



201107220043

Skagit County Auditor

7/22/2011 Page

1 of

4 1:00PM

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 CE11-0025

Violator: Froilan Guerrero

Legal Description: ACRES 25.49, O/S #130 #800386 1975: INC M/H 1979 MODULINE GIBRALTER 79X14 S/N 94844: THAT PORTION OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 5, TOWNSHIP 35 NORTH, RANGE 4 EAST, W.M., LYING NORTHERLY OF THE SAMISH RIVER; EXCEPT COUNTY ROAD KNOWN AS GREEN ROAD AS DEEDED TO SKAGIT COUNTY BY DEED RECORDED SEPTEMBER 6, 1900, IN VOLUME 41 OF DEEDS, PAGE 251, UNDER AUDITOR'S FILE NO. 34192, RECORDS OF SKAGIT COUNTY, WASHINGTON. AND EXCEPT THAT PORTION DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE SECTION LINE BETWEEN SECTIONS 5 AND 6, IN SAID TOWNSHIP AND RANGE, WHICH IS SOUTH 01 DEGREES 02'45" WEST, 1,121.98 FEET FROM THE QUARTER CORNER COMMON TO SAID SECTIONS 5 AND 6, WHICH POINT IS MARKED BY A PIPE; THENCE NORTH 59 DEGREES 52'00" EAST, 22.70 FEET TO A POINT MARKED BY A HUB; THENCE NORTH 29 DEGREES 48'40" EAST, 27.04 FEET TO A POINT MARKED BY A HUB; THENCE NORTH 89 DEGREES 02'05" EAST, 199.80 FEET TO A POINT MARKED BY A HUB; THENCE SOUTH 01 DEGREES 30'55" EAST, 69.46 FEET TO A POINT MARKED BY A HUB; THENCE CONTINUE SOUTH 01 DEGREES 30'55" EAST, 59.00 FEET TO A POINT OF INTERSECTION WITH THE THREAD OF THE CHANNEL OF THE SAMISH RIVER RUNNING SOUTHWESTERLY THROUGH SAID SUBDIVISION AS IT EXISTED ON JULY 3, 1962; THENCE SOUTHWESTERLY FOLLOWING THE THREAD OF SAID CHANNEL TO A POINT OF INTERSECTION WITH THE SECTION LINE BETWEEN SAID SECTIONS 5 AND 6; THENCE NORTH 01 DEGREES 02'45" EAST ALONG SAID SECTION LINE TO THE POINT OF BEGINNING, EXCEPT THAT PORTION OF SAID PARCEL, IF ANY, LYING WITHIN THE RIGHT-OF-WAY OF A CERTAIN COUNTY ROAD RUNNING NORTHEASTERLY AND SOUTHWESTERLY AND NORTHERLY AND SOUTHERLY THROUGH SAID SUBDIVISION.

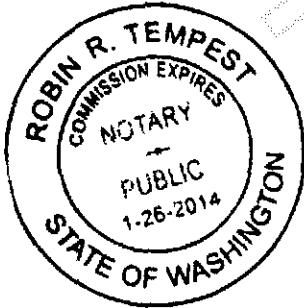
Address of Violation: 6495, 6491 North Green Road, Burlington, WA

Parcel Number: P35816

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

DATED this 21st day of July, 2011.

Bill Dowe
Skagit County Deputy Director



State of Washington, County of Skagit. On this 21st day of July, year of 2011, before me Robin R. Tempest 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 Robin R. Tempest

Notary Public in and for the State of Washington residing at Mount Vernon

My commission expires: 1-26-14



201107220043
Skagit County Auditor



Notice and Order to Abate

Planning & Development Services · 1800 Continental Place ·
Mount Vernon WA 98273
voice 360-336-9410 · fax 360-336-9416 ·
www.skagitcounty.net/planning

Case Number

CE11-0025

05-24-2011

Part 1 Property Owner Information

Property Owner Froilan Guerrero
Mailing Address PO BOX 1223
City BURLINGTON WA Zip 98233 Phone _____

Part 2 Site Information

Address of Violation 6491, 6495 NORTH GREEN ROAD BURL ☐ Same as Mailing Address
Parcel Number(s) P35816
Legal Description

