

When Recorded Return to:



200710310104

Skagit County Auditor

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## Open Space Taxation Agreement

### Chapter 84.34 RCW

(To be used for "Open Space", "Timber Land" Classification or "Reclassification" Only)

Property Owner RUTH THOMAS  
Property Address 25177 Triple Creek Lane, Mount Vernon WA 98274  
Legal Description A portion of Lot 1, Short Plat #95-008; east or SR 9, west of Lake Cavanaugh Road, within  
Section 17, Township 33 North, Range 5 East, W.M. As described on exhibit "A"  
Skagit County, Washington. except exhibit "B"

Assessor's Property Tax Parcel or Account Number P18092  
Reference Numbers of Documents Assigned or Released CU TRTMB # 1-2007  
This agreement is between RUTH THOMAS

hereinafter called the "Owner", and SKAGIT COUNTY

hereinafter called the "Granting Authority".

Whereas the owner of the above described real property having made application for classification of that property under the provisions of Chapter 84.34 RCW. And whereas, both the owner and granting authority agree 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:

☐ Open Space Land ☒ 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 be used only 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.
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legislative body receives the signed agreement from the property owner and shall remain in effect until the property is withdrawn or removed from classification.
4. This agreement shall apply to the parcels of land described herein and shall be binding upon the heirs, successors and assignees of the parties hereto.
5. The landowner may withdraw from this agreement if, after a period of eight years, he or she files a request to **withdraw** classification with the assessor. Two years from the date of that request the assessor shall withdraw classification from the land, and the applicable taxes and interest shall be imposed as provided in RCW 84.34.070 and 84.34.108.
6. After the effective date of this agreement, any change in use of the land, except through compliance with items (5), (7), or (9), shall be considered a **breach** of this agreement, and shall be subject to removal of classification and liable for applicable taxes, penalties, and interest as provided in RCW 84.34.080 and RCW 84.34.108.

REV 64 0022e (w) (7/27/05)

SKAGIT COUNTY  
Resolution # R20070468

7. A **breach** of agreement shall not have occurred and the additional tax shall not be imposed if removal of classification resulted solely from:
- a) Transfer to a governmental 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 in anticipation of the exercise of such power and having manifested its intent in writing or by other official action.
  - c) A natural disaster such as a flood, windstorm, earthquake, or other such calamity rather than by virtue of the act of the land owner changing the use of such property.
  - d) Official action by an agency of the State of Washington or by the county or city where the land is located disallowing the present use of such land.
  - e) Transfer of land to a church when such land would qualify for exemption pursuant to RCW 84.36.020.
  - f) Acquisition of property interests by State agencies or agencies or organizations qualified under RCW 84.34.210 and 64.04.130 (see RCW 84.34.108(6)(f)).
  - g) Removal of land classified as farm and agricultural land under RCW 84.34.020(2)(e).
  - 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 forest land under chapter 84.33 RCW, or under chapter 84.34 RCW continuously since 1993. The date of death shown on the death certificate is the date used.
8. The county assessor may require an owner to submit data relevant to continuing the eligibility of any parcel of land described in this agreement.
9. The owner may apply for reclassification as provided in Chapter 84.34 RCW.

This agreement shall be subject to the following conditions:

At the time of harvesting, the applicant shall comply with the requirements of the Department of Natural Resources  
in regard to the harvesting of timber.

It is declared that this agreement specifies the classification and conditions as provided for in Chapter 84.34 RCW and the conditions imposed by this Granting Authority. This agreement to tax according to the use of the property is not a contract and can be annulled or canceled at any time by the Legislature (RCW 84.34.070).

Dated

October 1, 2007

Granting Authority: R.O.

