

When Recorded Return to:



200904030082

Skagit County Auditor

4/3/2009 Page

1 of

8 12:24PM

NOTICE OF CONTINUANCE
LAND CLASSIFIED AS CURRENT USE OR FOREST LAND

Chapter 84.34 And 84.33 Revised Code of Washington

Grantor(s) Tronsdal, Howard S., AHSE

Grantee(s) Errol Hanson Funding, Inc.

Legal Description Attached EXHIBIT A

Ptn in Secs 31 & 32, Twp 33, Rge 4

Assessor's Property Tax Parcel or Account Number ~~330431-0-008-0002 / P17535~~ 330431-1-002-0105 / P17555

Reference Numbers of Documents Assigned or Released ~~330431-1-004-0004 / P17557~~

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) Errol Hanson Funding, Inc.

Address PO Box 508

Sedro Woolley WA 98284

Phone No. 360-856-0194

Excise Tax No. _____

File No. _____

Taxing District 2665

Date of Sale or Transfer _____ / _____ / _____

Date of Notice 03 / 30 / 2009

Interest in Property: ☒ Fee Owner ☐ Contract Purchase: ☐ 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)



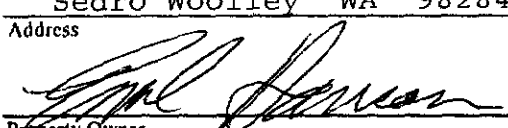
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Skagit County Auditor

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).

<u>Errol Hanson Funding, Inc.</u>		<u>03/30/2009</u>
Property Owner		Date
<u>PO Box 508</u>		
<u>Sedro Woolley WA 98284</u>		
Address		
		<u> / / </u>
Property Owner		Date
<u> </u>		
Address		
<u> </u>		<u> / / </u>
Property Owner		Date
<u> </u>		
Address		
<u> </u>		<u> / / </u>
Property Owner		Date
<u> </u>		
Address		

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



200904030082
Skagit County Auditor

EXHIBIT A

PARCEL "A":

The Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 31, Township 33 North, Range 4 East, W.M., EXCEPT dike right of way, AND EXCEPT Starbird Road.

Situate in the County of Skagit, State of Washington.

PARCEL "B":

That portion of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 32, Township 33 North, Range 4 East, W.M., described as follows:

Beginning at the Northwest corner of said Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 32;
thence South $2^{\circ}06'18''$ West 30.00 feet along the West line of said subdivision to the South right of way margin of the Milltown Road (also known as the Starbird-Rosenborough Road) and being the true point of beginning;
thence South $88^{\circ}52'21''$ East 118.00 feet along said South right of way margin of the Milltown Road, parallel with the North line of said subdivision, to the Northwest corner of that certain tract conveyed to Norwegian Lutheran Evangelical Church of Conway and Fir by Quit Claim Deed recorded under Skagit County Auditor's File No. 210478;
thence South $2^{\circ}06'18''$ West 416.00 feet along the West line of said Norwegian Lutheran Evangelical Church of Conway and Fir Tract to the Southwest corner thereof;
thence South $13^{\circ}11'41''$ East 912.55 feet to the South line of said Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$;
thence North $88^{\circ}46'28''$ West 358.82 feet along the South line of said subdivision to the Southwest corner thereof (also being the West $\frac{1}{4}$ corner of Section 32, Township 33 North, Range 4 East, W.M.);
thence North $2^{\circ}06'18''$ East 1,299.70 feet along the West line of said subdivision to the true point of beginning.

EXCEPT those portions described as follows:

1.) Beginning at the Northwest corner of the Southwest $\frac{1}{4}$ of said Northwest $\frac{1}{4}$ of Section 32;
thence South $2^{\circ}02'58''$ West, along the West line thereof, a distance of 30 feet to the South right of way line of Milltown Road (also known as the Starbird-Rosenborough Road);
thence South $88^{\circ}52'34''$ East, along said South line, a distance of 118.01 feet to the true point of beginning, said point being the Northwest corner of that certain parcel as described under Auditor's File No. 210478;
thence South $2^{\circ}02'58''$ West, a distance of 416.00 feet to the Southwest corner of said parcel;
thence North $88^{\circ}52'34''$ West, parallel with the North line of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 32, a distance of 30.24 feet, more or less, to intersect an existing fenceline extended South;
thence North along said fenceline and fenceline extension, a distance of 416.4 feet, more or less, to the South right of way line of Milltown Road;
thence South $88^{\circ}52'34''$ East, along said line, a distance of 18.33 feet, more or less, to the true point of beginning.



