

When recorded return to:



200909140095
Skagit County Auditor

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Notice of Removal of Current Use Classification and Additional Tax Calculations Chapter 84.34 RCW

Skagit County

Grantor or County: Skagit County Assessors Office

Grantee or Property Owner: Richard and Patricia Smith

Mailing address: 18495 Dike Rd

<u>Mt. Vernon</u>	<u>WA</u>	<u>98273</u>
City	State	Zip

Legal description: A ptn of Lt A S/P#26-84 in Se. 1, Twp. 33, Rge. 3 as described on attached.

O/S#53 AF#750296 1973

Assessor's parcel/account number: P15256 and P16419

Reference numbers of documents assigned or released: C/U Vio#25-2009

You are hereby notified that the current use classification for the above described property which has been classified as:

- Open Space Land
- Timber Land
- Farm and Agricultural Land

is being removed for the following reason:

- Owner's request
- Property no longer qualifies under Chapter 84.34 RCW
- Change to a use resulting in disqualification
- Exempt Owner
- Notice of Continuance not signed
- Other (specific reason)

Ronda S. White
County Assessor or Deputy

9/14/09
Date

(See next page for current use assessment additional tax statement.)

PARCEL "A":

That portion of Lot A, Skagit County Short Plat No. 26-84, approved August 28, 1984, and recorded August 28, 1984, under Skagit County Auditor's File No. 8408280031; being a portion of Government Lot 10, Section 1, Township 33 North, Range 3 East, W.M., lying Southerly of the following described line:

Beginning at the Southeast corner of said Lot A, Skagit County Short Plat No. 26-84, also being the East ¼ corner of Section 1, Township 34 North, Range 3 East, W.M.;
thence North 0°28'11" West along the East line of said Lot A, also being the East line of Government Lot 10 of said Section 1, for a distance of 401.23 feet, being the true point of beginning of said line description;
thence South 78°12'28" West for a distance of 342.21 feet, more or less, to an angle point on the Westerly line of said Lot A, Skagit County Short Plat No. 26-84, also being the Easterly most corner of that certain parcel conveyed to Ben M. Winkes and L. Sloan Winkes, husband and wife, by Statutory Warranty Deed recorded under Auditor's File No. 200408240060 and being the terminus of said line.

Situate in the County of Skagit, State of Washington.

PARCEL "B":

That portion of the South 32.11 rods of the Southeast ¼ of the Northeast ¼ and of the South 32.11 rods of Government Lot 5, Section 6, Township 33 North, Range 4 East, W.M., described as follows:

Beginning at the Southwest corner of said Government Lot 5 (West ¼ corner);
thence South 89°07'22" East along the South line of said Government Lot 5 for a distance of 180.05 feet, more or less, to the East line of the West 180 feet (as measured perpendicular to the West line) of said Government Lot 5;
thence North 0°28'11" West parallel with said West line for a distance of 407.04 feet;
thence South 90°00'00" West for a distance of 145.15 feet;
thence South 84°59'15" West for a distance of 34.96 feet, more or less, to said West line of Government Lot 5 at a point bearing North 0°28'11" West from the point of beginning;
thence South 0°28'11" East along the West line for a distance of 401.23 feet, more or less, to the point of beginning.

Situate in the County of Skagit, State of Washington.



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Current Use Assessment Additional Tax Statement

RCW 84.34.108(3) ... The assessor shall revalue the affected land with reference to the full market value on the date of removal of classification. Both the assessed valuation before and after removal of classification shall be listed and taxes shall be allocated according to that part of the year to which each assessed valuation applies ...

ty is due on the current year tax

Parcel No.: P15256 Levy Code 2665 Date of Removal 08/28/2009

1. Calculation of Current Year's Taxes to Date of Removal

<u>240</u>	/	<u>365</u>	=	<u>0.65753</u>	
No. of days in Current Use		No. of days in year		Proration factor	
<u>\$10,600</u>	x	<u>0.0098223</u>	x	<u>0.65753</u>	= <u>\$68.46</u>
Market Value		Levy Rate		Proration Factor	Taxes Owed
<u>\$4,500</u>	x	<u>0.0098223</u>	x	<u>0.65753</u>	= <u>\$29.06</u>
Current Use Value		Levy Rate		Proration Factor	Taxes Owed
Amount of additional tax for current year					<u>\$39.40</u>

