

When Recorded Return to:



200704020134

Skagit County Auditor

4/2/2007 Page 1 of 8 11:06AM

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

Grantor(s) Donald M. and Ann B. Caldwell, H&W  
Grantee(s) Allan J. Redstone and Marie J. Christenson, a married couple  
Legal Description see attached  
S 14  
T 34  
R 1

Assessor's Property Tax Parcel or Account Number P122040  
Reference Numbers of Documents Assigned or Released 2006 04210127

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) Allan J. Redstone and Marie J. Christenson  
(a married couple)

Address 26 Conestoga  
Chadds Ford, PA 19317

Phone No. (610) 388-2506 Excise Tax No. \_\_\_\_\_

File No. \_\_\_\_\_ Taxing District \_\_\_\_\_

Date of Sale or Transfer     /    /     Date of Notice     /    /    

Interest in Property:  Fee Owner  Contract Purchaser  Other

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**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.

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).

Property Owner Allan J. Redstone 3/25/07  
Date

26 Conestoga  
Address Chadds Ford, PA 19317

Property Owner Marie J. Christenson 3/25/07  
Date

26 Conestoga  
Address Chadds Ford, PA 19317

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

Address \_\_\_\_\_

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

Address \_\_\_\_\_



Exhibit "A"

That portion of the North 1/2 of the Southwest 1/4 of the Southwest 1/4 of Section 14, Township 34 North, Range 1 East, W.M. and that portion of the East 66.00 feet of the North 1/2 of the Southeast 1/4 of the Southwest 1/4 of Section 14, Township 34 North, Range 1 East, W.M., being more particularly described as follows:

Commencing at the Northwest corner of said Southwest 1/4 (West 1/4 corner) of Section 14, Township 34 North, Range 1 East, W.M.;

thence South 0°21'23" West along the West line of said Southwest 1/4 for a distance of 1,362.06 feet, more or less, to the Northwest corner of said North 1/2 of the Southwest 1/4 of the Southwest 1/4;

thence South 89°26'35" East along the North line of said North 1/2 of the Southwest 1/4 of the Southwest 1/4 for a distance of 812.96 feet, to the Northeast corner of that certain parcel conveyed to Kelley Hungerford and Richard S. Hungerford, wife and husband, by Statutory Warranty deed recorded under Skagit County Auditor's File No. 200510110170 and being the TRUE POINT OF BEGINNING;

thence continue South 89°26'35" East along said North line for a distance of 554.87 feet, more or less, to a point bearing North 89°26'35" West and a distance of 40.00 feet from the Northeast corner of the West 66.00 feet of the Southeast 1/4 of the Southwest 1/4 of said Section 14;

thence South 25°46'08" West parallel with the Easterly line of said Hungerford parcel for a distance of 745.11 feet, more or less, to the South line of said North 1/2 of the Southwest 1/4 of the Southwest 1/4 of Section 14;

thence North 89°49'08" West along said South line for a distance of 1,048.09 feet, more or less, to the Southwest corner thereof;

thence North 0°21'23" East along the West line of said Southwest 1/4 for a distance of 150.00 feet, more or less, to the Southwest corner of said Hungerford parcel;

thence along the South line of said Hungerford parcel as follows:

South 89°49'08" East for a distance of 180.00 feet;

thence South 0°21'23" West for a distance of 50.00 feet;

thence South 89°49'08" East for a distance of 359.06 feet, more or less, to the Southeast corner of said Hungerford parcel at a point bearing South 25°46'08" West from the TRUE POINT OF BEGINNING;

thence North 25°46'08" East along the East line of said Hungerford parcel for a distance of 638.27 feet, more or less, to the TRUE POINT OF BEGINNING.

Containing 10.00 acres

The Grantors reserve for benefit of their property adjacent to the east of said Parcel an easement solely for ingress and egress and utilities for: (1) installation and maintenance of telecommunications facilities; and (2) maintenance and installation of septic drain lines AND the above-described Parcel is TOGETHER WITH the following non-exclusive mutually beneficial Easement A described as follows:

**Easement A**

A 40.00 foot wide easement for ingress, egress and utilities over, under and across the West 40.00 feet of the Northwest 1/4 of the Southwest 1/4 of Section 14, Township 34 North, Range 1 East, W.M. and the West 40.00 feet of the North 1/2 of the Southwest 1/4 of the Southwest 1/4 of said Section 14, Township 34 North, Range 1 East, W.M.