I. Continued

DESCRIPTION CONTINUED:

PARCEL "B" continued:

2.) Beginning at the Northwest corner of said Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 32;
thence South $2^{\circ}06'18''$ West 30.00 feet along the West line of said subdivision to the South right of way
margin of the Milltown Road (also known as the Starbird-Rosenborough Road);
thence South $88^{\circ}52'21''$ East a distance of 118.00 feet along the South right of way margin of the Milltown
Road to the Northwest corner of that certain tract conveyed to Norwegian Lutheran Evangelical Church of
Conway and Fir by Quit Claim Deed recorded under Skagit County Auditor's File No. 210478;
thence South $2^{\circ}06'18''$ West 416.00 feet along the West line of said Norwegian Lutheran Evangelical Church
of Conway and Fir Tract to the Southwest corner thereof and the true point of beginning;
thence South $13^{\circ}11'41''$ East 912.55 feet to the South line of said Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$;
thence North $88^{\circ}46'28''$ West, along the South line of said subdivision, to a point which is South $2^{\circ}06'18''$
West of the true point of beginning;
thence North $2^{\circ}06'18''$ East to the true point of beginning.

Situate in the County of Skagit, State of Washington.



PARCEL "A"

That portion of Government Lot 1, Section 31, Township 33 North, Range 4 East, W.M., and that portion of the North $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of Section 31, Township 33 North, Range 4 East, W.M., Skagit County, Washington, described as follows: Beginning at the Northeast corner of said Section 31, Township 33 North, Range 4 East, W.M.; thence North $88^{\circ}15'45''$ West along the North line of said subdivision, a distance of 1,069.81 feet; thence South $8^{\circ}52'21''$ West a distance of 658.61 feet; thence South $47^{\circ}52'36''$ West a distance of 115.10 feet to the true point of beginning; thence continue South $47^{\circ}52'36''$ West to the North right-of-way line of County road known as the Milltown Road; thence in a Westerly direction along said right-of-way line to the intersection with the Easterly right of way of Pacific Highway; thence Northerly along said East right-of-way line to a point which bears North $88^{\circ}15'45''$ West from the true point of beginning; thence South $88^{\circ}15'45''$ East parallel with the North line of the Northeast $\frac{1}{4}$ of said Section 31 to the true point of beginning.

EXCEPT that portion of said Government Lot 1, Section 31, Township 33 North, Range 4 East, W.M., described as follows: Beginning at the intersection of the East line of Pacific Highway with the North line of the County road along the South line of said Government Lot 1; thence North along said East line of Pacific Highway 200 feet; thence East parallel with said County road along the South line of said Government Lot 1, 200 feet; thence Southwesterly to a point 200 feet East of the true point of beginning; thence West to the true point of beginning.

ALSO EXCEPT that portion of Government Lot 1 conveyed to Dike District No. 16, recorded October 14, 1929, under Skagit County Auditor's File No. 227612.



II. Continued

PARCEL "B"

Government Lot 5, Section 31, Township 33 North, Range 4 East, W.M., Skagit County, Washington.

EXCEPT a tract conveyed to Milltown Trading Company, a co-partnership, by Deed recorded November 17, 1902, in Volume 48 of Deeds, page 187, records of Skagit County, Washington, more particularly described as follows: Beginning at a point on the South line of a certain logging ditch South of the present County road at a point where the same intersects the East boundary line of the Seattle and Montana Railway near the North line of Government Lot 5, Section 31, Township 33 North, Range 4 East, W.M., in Skagit County, Washington; thence run East along the South line of said ditch 210 feet; thence in a Southwesterly direction parallel with the East boundary line of the aforesaid railway right of way 228 feet; thence West 210 feet; thence Northeasterly to the point of beginning.

ALSO EXCEPTING Great Northern Railway right of way (formerly Seattle and Montana Railway), as conveyed by Deed recorded August 27, 1890, in Volume 13 of Deeds, page 125.

ALSO EXCEPTING County roads as conveyed by Deeds recorded October 9, 1906, and March 16, 1936, under Skagit County Auditor's File Nos. 59097 and 249431.

ALSO EXCEPT that portion conveyed to Dike District No. 16 by Deed recorded October 11, 1929, under Auditor's File N. 227599 and condemned in SC 4276.