2. Calculation of Current Year Interest (Interest is calculated from April 30th at 1% per month through the month of removal)

<u>\$39.40</u>	x	<u>4%</u>	=	<u>\$0.16</u>
Amount of Tax Difference		Interest Rate		Interest Owed

3. Calculation of Prior Year's Tax and Interest

(Interest is calculated at the rate of 1% per month from April 30 of the tax year through the month of removal)

No. of years	Tax year	Market Value	Current Use Value	Difference	Levy Rate	Additional Tax Due	@ 1% per Mo. From April 30	Total Interest	Total Tax and Interest
1	2008	\$10,600	\$4,500	\$6,100	9.6770	\$59.03	16.00%	\$9.44	\$68.47
2	2007	\$10,600	\$4,500	\$6,100	10.5542	\$64.38	28.00%	\$18.03	\$82.41
3	2006	\$10,600	\$4,200	\$6,400	11.8832	\$76.05	40.00%	\$30.42	\$106.47
4	2005	\$10,600	\$4,000	\$6,600	13.4001	\$88.44	52.00%	\$45.99	\$134.43
5	2004	\$10,600	\$3,800	\$6,800	12.0764	\$82.12	64.00%	\$52.56	\$134.68
6	2003	\$10,600	\$4,000	\$6,600	11.9145	\$78.64	76.00%	\$59.76	\$138.40
7	2002	\$10,600	\$4,000	\$6,600	11.3074	\$74.63	88.00%	\$65.67	\$140.30
Totals								\$281.87	\$805.16



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Current Use Assessment Additional Tax Statement

Year's Tax and Interest \$805.16

5. 20% Penalty Yes X No _____ \$161.03
 (applicable when classification is removed because of a
 change in use or owner has not complied with withdrawal)

for years's tax, interest, and penalty) \$966.19

7. Prorated tax and interest for current year \$39.55

8. Total additional tax, interest, and penalty \$1,005.75
 (payable in full 30 days after the date the treasurer's statement is received)

Calculation of Tax for Remainder of Current Ye

<u>125</u>	/	<u>365</u>	=	<u>0.34247</u>	
No. of days in Current Use		No. of days in year		Proration factor	
<u>\$10,600</u>	x	<u>0.0098223</u>	x	<u>0.34247</u>	=
Market Value		Levy Rate		Proration Factor	<u>\$35.66</u>
					Taxes Owed
<u>\$4,500</u>	x	<u>0.0098223</u>	x	<u>0.34247</u>	=
Current Use Value		Levy Rate		Proration Factor	<u>\$15.14</u>
					Taxes Owed
				Amount of additional tax for current year	<u>\$20.52</u>

Taxes are payable on regular due date and may be paid in half payments under provisions of RCW 84.56.020.



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Current Use Assessment Additional Tax Statement

RCW 84.34.108(3) ... The assessor shall revalue the affected land with reference to the full market value on the date of removal of classification. Both the assessed valuation before and after removal of classification shall be listed and taxes shall be allocated according to that part of the year to which each assessed valuation applies ...

ty is due on the current year tax

Parcel No.: P16419 Levy Code 2665 Date of Removal 08/28/2009

1. Calculation of Current Year's Taxes to Date of Removal

<u>240</u>	/	<u>365</u>	=	<u>0.65753</u>	
No. of days in Current Use		No. of days in year		Proration factor	
<u>\$1,500</u>	x	<u>0.0098223</u>	x	<u>0.65753</u>	= <u>\$9.69</u>
Market Value		Levy Rate		Proration Factor	Taxes Owed
<u>\$600</u>	x	<u>0.0098223</u>	x	<u>0.65753</u>	= <u>\$3.88</u>
Current Use Value		Levy Rate		Proration Factor	Taxes Owed
Amount of additional tax for current year					<u>\$5.81</u>

2. Calculation of Current Year Interest (Interest is calculated from April 30th at 1% per month through the month of removal)

<u>\$5.81</u>	x	<u>4%</u>	=	<u>\$0.02</u>
Amount of Tax Difference		Interest Rate		Interest Owed

3. Calculation of Prior Year's Tax and Interest

(Interest is calculated at the rate of 1% per month from April 30 of the tax year through the month of removal)

