

Return Name & Address:



200909240065

Skagit County Auditor

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SKAGIT COUNTY PLANNING & DEVELOPMENT SERVICES

LOT OF RECORD CERTIFICATION

File Number: PL_09-0321

Applicant Name: Henry Young

Property Owner Name: same

Having reviewed the information provided by the applicant, the Department hereby finds that the parcel(s) bearing Skagit County Parcel Number(s):

P#(s): 30746; 340901-0-009-0209; within a Ptn of the NE ¼ of the NW ¼ of Sec. 1, Twp 34, Rge 9. AKA, W ½ Tract 3, 5-ac Subdivision # 112-76, AF 842262

Lot Size: approximately 2.5 acres

1. CONVEYANCE

IS, a Lot of Record as defined in Skagit County Code (SCC) 14.04.020 or owned by an innocent purchaser who has met the requirements described in SCC 14.18.000(9) and RCW 58.17.210 and therefore IS eligible for conveyance.

IS NOT, a Lot of Record as defined in SCC 14.04.020 or owned by an innocent purchaser who has met the requirements described in SCC 14.18.000(9) and RCW 58.17.210 and therefore IS NOT eligible for conveyance or development.

2. DEVELOPMENT

IS, the minimum lot size required for the _____ zoning district in which the lot is located and therefore IS eligible to be considered for development permits.

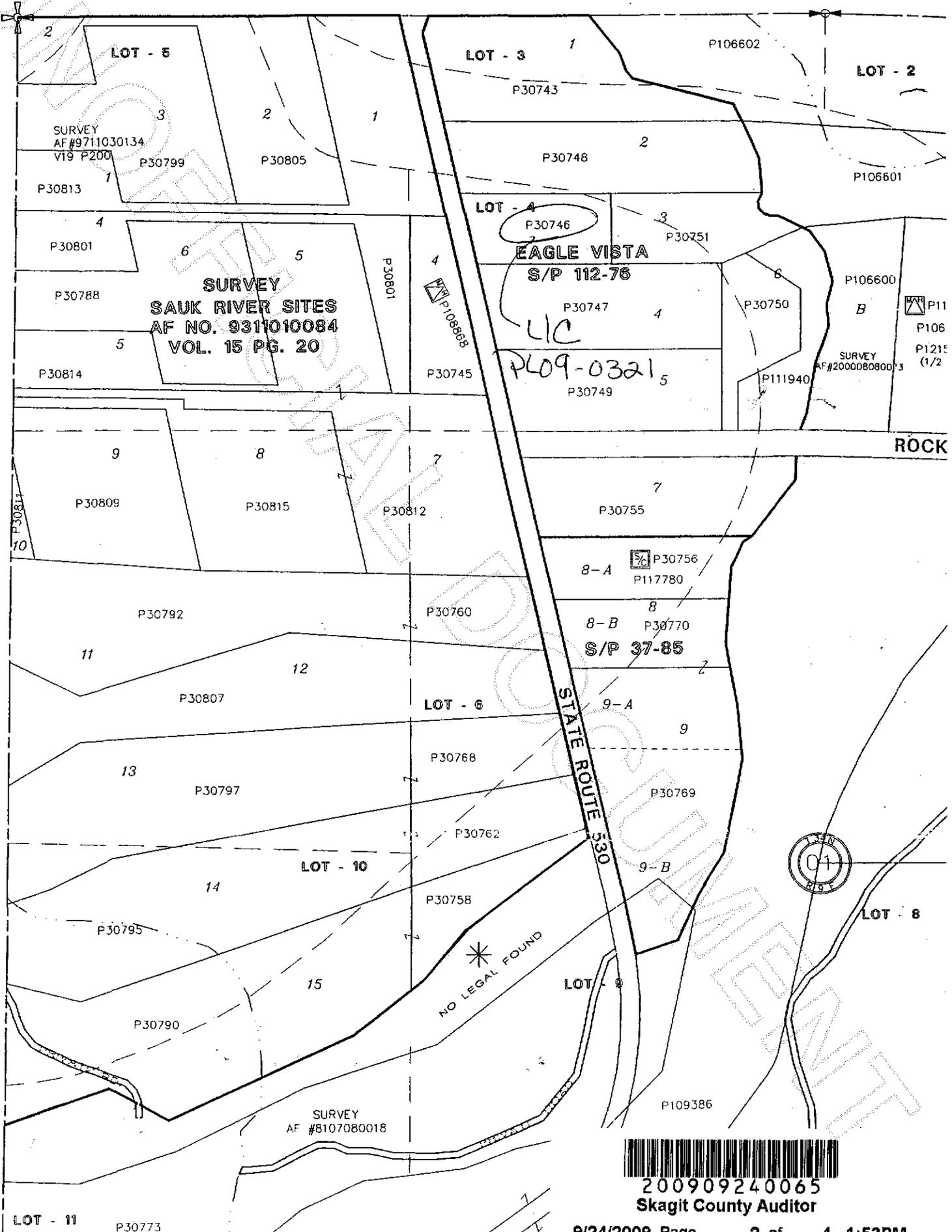
IS NOT, the minimum lot size required for the _____ zoning district in which the lot is located, but does meet an exemption listed in SCC 14.16.850(4)(c) and therefore IS eligible to be considered for development permits.

