

When recorded return to:



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Skagit County Auditor

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3 11:09AM

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

SKAGIT

County

Grantor or County: Skagit County Assessor

Grantee or Property Owner: Devries Dairy L.P. (Fred Devries)

Mailing Address: 12797 Thillberg Rd

Mount Vernon

WA

98273

City

State

Zip

Legal Description: PTN of SEC 2, TWP 34 N, RGE 4 E W.M. see attached for complete legal

Assessor's Parcel/Account Number: PTN P23430

Reference Numbers of Documents Assigned or Released: CU VIO #10-2012

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 ☐ Change in use/no longer qualifies
☒ Sale/transfer to government entity ☐ Notice of continuance not signed
☐ Classified in error ☐ Other (specific reason)

Is removal subject to additional tax, interest, and penalty? ☐ Yes ☒ No

If yes, complete the remainder of this form. If no, complete the following:

1. Calculate amount in #10, *calculation of tax for remainder of current year.*

2. Reason for exception (see page 4, #4a-4l of this form): #4-b

3. Provide a brief explanation on why removal meets the exception listed in #2.

Condemnation for road project Skagit County Public Works

County Assessor or Deputy

19 Apr 2012

Date

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. However, according to WAC 458-30-215(8), if an application for reclassification was previously denied, a reapplication covering the same parcel of land, or a portion thereof, may not be submitted to the granting authority until 365 days have elapsed from the date the initial application for reclassification was received.

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 will 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; 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 could have 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 when the removal is not subject to the additional tax, interest, and penalty, as provided in 4 (below).
4. The additional tax, interest, and penalty specified in 1, 2, and 3 (above) will not be imposed if removal from 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 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 and agricultural home site 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 designated forest land under chapter 84.33 RCW, or classified under chapter 84.34 RCW continuously since 1993 and the individual(s) or entity(ies) who received the land from the deceased owner is selling or transferring the land. The date of death shown on the death certificate is the date used; or
- l) The discovery that the land was classified in error through no fault of the owner.



Schedule "A-1"

134229-OE

DESCRIPTION:

A portion of the South ½ of the Northeast ¼ of Section 2, Township 34 North, Range 4 East, W.M., described as follows:

Commencing at the Southwest Section Corner of Section 2;
thence North 03°19'39" East for a distance of 2602.19 feet to the West ¼ corner of Section 2;
thence South 88°08'49" East along the ½ Section Line of Section 2, for a distance of 2650.76 feet;
thence North 2°07'32" East along the West line of the Southwest ¼ of the Northeast ¼ for a distance of 147.73 feet to the true point of beginning;
thence North 02°07'32" East along the West line of the Southwest ¼ of the Northeast ¼ for a distance of 90.60 feet to the beginning of a curve;
thence along a curve to the left with a radius of 1030.00 feet a central angle of 15°25'38", a chord bearing of North 48°53'39" East, a chord distance of 276.50 feet;
thence North 48°49'10" West for a distance of 5.00 feet to the beginning of a curve;
thence along a curve to the left with a radius of 1025.00 feet, a central angle of 09°24'19" a chord bearing of North 36°28'41" East, a chord distance of 168.07 feet;
thence South 58°13'28" East for a distance of 20.00 feet;
thence North 31°46'32" East for a distance of 703.86 feet to the beginning of a curve;
thence along a curve to the right with a radius of 358.10 feet, a central angle of 59°35'59", a chord bearing of North 61°34'31" East, a chord distance of 355.93 feet;
thence South 88°37'29" East for a distance of 1028.50 feet;
thence South 01°22'31" West for a distance of 50.00 feet;
thence North 88°37'29" West for a distance of 543.20 feet to the beginning of a curve;
thence along a curve to the left with a radius of 1115.00 feet, a central angle of 04°26'00" a chord bearing of South 89°09'31" West, a chord distance of 86.26 feet;
thence North 03°03'30" West for a distance of 10.00 feet to the beginning of a curve;
thence along a curve to the left with a radius of 1125.00 feet, a central angle of 55°09'59" a chord bearing of South 59°21'31" West, a chord distance of 1041.83 feet;
thence South 31°46'32" West for a distance of 253.48 feet to the beginning of a curve;
thence along a curve to the right with a radius of 1105.00 feet, a central angle of 27°33'46" a chord bearing of South 45°33'25" West, a chord distance of 526.46 feet to a point on the West line of the Southwest ¼ of the Northeast ¼ which is the true point of beginning.

EXCEPT that portion lying within the existing County Road Right-of-Way.

(Being a portion of Lot 3, Short Plat No. 51-81, Revised on December 3, 1981, recorded under Skagit County Auditor's File No. 8112170001.)

Situate in the County of Skagit, State of Washington.

~~(See Note #1)~~



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