No. of years	Tax year	Market Value	Current Use Value	Difference	Levy Rate	Additional Tax Due	@ 1% per Mo. From April 30	Total Interest	Total Tax and Interest
1	2008	\$1,500	\$600	\$900	9.6770	\$8.71	16.00%	\$1.39	\$10.10
2	2007	\$1,500	\$600	\$900	10.5542	\$9.50	28.00%	\$2.66	\$12.16
3	2006	\$1,500	\$500	\$1,000	11.8832	\$11.88	40.00%	\$4.75	\$16.64
4	2005	\$1,500	\$500	\$1,000	13.4001	\$13.40	52.00%	\$6.97	\$20.37
5	2004	\$1,500	\$500	\$1,000	12.0764	\$12.08	64.00%	\$7.73	\$19.81
6	2003	\$1,500	\$500	\$1,000	11.9145	\$11.91	76.00%	\$9.06	\$20.97
7	2002	\$1,500	\$500	\$1,000	11.3074	\$11.31	88.00%	\$9.95	\$21.26
Totals								\$42.51	\$121.30



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Current Use Assessment Additional Tax Statement

Year's Tax and Interest \$121.30

5. 20% Penalty Yes X No \$24.26
 (applicable when classification is removed because of a
 change in use or owner has not complied with withdrawal)

for years's tax, interest, and penalty) \$145.56

7. Prorated tax and interest for current year \$5.84

8. Total additional tax, interest, and penalty \$151.39
 (payable in full 30 days after the date the treasurer's statement is received)

Calculation of Tax for Remainder of Current Ye

<u>125</u>	/	<u>365</u>	=	<u>0.34247</u>	
No. of days in Current Use		No. of days in year		Proration factor	
<u>\$1,500</u>	x	<u>0.0098223</u>	x	<u>0.34247</u>	=
Market Value		Levy Rate		Proration Factor	<u>\$5.05</u>
					Taxes Owed
<u>\$600</u>	x	<u>0.0098223</u>	x	<u>0.34247</u>	=
Current Use Value		Levy Rate		Proration Factor	<u>\$2.02</u>
					Taxes Owed
				Amount of additional tax for current year	<u>\$3.03</u>

Taxes are payable on regular due date and may be paid in half payments under provisions of RCW 84.56.020.



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Reclassification Option

You may apply to have the land reclassified into one of the other current use classifications under Chapter 84.34 RCW or forest land designation under Chapter 84.33 RCW. If an application for reclassification is received within 30 days of this notice, no additional tax is due until the application is denied, or, if approved, the property is later removed from classification under Chapter 84.34 RCW in accordance with RCW 84.34.108.

Appeal Rights

The property owner or person responsible for the payment of taxes may appeal the assessor's **removal** of classification to the County Board of Equalization. Said Board may be reconvened to consider the appeal. The petition must be filed with the board on or before July 1 of the year of the determination, or within thirty days after the date the notice has been mailed, or within a time limit of up to sixty days adopted by the county legislative authority, whichever is later. A petition form may be obtained by either contacting the assessor or the county board of equalization in the county in which the land is located.

County contact information can be found at the following website:

<http://dor.wa.gov/Content/FindTaxesAndRates/PropertyTax/Links.aspx>

Additional Tax, Interest and Penalty upon Removal

Upon removal of classification from this property, an additional tax shall be imposed equal to the sum of the following:

1. The difference between the property tax that was levied upon the current use value and the tax that would have been levied upon the true and fair value for the seven tax years preceding removal in addition to the portion of the tax year when the removal takes place; plus
2. Interest at the statutory rate charged on delinquent property taxes specified in RCW 84.56.020 from April 30 of the year the tax would had been paid without penalty to the date of removal; plus
3. A penalty of 20% added to the total amount computed in 1 and 2 above, **except** when the property owner complies with the withdrawal procedure specified in RCW 84.34.070, or where the additional tax is not applied as provided in 4 (below).
4. The additional tax specified in 1 and 2 (above) **shall not** be imposed if removal of 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 such power;
 - c) A natural disaster such as a flood, windstorm, earthquake, or other such calamity rather than by virtue of the act of the landowner 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 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) (farm homesite value);
 - 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 conservation easement of private forest lands within unconfined channel migration zones or containing critical habitat for threatened or endangered species 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 classified forest land, designated as forest land under chapter 84.33 RCW, or this chapter 84.34 RCW continuously since 1993. The date of death shown on a death certificate is the date used; or
 - l) The discovery that the land was classified in error through no fault of the owner.