Sharon E. Linton  
City of County  
Skagit County Commissioner  
Title

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

Keith M. Thomas  
Owner(s)

Dated

Oct. 16, 2007

(Must be signed by all owners)

Date signed agreement received by Legislative Authority

**Prepare in triplicate with one copy to each of the following: Owner, Legislative Authority, County Assessor**

For tax assistance, visit <http://dor.wa.gov> or call 1-800-647-7706. To inquire about the availability of this document in an alternate format for the visually impaired, please call (360) 705-6715. Teletype (TTY) users may call 1-800-451-7985.

"A"

Property Description Summary

PROPERTY ID..... P18092  
XREF.ID..... 330517-0-001-0006

LEGAL DESCRIPTION... O/S#99 AF#800464 1975 LOT 1 SHORT PLAT#95-008 AF#9707150040  
LOCATED IN PORTIONS OF THE NW1/4 & SW1/4 EXCEPT FOR THE  
FOLLOWING DESCRIBED PORTION: COMMENCING AT THE EASTERLY MOST  
CORNER COMMON TO LOTS 1 AND 4 OF SAID SHORT PLAT NO. 95-008,  
ALSO BEING A POINT ON THE WESTERLY MARGIN OF THE NORTHERN  
PACIFIC RAILROAD RIGHT-OF-WAY AND BEING ON THE EAST-WEST  
CENTER LINE OF SAID SECTION 17, TOWNSHIP 33 NORTH, RANGE 5  
EAST, W.M.; THENCE SOUTH 89 DEGREES 23'42" WEST ALONG SAID  
LINE COMMON TO SAID LOTS 1 AND 4, ALSO BEING THE EAST-WEST  
CENTERLINE OF SAID SECTION 17 FOR A DISTANCE OF 409.92 FEET  
AND BEING THE TRUE POINT OF BEGINNING OF SAID LINE  
DESCRIPTION; THENCE SOUTH 57 DEGREES 24'07" WEST FOR A  
DISTANCE OF 744.49 FEET, MORE OR LESS, TO THE SOUTHWESTERLY  
LINE OF SAID LOT 1, SHORT PLAT NO. 95-008 BEING ON THE  
AGREEMENT LINE BETWEEN THOMAS AND LINDQUIST PER BOUNDARY  
LINE ADJUSTMENT DEEDS RECORDED UNDER SKAGIT COUNTY AUDITOR'S  
FILE NUMBERS. 9410050066 AND 9410050067 AND BEING THE  
TERMINUS OF SAID LINE DESCRIPTION.

SITUS ADDRESS..... 25177 TRIPLE CREEK LANE  
MOUNT VERNON, WA 98273  
SITUS CSZ..... MOUNT VERNON, WA 98273  
OWNER NAME..... THOMAS RUTH M ESTATE  
OWNER ADDR 2..... 25177 TRIPLE CREEK LAN  
E  
CITY, STATE ZIP.... MOUNT VERNON WA 98274

1 records listed.



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" B "

**One (1) Acre Homesite Description**

The one (1) acre homesite is described as follows: Commencing at the Easterly most corner common to Lot 1 and 4 of Short Plat Number 95-008, also being on the Westerly margin of the Northern Pacific Railroad right of way and being on the East-West centerline of said Section 17, Township 33 North, Range 5 East, W.M.; thence South 89 degrees 23 minutes 43 seconds West along said line common to said Lots 1 and 4, also being the East-West centerline of said Section 17 for a distance of 509.98 feet and being the True Of Beginning;

thence North 45 degrees 13 minutes 18 seconds West, 176.48 feet,  
thence North 44 degrees 37 minutes 51 seconds East, 31.5 feet,  
thence North 45 degrees 22 minutes 49 seconds West, 120.0 feet,  
thence South 89 degrees 18 minutes 8 seconds West, 113.94 feet,  
thence South 0 degrees 41 minutes 52 seconds East, 113.94 feet,  
thence South 45 degrees 32 minutes 9 seconds East, 194.47 feet,  
thence South 89 degrees 36 minutes 18 seconds East, 143.85 feet,  
thence North 44 degrees 27 minutes 15 seconds East, 28.28 feet to the True Point  
Of Beginning, containing 1.0+/- acre.



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