IS NOT, the minimum lot size required for the _____ zoning district in which the lot is located, does not meet an exemption listed in SCC 14.16.850(4)(c) and therefore IS NOT eligible to be considered for certain development permits.

Authorized Signature: _____

Date: 9/3/2009

See attached map for Lot of Record boundaries.



**SURVEY
SAUK RIVER SITES
AF NO. 9311010084
VOL. 15 PG. 20**

**EAGLE VISTA
S/P 112-76**

**LIC
PLO9-0321**

S/P 37-85

NO LEGAL FOUND



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PLANNING & DEVELOPMENT SERVICES

GARY R. CHRISTENSEN, AICP, DIRECTOR

BILL DOWE, CBO, DEPUTY DIRECTOR

PATTI CHAMBERS
Administrative Coordinator

TIM DEVRIES, CBO
Building Official

September 3, 2009

Mr. & Mrs. Henry Young
P.O. Box 655
Concrete, WA 98237

RE: Lot of Record Certification Application PL09-0321
Parcels: P50746

Dear Mr & Mrs. Young:

Thank you for your patience during the lengthy review process of Lot of Record Application PL09-0321 for Parcel P50746. The determination for a Lot of Record is based on a review of the conveyance documents submitted, including, but not necessarily limited to: the legal description contained in each conveyance document; assessing when parcels came together; when parcels were separated; and what County regulations, if any, were in effect at the time of conveyance of any specific legal description.

This office has completed review of the Lot Certification Application and based on information submitted the following determination has been made:

Lot of Record Certification PL09-0321, Parcel P50746:

Parcel P50746 was created by and through the divorce of Patricia Jo and Randy Earl Riggles in 1983. Court action does not create "legal lots of record", eligible for residential development. A Court ordered land division may create "parcels" that can be held of ownership; however, those parcels may not necessarily be eligible for development.

Skagit County has had an adopted Short Subdivision Ordinance since 1971. In order to create two parcels out of Tract 3 would have required a Short Subdivision. This type of action of creating the East 1/2 and the West 1/2 of Tract 3 of Five-acre Tract Subdivision # 112-76 was/is out of compliance with Skagit County Short Subdivision regulations. Thus, this parcel is considered an "illegal segregation".

It appears that you as the current property owner would be eligible for Innocent Purchaser status.



Mr. & Mrs. Henry Young
September 3, 2009
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This office is in receipt of the Declaration of Innocent Purchaser. It appears that the purchase of the above noted property complies with the definition of Innocent Purchaser as outlined in Skagit County Code 14.04, Definitions. Please note that an "Innocent Purchaser" declaration is allowed only once.

The process will be: A Lot Certification that indicates the parcel is not a lot of record will be recorded. Upon receipt of that recorded document, a revised Lot Certification, with the Innocent Purchaser Declaration will be recorded that indicates the parcel IS a lot of record, but is not eligible for residential development. The reason the parcel is not eligible for residential development is due to non-compliance with Section 14.16.850(4)(c)(viii)(B), Lot Certification, of the Uniform Development Code, requiring a minimum of 5-acres in the Rural Reserve zoning designation for residential development. In order for residential development to occur it will be necessary to apply for and receive a Reasonable Use Certification. It should be noted that an application for Reasonable Use is not required until such time as development is proposed. In addition, the property could be conveyed with the stipulation that a Reasonable Use is required prior to development.

Enclosed please find an unrecorded copy of the first Lot Certification to be filed with the Skagit County Auditor. Upon receipt of the recorded document, the revised Lot Certification will be recorded. Upon receipt of that document, all originals will be forwarded to you.

Enclosed please find a Reasonable Use Application. The fee for this application is \$ 300.00, plus approximately \$ 200.00 publishing cost, plus approximately \$ 63.00 for the recording of the final document. The basis for approving or denying a Reasonable Use Certification is the completed Lot Certification process.

The processing time of a Reasonable Use Application is approximately eight weeks. Included in the processing is notification of all adjacent property owners within 300 ft and two separate notices published in the Skagit Valley Herald. In order to notify the adjacent property owners, the applicant of a Reasonable Use Application is required to provide stamped, addressed envelopes as part of the complete application. Please feel free to contact this office if you have any questions.

Sincerely,


Grace Roeder, Senior Planner
Planning & Development Services

Gr
Enclosures



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