



201008130050

Skagit County Auditor

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After Recording Return to:
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon WA 98273

CERTIFICATE OF NON-COMPLIANCE

Skagit County Planning and Development Services has found the property listed below in non-compliance with Skagit County Code Title 14 or 15, or both, pursuant to the attached Notice and Order to Abate. The property owner has been notified. This certificate of Non-Compliance will remain in effect until compliance is achieved.

Case Number: CE07-0025
Violator: Rocky and Melody Lohoff

Legal Description: ACRES 0.51, DK 3: THAT PORTION OF GOVERNMENT LOT 1 OF SECTION 31, TOWNSHIP 33 NORTH RANGE 4 EAST, W.M., DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE EAST LINE OF THE PACIFIC HIGHWAY WHERE THE COUNTY ROAD RUNNING ALONG THE SOUTH SIDE OF SAID GOVERNMENT LOT 1; THENCE NORTHEASTERLY ALONG THE EAST LINE OF SAID HIGHWAY, 200 FEET; THENCE EAST PARALLEL WITH THE SOUTH LINE OF SAID GOVERNMENT LOT 1, 200 FEET; THENCE SOUTHWESTERLY PARALLEL TO THE EAST-ERLY LINE OF SAID HIGHWAY 200 FEET TO THE NORTH LINE OF THE COUNTY ROAD; THENCE: THENCE WEST ALONG THE NORTH LINE OF SAID COUNTY ROAD 280 FEET TO THE POINT OF BEGINNING, EXCEPT A TRACT CONVEYED TO DRAINAGE DISTRICT NO. 17 OF SKAGIT COUNTY, WASHINGTON BY DEED DATED NOVEMBER 14, 1936 ANC RECORDED NOVEMBER 18, 1936, UNDER AUDITOR'S FILE NO. 284455, IN VOLUME 170 OF DEEDS, PAGE 518, RECORDS OF SKAGIT COUNTY WASHINGTON.

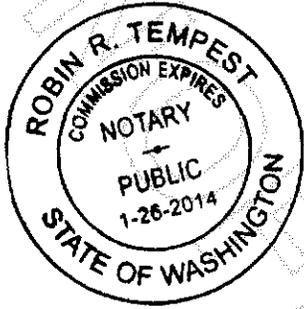
Address of Violation: 18429 Milltown Road, Mount Vernon

Parcel Number: P17530

I, Tim DeVries, do hereby certify under penalty of perjury that the above information, to the best of my knowledge, is correct.

DATED this 11th day of August, 2010

Skagit County Building Official



State of Washington, County of Skagit. On this 11th day of August, year of 2010, before me Robin Tempest Notary Public, personally appeared Tim DeVries personally known to me to be the person whose name is subscribed to this instrument, and acknowledged that he/she executed it. Witness my hand and official seal:

Notary's Signature Robin Tempest
Notary Public in and for the State of Washington residing at Mount Vernon
My commission expires: 1-26-14



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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

CERTIFIED MAIL

July 21, 2010

NOTICE AND ORDER TO ABATE

Rocky and Melody Lohoff
20457 Curran Place
Mount Vernon, WA 98274

Case Number: CE07-0025
Subject property location: 18429 Milltown Road, Mount Vernon