ACRES 25.49, O/S #130 #800386 1975: INC M/H 1979 MODULINE GIBRALTER 79X14 S/N 94844: THAT PORTION OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 5, TOWNSHIP 35 NORTH, RANGE 4 EAST, W.M., LYING NORTHERLY OF THE SAMISH RIVER; EXCEPT COUNTY ROAD KNOWN AS GREEN ROAD AS DEEDED TO SKAGIT COUNTY BY DEED RECORDED SEPTEMBER 6, 1900, IN VOLUME 41 OF DEEDS, PAGE 251, UNDER AUDITOR'S FILE NO. 34192, RECORDS OF SKAGIT COUNTY, WASHINGTON. AND EXCEPT THAT PORTION DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE SECTION LINE BETWEEN SECTIONS 5 AND 6, IN SAID TOWNSHIP AND RANGE, WHICH IS SOUTH 01 DEGREES 02'45" WEST, 1,121.98 FEET FROM THE QUARTER CORNER COMMON TO SAID SECTIONS 5 AND 6, WHICH POINT IS MARKED BY A PIPE; THENCE NORTH 59 DEGREES 52'00" EAST, 22.70 FEET TO A POINT MARKED BY A HUB; THENCE NORTH 29 DEGREES 48'40" EAST, 27.04 FEET TO A POINT MARKED BY A HUB; THENCE NORTH 89 DEGREES 02'05" EAST, 199.80 FET TO A POINT MARKED BY A HUB; THENCE SOUTH 01 DEGREES 30'55" EAST, 69.46 FEET TO A POINT MARKED BY A HUB; THENCE CONTINUE SOUTH 01 DEGREES 30'55" EAST, 59.00 FEET TO A POINT OF INTERSECTION WITH THE THREAD OF THE CHANNEL OF THE SAMISH RIVER RUNNING SOUTHWESTERLY THROUGH SAID SUBDIVISION AS IT EXISTED ON JULY 3, 1962; THENCE SOUTHWESTERLY FOLLOWING THE THREAD OF SAID CHANNEL TO A POINT OF INTERSECTION WITH THE SECTION LINE BETWEEN SAID SECTIONS 5 AND 6; THENCE NORTH 01 DEGREES 02'45" EAST ALONG SAID SECTION LINE TO THE POINT OF BEGINNING, EXCEPT THAT PORTION OF SAID PARCEL, IF ANY, LYING WITHIN THE RIGHT-OF-WAY OF A CERTAIN COUNTY RAOD RUNNING NORTHEASTERLY AND SOUTHWESTERLY AND NORTHERLY AND SOUTHERLY THROUGH SAID SUBDIVISION. 350405-3-007-0007

Part 3 Findings of Fact

The Administrative Official has issued the following findings of fact relating to code violations on your property:

1. A site visit on April 1, 2011 by Natural Resource Planner, Geologist John Cooper, confirmed that livestock are allowed to graze within 200 feet of Friday Creek.
2. Skagit County Planning & Development Services mailed a contact letter on April 1, 2011 to the owner.
3. A Notice of Violation was mailed to the owner on April 25, 2011. No response has been received.

Part 4 Conclusions of Law

The Administrative Official has found you in violation of the following provisions of Skagit County Code:

1. SCC 14.24.060 & SCC14.24.500. Activities that can impair the functions and values of critical areas or their buffers, through a disturbance of the soil or water, and/or by removal of, or damage to, existing vegetation, shall require critical areas review and written authorization. Allowing livestock to graze within 200 feet of Friday Creek is a violation of these sections of Skagit County Code.



201107220043
Skagit County Auditor

Part**5****Corrective Action Ordered**

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

1. *Livestock shall be fenced out of the stream buffer at a distance of 200 feet from Friday Creek by June 15, 2011.*

Part**6****Penalty**

Skagit County hereby assesses a civil penalty of \$100.00 for each day that any violation listed above continues past **June 15, 2011**. Skagit County assesses penalties if the violation continues past the deadline, even if the violation is eventually corrected, and refers penalties to a collection agency when necessary.

Part**7****Disclosures**

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

Appeal to the Skagit County Hearing Examiner: This order becomes final 15 days after service unless you file an appeal to the Skagit County Hearing Examiner, with the required fees, within 14 days after service. Appeal forms are available from, and must be submitted to, Skagit County Planning and Development Services. Appeals are processed as appeals of Level I decisions under Skagit County Code 14.06.110.

If you have any questions regarding this order, please contact me at (360) 336-9410, ext. 3456.

Issued By


Bill Dowe, CBO, Deputy Director

Date

5/24/11201107220043
Skagit County Auditor

7/22/2011 Page

4 of

4 1:00PM