that existing County Road known as the Kimble Road No. XCV. EXCEPT the following described tracts:

1. Beginning at the West quarter corner of said Section 30; thence North 1°36'30" East along the West line of said section 30, a distance of 1387.43 feet to a point on the centerline of that county road known as the Kimble Road No. XCV; thence South 89°57'21" East along the centerline of said county road, a distance of 498.80 feet to the true point of beginning of this description; thence continuing South 89°57'21" East along the centerline of said county road a distance of 200 feet; thence South 2°01'24" West a distance of 150 feet; thence North 89°57'21" West a distance of 200 feet; thence North 2°01'24" East a distance of 150 feet to the true point of beginning of this description.
2. Beginning at the West quarter corner of said Section 30; thence North 1°36'30" East, along the West line of said Section 30, a distance of 1387.43 feet to a point on the center line of the County Road; thence South 89°57'21" East along the center line of said County Road, a distance of 890.39 feet to the true point of beginning of this description; thence South 2°01'24" West 230 feet; thence North 89°57'21" West 220 feet; thence North 2°01'24" East 80 feet, more or less, to the South line of a tract conveyed to W.L. Williamson et ux by deed dated October 25, 1968, recorded April 7, 1972 under Auditor's File No. 766685; thence South 89°57'21" East 28.41 feet, more or less, to the Southeast corner of said Williamson tract; thence North 2°01'24" East along the East line of said Tract 150 feet to the centerline of the aforementioned County road; thence South 89°57'21" East along the centerline of said road 191.59 feet, more or less, to the true point of beginning.
3. That certain Westerly portion of said East 832 feet conveyed to Elizabeth (Betty) J. Sward by deed recorded as Skagit County Auditor's File No. 200307100092.

Together with a non-exclusive easement to construct, maintain and repair a 10 inch pipeline, the same to be buried at a depth of not less than 30 inches on the strip of land described as follows:

Beginning at the West quarter corner of said section 30; thence North 1°36'30" East, along the West line of said section 30, a distance of 1387.43 feet to a point on the center line of the county road; thence South 89°57'21" East, along the center line of the county road, a distance of 996.89 feet to the true point of beginning of this description; thence continuing South 89°57'21" East, along the center line of the County Road, a distance of 60 feet; thence North 0°30'24" East a distance of 610.13 feet, more or less, to a point on the South line of that dike right of way as conveyed to Dike District No. 3 by that deed filed under Auditor's File No. 77342, records of Skagit County, Washington;

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Parcel "A"Continued:

thence South 81°53'03" West, along the South line of said dike right of way, a distance of 60.69 feet; thence South 0°30'24" West a distance of 601.52 feet, more or less, to the true point of beginning; EXCEPT the County Road along the South side thereof.

Parcel "B"

Government Lot 3, Section 30, Township 34 North, Range 4 East, W.M., EXCEPT the West 330 feet thereof.

Parcel "C"

The South  $\frac{1}{2}$  of Government Lot 4; the Northeast  $\frac{1}{4}$  of Government Lot 4 and the South 16.5 feet of the Northwest  $\frac{1}{4}$  of Government Lot 4 all in Section 30, Township 34 North, Range 4 East, W.M.

ALSO, that portion of the Southeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of Section 30, Township 34 North, Range 4 East, W.M., described as follows:

Beginning at the Southwest corner of said subdivision; thence North along the West line thereof 20 feet; thence South 45° East to a point on the South line of said Section 20 feet East of the point of beginning; thence West to the point of beginning.

ALSO, the Northwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ , Section 31, Township 34 North, Range 4 East, W.M.

Parcel "D"

Easements for pipeline as granted by instruments recorded under Auditor's File Nos. 779694, 778960, 778936, and 778937, over and across a 20 foot strip of land, lying 10 feet on each side of the centerline hereinafter described, as same affects the property described in the afore-said instruments and being portions of Section 30, Township 34 North, Range 4 East, W.M.:

Beginning at the intersection of the South line of Snoqualmie Street as shown fronting on Blocks 8 and 9 in "Riverside Addition to the Town of Mount Vernon", according to the plat recorded in Volume 3 of Plats, page 24, records of Skagit County, Washington, produced West, and the Westerly line of First Street as established in the City of Mount Vernon, Washington; thence South 20°28'15" West, along the Westerly line of said First Street, a distance of 633.48 feet to an angle point in said street line; thence South 52°35'15" West, along the Westerly line of said First Street, a distance of 56.68 feet; thence South 55°32'15" West, along the Westerly line of said First Street, a distance of 8.47 feet; thence South 52°17'15" West, along the Westerly line of said First Street, a distance of 34.84 feet; thence South 72°37'15" West, along the South line of that tract of land conveyed to Stokely-Van Camp, Inc. as described in paragraph (b) of that deed dated June 29, 1964, and filed June 30, 1964 under Auditor's File No. 652598, a distance of 57.31 feet; thence South



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Parcel "D" Continued

89°34'15" West, along the South line of said Stokely-Van Camp, Inc. tract, a distance of 51.48 feet; thence North 69°31'45" West, along the South line of said Stokely-Van Camp, Inc. tract, a distance of 319.80 feet to the true point of beginning of this easement center line description; thence along said easement center line on the following courses: South 63°16'32" West 171.11 feet; South 52°01'41" West 198.23 feet; South 61°16'50" West 300.69 feet; South 71°01'59" West 340.36 feet; South 80°17'08" West 170.39 feet; North 88°27'43" West 633.37 feet; South 89°10'16" West 286.69 feet; North 81°34'35" West 345.05 feet; North 77°05'06" West 98.77 feet; South 0°30'18" West 1027.28 feet to a point on the center line of that certain county road known as Kimble Road and which point is the point of ending of this easement center line description, which point bears North 1°36'30" East a distance of 1387.43 feet and South 89°57'21" East a distance of 1006.89 feet from the West Quarter corner of said Section Thirty (30).

Situate in the County of Skagit, State of Washington.



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