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EXCEPT any portion thereof lying within the County Road known as Burrows Bay or Ginnett Road.

ADDITIONALLY, The Grantors reserve for benefit of their property adjacent to the east of said Parcel, solely for ingress and egress and utilities for: (1) installation and maintenance of telecommunications facilities; and (2) maintenance and installation of septic drain lines there within, the following non-exclusive mutually beneficial Easement B described as follows:

**Easement B**

A 40.00 foot wide easement for ingress, egress and utilities over, under and across a portion of the North 1/2 of the Southwest 1/4 of the Southwest 1/4 of Section 14, Township 34 North, Range 1 East, W.M. lying 20.00 feet left (Northerly) and 20.00 feet right (Southerly) of the following described centerline:

Commencing at the Southwest corner of said North 1/2 of the Southwest 1/4 of the Southwest 1/4 of Section 14;  
thence North 0°21'23" East along the West line of said Subdivision for a distance of 20.00 feet to the TRUE POINT OF BEGINNING of said centerline;  
thence South 89°49'08" East parallel with the South line of said North 1/2 of the Southwest 1/4 of the Southwest 1/4 for a distance of 409.11 feet;  
thence North 80°27'04" East for a distance of 124.29 feet to a point hereafter referenced as Point "A";  
thence South 68°01'12" East for a distance of 45.12 feet;  
thence North 89°00'11" East for a distance of 30.42 feet;  
thence North 68°59'01" East for a distance of 40.34 feet;  
thence North 57°34'51" East for a distance of 47.83 feet;  
thence North 18°37'01" East for a distance of 71.40 feet;  
thence North 84°46'52" East for a distance of 49.49 feet to a point hereafter referenced as Point "B";  
thence North 77°40'37" East for a distance of 261.60 feet;  
thence North 80°55'43" East for a distance of 124.29 feet, more or less, to the East line of that certain Parcel No. 2 described on said Quit Claim Deed (Boundary Line Adjustment) recorded under Skagit County Auditor's File No. 200606270206 at a point bearing South 25°46'08" West and a distance of 551.02 feet from the Northeast corner of said Parcel No. 2 and being the terminus of said centerline.  
(The side lines of the above 40.00 foot wide easement are to be lengthened or shortened as necessary to conform with parcel lines);

And a 20.00 foot wide easement for ingress and egress for access and maintenance to the existing septic drainfield within the below described Easement E over, under and across a 20.00 foot wide strip of land being 10.00 feet left (Westerly) and 10.00 feet right (Easterly) of the following described centerline:

BEGINNING at the aforementioned Point "A";  
thence North 43°10'42" East for a distance of 75.50 feet;  
thence North 24°30'31" East for a distance of 144.50 feet and being the terminus of said centerline.

And a 20.00 foot wide easement for the installation and maintenance of septic system sewer lines over, under and across a 20.00 foot wide strip of land being 10.00 feet left (Southwesterly) and 10.00 feet right (Northeasterly) of the following described centerline:



BEGINNING at the aforementioned Point "B";  
thence North 54°46'11" West for a distance of 92.50 feet;  
thence North 26°05'54" West for a distance of 45.57 feet, more or less, to the Easterly  
line of the below described septic drainage Easement E and being the terminus of said  
centerline.  
(The side lines of the above 40.00 feet wide easement are to be lengthened or shortened  
as necessary to conform with easement lines).

ADDITIONALLY, the above described parcel is TOGETHER WITH the following Easements C and D.

**Easement C**

A non-exclusive mutually beneficial easement for ingress, egress and utilities over, under and across the  
North 60.00 feet of the South 210.00 feet of the West 150.00 feet of the North 1/2 of the Southwest 1/4 of  
the Southwest 1/4 of said Section 14, Township 34 North, Range 1 East, W.M.

