



201012080053

Skagit County Auditor

12/8/2010 Page 1 of 4 1:49PM

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 CE10-0109

Violator: Benson Family Trust, Mildred Benson, Trustee & Robert Benson, Trustee

Legal Description: (10.60ac)PTN OF LOT 26 SARATOGA PASSAGE PL06-0107 AF#2009061000089 DAF NW1/4 NW1/4 LESS 100 FT STRIP TO P NICKEL TAX 1 & N 40 FT OF W 980 FT & RD & DITCH & W 660 FT LESS 1 AC TR & HOUSE EXCEPT FOR THE FOLLOWING DESCRIBED PARCEL: BEGIN AT A POINT ON THE EAST LINE OF SAID SUBDIVISION AT A POINT LYING 420.5 FEET NORHT OF THE SE CORNER OF SAID SUBDIVISION; THENCE CONTINUE NORTH ALONG SAID EAST LINE, 208.7 FEET; TEHNCE WEST AT A RIGHT ANGLE TO SAID EAST LINE, 208.7 FEET; TEHNCE SOUTH PARALLEL WITH SAID EAST LINE, 208.7 FEET; THENCE EAST AT RIGHT ANGLES TO SAID EAST LINE, 208.7 FEET TO THE POINT OF BEGINNING. C/U VIO#14-2009 DATE DUE: 6-10-09.

Address of Violation: 19046 Kanako Lane, Mount Vernon

Parcel Number: P99591

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

DATED this 8th day of December, 2010.

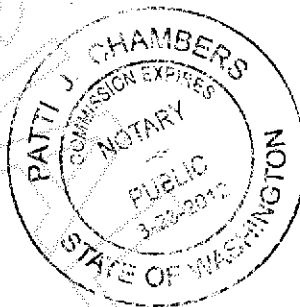
Bill Dowe
Skagit County Deputy Director

State of Washington, County of Skagit. On this 8TH day of December, year of 2010, before me PATTI J. CHAMBERS Notary Public, personally appeared BILL DOWE 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 Patti J. Chambers

Notary Public in and for the State of Washington residing at

MOUNT VERNON My commission expires: 3/23/12



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CERTIFIED MAIL

September 22, 2010

NOTICE AND ORDER TO ABATE

Benson Family Trust
Victor Benson
19357 Kanako Lane
Mount Vernon, WA 98274

Case Number: CE10-0109
Subject property location: 19046 Kanako Lane, Mount Vernon
Legal Description: ACREAGE ACCOUNT, ACRES 10.60, C/U VIO#14-2009 DATE DUE: 6-10-09 NW1/4 NW1/4 LESS 100 FT STRIP TO P NICKEL TAX 1 & N 40 FT OF W 980 FT & RD & DITCH & W 660 FT LESS 1 AC TR & HOUSE EXCEPT FOR THE FOLLOWING DESCRIBED PARCEL: BEGIN AT A POINT ON THE EAST LINE OF SAID SUBDIVISION AT A POINT LYING 420.5 FEET NORHT OF THE SE CORNER OF SAID SUBDIVISION; THENCE CONTINUE NORTH ALONG SAID EAST LINE, 208.7 FEET; TEHNCE WEST AT A RIGHT ANGLE TO SAID EAST LINE, 208.7 FEET; TEHNCE SOUTH PARALLEL WITH SAID EAST LINE, 208.7 FEET; THENCE EAST AT RIGHT ANGLES TO SAID EAST LINE, 208.7 FEET TO THE POINT OF BEGINNING.
Assessor's Tax Parcel: P99591
Tax I.D. Number: 330409-2-002-0200

Pursuant to Titles 14 and 15 of the Skagit County Code (SCC), Plans Examiner Al Jongsma conducted a site visit on September 22, 2010. During the site visit Mr. Jongsma observed an occupied residence located within the designated open space of Lot 26 (P99591) of the Saratoga Passage View land division, recorded on June 10, 2009.

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:

1. SCC 14.18.310(2) & SCC 14.18.310(5) The occupied residence is not within one of the 25 designated building lots or the building envelope contained within Lot 26 as depicted on the recorded land division. Thus, maintaining this structure as an active residence exceeds the allowable density of the land division, as well as the open space provisions associated with the OS-PA tract designation.

1800 Continental Place • Mount Vernon, WA 98273
Phone: (360) 336-9410 • Fax: (360) 336-9416



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

1. Apply for and obtain a building permit to change the occupancy/use of the structure from residential to an agricultural use, or
2. Obtain a demolition permit and remove the structure from the open space, or
3. Obtain a building permit and relocate the home to an approved lot, or
4. Apply for an Alteration of Final Plat and create a building envelope around the structure such as was done with the other existing structures on site (Lot 1 and the building envelope for Lot 26). This will necessitate critical areas review and also reduce by one the number of lots along Benson Ridge Lane.

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 **October 13, 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,

Bill Dunc for Tim DeVries

Tim DeVries, CBO
Building Official



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