Legal Description: ACRES 0.51, DK 3: THAT PORTION OF GOVERNMENT LOT 1 OF SECTION 31, TOWNSHIP 33 NORTH RANGE 4 EAST, W.M., DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE EAST LINE OF THE PACIFIC HIGHWAY WHERE THE COUNTY ROAD RUNNING ALONG THE SOUTH SIDE OF SAID GOVERNMENT LOT 1; THENCE NORTHEASTERLY ALONG THE EAST LINE OF SAID HIGHWAY, 200 FEET; THENCE EAST PARALLEL WITH THE SOUTH LINE OF SAID GOVERNMENT LOT 1, 200 FEET; THENCE SOUTHWESTERLY PARALLEL TO THE EASTERLY LINE OF SAID HIGHWAY 200 FEET TO THE NORTH LINE OF THE COUNTY ROAD; THENCE; THENCE WEST ALONG THE NORTH LINE OF SAID COUNTY ROAD 280 FEET TO THE POINT OF BEGINNING, EXCEPT A TRACT CONVEYED TO DRAINAGE DISTRICT NO. 17 OF SKAGIT COUNTY, WASHINGTON BY DEED DATED NOVEMBER 14, 1936 ANC RECORDED NOVEMBER 18, 1936, UNDER AUDITOR'S FILE NO. 284455, IN VOLUME 170 OF DEEDS, PAGE 518, RECORDS OF SKAGIT COUNTY WASHINGTON. DK 3: THAT PORTION OF GOVERNMENT LOT 1 OF SECTION 31, TOWNSHIP 33 NORTH RANGE 4 EAST, W.M., DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE EAST LINE OF THE PACIFIC HIGHWAY WHERE THE COUNTY ROAD RUNNING ALONG THE SOUTH SIDE OF SAID GOVERNMENT LOT 1; THENCE NORTHEASTERLY ALONG THE EAST LINE OF SAID HIGHWAY, 200 FEET; THENCE EAST PARALLEL WITH THE SOUTH LINE OF SAID GOVERNMENT LOT 1, 200 FEET; THENCE SOUTHWESTERLY PARALLEL TO THE EASTERLY LINE OF SAID HIGHWAY 200 FEET TO THE NORTH LINE OF THE COUNTY ROAD; THENCE; THENCE WEST ALONG THE NORTH LINE OF SAID COUNTY ROAD 280 FEET TO THE POINT OF BEGINNING, EXCEPT A TRACT CONVEYED TO DRAINAGE DISTRICT NO. 17 OF SKAGIT COUNTY, WASHINGTON BY DEED DATED NOVEMBER 14, 1936 ANC RECORDED NOVEMBER 18, 1936, UNDER AUDITOR'S FILE NO. 284455, IN VOLUME 170 OF DEEDS, PAGE 518, RECORDS OF SKAGIT COUNTY WASHINGTON.

Assessor's Tax Parcel: P17549, P17530
Tax I.D. Number: 330431-2-003-0007

Pursuant to Titles 14 and 15 of the Skagit County Code (SCC), Building Inspector Brad Wold conducted a site visit on July 15, 2010. During the site visit Mr. Wold observed fill being placed within a critical area buffer. A previous Notice and Order to Abate was sent certified mail on April 9, 2007.

The Administrative Official has found that you are in violation of Titles 14 and/or 15 of the Skagit County Code (SCC) and land use regulations or statutes as follows:

1800 Continental Place • Mount Vernon, WA 98274
Phone: (360) 336-9410



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"Helping You Plan and E

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1. SCC 15.04 and IBC J103.1. No grading shall be performed without first obtaining a permit from the Building Official. Your grading and/or filling activities in a critical area buffer without the required permit violates this code section. A grading permit application, BP07-0262 was applied for, but not approved or issued and is now expired.

2. SCC 14.24.060 and 14.44.080. No land use activity shall occur that can impair the functions and values of critical areas or their buffers through a development activity or by disturbance of the soil or water, and/or by removal of, or damage to, existing vegetation, without critical areas review and written authorization pursuant to SCC 14.24. Your fill activity within a critical area buffer without critical area review and written authorization is in violation of this section.

You are hereby ordered to take the following action to abate the above violations:

1. Provide a completed application, including fees, for a grading permit by August 11, 2010 and obtain the required permit, and,
2. Obtain critical area review pursuant to SCC 14.24 for the land disturbance activities within the buffer.

A failure to comply with this order may result in referral to the Prosecuting Attorney's office for further enforcement action including commencing a court action for criminal and civil penalties.

A civil penalty of one hundred dollars (\$100.00) is hereby assessed for each day that any violation noted above continues past the required compliance date of **August 11, 2010**. All civil penalties will be enforced and collected as authorized by law.

If the required corrective work is not commenced or completed within the time allotted, the Administrative Official may cause the work to be done. Any county costs incurred to abate the violation(s) will be charged as a public nuisance lien against the property. A public nuisance lien may violate the terms of your real estate loan and Deed of Trust or Mortgage. It may cause your lender to start foreclosure proceedings against your property. If you have any questions about that, please contact your lender.

Appeal to the Skagit County Hearing Examiner: This order becomes final fifteen (15) days after service unless you file a timely appeal with the Skagit County Hearing Examiner. Applications for appeals are available from Skagit County Planning and Development Services. Appeals must be made in writing and submitted, along with the required fees, to Planning and Development Services within fourteen (14) calendar days of service of this Notice and Order to Abate. Appeals will be processed under Chapter 14.06 SCC.

If you have any questions regarding this order, please contact me at (360) 336-9410, ext. 3489.

Sincerely,



Tim DeVries, CBO
Building Official



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