**Easement D**

A 10.00 wide water line easement, (and the maintenance thereof), said easement being 5.00 feet left  
(West ) and 5.00 feet right (East) of the following described line:

Commencing at the Northwest corner of the Southwest 1/4 (West 1/4 corner) of said  
Section 14, Township 34 North, Range 1 East, W.M.;  
thence South 0°21'23" West along the West line of said Southwest 1/4 for a distance of  
2,043.03 feet to the Southwest corner of said North 1/2 of the Southwest 1/4 of the  
Southwest 1/4;  
thence North 0°21'23" East along the West line of said Southwest 1/4 for a distance of  
150.00 feet;  
thence South 89°49'08" East parallel with the South line of said North 1/2 of the  
Southwest 1/4 of the Southwest 1/4 for a distance of 140.00 feet to the TRUE POINT OF  
BEGINNING of said line description;  
thence North 25°10'27" East for a distance of 105.00 feet to the terminus of said line.

ADDITIONALLY, Grantors reserve the following Easements E and F for the exclusive benefit of their  
property immediately adjacent to the east.

**Easement E**

A septic drainfield easement (and the maintenance thereof) over, under and across a portion of the North  
1/2 of the Southwest 1/4 of the Southwest 1/4 of Section 14, Township 34 North, Range 1 East, W.M.,  
described as follows:

Commencing at the Northwest corner of the Southwest 1/4 (West 1/4 corner) of said  
Section 14, Township 34 North, Range 1 East, W.M.;  
thence South 0°21'23" West along the West line of said Southwest 1/4 for a distance of  
1,362.02 feet, more or less, to the Northwest corner of said North 1/2 of the Southwest  
1/4 of the Southwest 1/4;  
thence South 89°26'35" East along the North line of said North 1/2 of the Southwest 1/4  
of the Southwest 1/4 for a distance of 812.96 feet to the Northwest corner of that certain  
parcel described on Exhibit "C" of Boundary Line Adjustment Quit Claim Deed to



Donald M. Caldwell and Ann B. Caldwell, husband and wife, recorded under Skagit County Auditor's File No. 200407230149;  
thence South 25°46'08" West along the Westerly line of said Caldwell parcel for a distance of 638.27 feet, more or less, to the Southwest corner thereof also being a point on the North line of Parcel 1 (Exhibit "A" of said Caldwell Boundary Line Adjustment Quit Claim Deed) and being the TRUE POINT OF BEGINNING;  
thence North 89°49'08" West along said North line for a distance of 105.12 feet;  
thence North 25°46'08" East for a distance of 344.79 feet;  
thence South 89°49'08" East for a distance of 105.12 feet, more or less, to said West line of Caldwell Tract (Exhibit "C" Caldwell Boundary Line Adjustment Quit Claim Deed recorded under Auditor's File No. 200407230149);  
thence continue South 89°49'08" East for a distance of 55.44 feet;  
thence South 25°46'08" West for a distance of 347.01 feet, more or less, to the South line of said Caldwell Tract (Exhibit "C", also being the North line of Parcel 1, Exhibit "A") at a point bearing South 87°43'18" East from the TRUE POINT OF BEGINNING;  
thence North 87°43'18" West along the common line of said Caldwell parcels for a distance of 54.52 feet, more or less, to the TRUE POINT OF BEGINNING.

**Easement F**

A 20.00 foot wide french drain easement (and the maintenance thereof) over, under and across a portion of said North 1/2 of the Southwest 1/4 of the Southwest 1/4 of Section 14, being 10.00 feet left (West) and 10.00 feet right (East) of the following described centerline:

Commencing at the Southwest corner of said North 1/2 of the Southwest 1/4 of the Southwest 1/4;  
thence South 89°49'08" East along the South line of said Subdivision for a distance of 702.14 feet to the TRUE POINT OF BEGINNING of said centerline;  
thence North 25°46'08" East for a distance of 350.00 feet to the terminus of said centerline.

(The sidelines of the above 20.00 foot wide easement shall be extended or shortened as necessary to conform with parcel lines, for Southerly portion only).

ADDITIONALLY, the above-described Parcel is ALSO SUBJECT TO and TOGETHER WITH easements, reservations, restrictions, covenants, liens, leases, court causes and other instruments of record.

All being situate in the County of Skagit, State of Washington.

