



201703230101

Skagit County Auditor

\$77.00

3/23/2017 Page

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5 2:11PM

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

Certificate of Non-Compliance

Recorded By: **Skagit County, a political subdivision of the State of Washington**
Skagit County Planning & Development Services
1800 Continental Place
Mount Vernon WA 98273

Property Owner: Nicholas R. Clement

P50020

Legal Description:

THAT PORTION OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 26, TOWNSHIP 36 NORTH, RANGE 4 EAST, W.M., DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID NORTHEAST 1/4 OF THE NORTHWEST 1/4; THENCE SOUTH 89-43-54 EAST ALONG THE NORTH LINE OF SAID SECTION 26, A DISTANCE OF 290.00 FEET; THENCE SOUTH 49-37-21 EAST 751.60 FEET; THENCE SOUTH 0-21-00 EAST, PARALLEL TO THE EAST LINE OF SAID NORTHEAST 1/4 OF THE NORTHWEST 1/4 A DISTANCE OF 840.00 FEET TO THE NORTH MARGIN OF THE COUNTY ROAD (WARNER ROAD); THENCE SOUTH 89-53-45 WEST, ALONG SAID NORTH MARGIN A DISTANCE OF 200 FEET, TO THE TRUE POINT OF BEGINNING; THENCE NORTH 0-21-00 WEST 364 FEET; THENCE SOUTH 89-53-45 WEST, 599.88 FEET; THENCE SOUTH 0-19-53 EAST 364 FEET, MORE OR LESS TO THE NORTH MARGIN OF SAID COUNTY ROAD; THENCE NORTH 89-53-45 EAST, ALONG SAID NORTH MARGIN OF THE COUNTY ROAD, TO THE TRUE POINT OF BEGINNING. TOGETHER WITH TRACT 'O' DESCRIBED AS FOLLOWS: THAT PORTION OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 26, TOWNSHIP 36 NORTH, RANGE 4 EAST, W.M. DESCRIBED AS FOLLOWS: BEGIN AT THE INTERSECTION OF THE WEST LINE OF SAID SUBDIVISION WITH THE NORTH LINE OF THE RIGHT-OF-WAY FOR THE COUNTY ROAD KNOWN AS THE PRAIRIE ROAD (FORMERLY WARNER ROAD); THENCE NORTH 01-27-42 EAST, ALONG SAID WEST LINE, A DISTANCE OF 400 FEET; THENCE SOUTH 88-17-59 EAST, PARALLEL WITH THE NORTH LINE OF PRAIRIE ROAD, A DISTANCE OF 544.5 FEET; THENCE SOUTH 01-27-42 EAST, PARALLEL WITH SAID WEST LINE, A DISTANCE OF 400 FEET TO THE NORTH LINE OF SAID PRAIRIE ROAD; THENCE NORTH 88-17-59 WEST ALONG SAID NORTH LINE A DISTANCE OF 544.5 FEET TO THE POINT OF BEGINNING. EXCEPT THAT PORTION OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 26, TOWNSHIP 36 NORTH, RANGE 4 EAST, W.M. LYING WITHIN THOSE CERTAIN PREMISES CONVEYED TO THE FEDERAL HOME LOAN MORTGAGE CORPORATION BY TRUSTEE'S DEED RECORDED JULY 18, 2011 AS AUDITOR'S FILE NO. 201107180104 AND LYING EASTERLY OF THE EAST LINE OF THE FOLLOWING DESCRIBED TRACT 'O': TRACT 'O': THAT PORTION OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 26, TOWNSHIP 36 NORTH, RANGE 4 EAST, W.M. DESCRIBED AS FOLLOWS: BEGIN AT THE INTERSECTION OF THE WEST LINE OF SAID SUBDIVISION WITH THE NORTH LINE OF THE RIGHT-OF-WAY FOR THE COUNTY ROAD KNOWN AS THE PRAIRIE ROAD (FORMERLY WARNER ROAD); THENCE NORTH 01-27-42 EAST, ALONG SAID WEST LINE, A DISTANCE OF 400 FEET; THENCE SOUTH 88-17-59 EAST, PARALLEL WITH THE NORTH LINE OF PRAIRIE ROAD, A DISTANCE OF 544.5 FEET; THENCE SOUTH 01-27-42 EAST, PARALLEL WITH SAID WEST LINE, A DISTANCE OF 400 FEET TO THE NORTH LINE OF SAID PRAIRIE ROAD; THENCE NORTH 88-17-59 WEST ALONG SAID NORTH LINE A DISTANCE OF 544.5 FEET TO THE POINT OF BEGINNING.

Address of Violation: 22243 Prairie Rd., Sedro Woolley

Assessor's Property No(s): P50020

Code Enforcement Case No: CE16-0059

Skagit County Planning and Development Services has found the property described above 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 and a release is recorded.

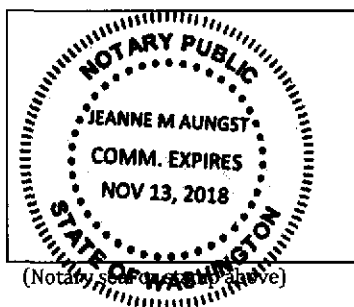
I, Sandra Perkins, hereby certify that the information above is correct to the best of my knowledge.

Sandra Perkins
Code Compliance Officer

3/22/17
Date

I certify that I know or have satisfactory evidence that Sandra Perkins is the person who appeared before me, and said person acknowledged that she signed this instrument, on oath stated that she was authorized to execute the instrument and acknowledged it as the Code Compliance Officer of Skagit County Planning & Development Services to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: 3/23/17



Jeanne M Aungst
Signature of Notary Public

Jeanne M Aungst
Printed Name of Notary Public

My appointment expires 11/13/18



Administrative Order to Abate Violation

Planning & Development Services · 1800 Continental Place · Mount Vernon WA 98273
voice 360-416-1320 · www.skagitcounty.net/planning

Case Number
CE16-0059

Property Owner

Name Nicholas and Keri Clement Mailing Address 21221 Prairie Rd.
City Sedro Woolley Zip 98284 Phone _____

Additional Responsible Persons

☒ No additional persons known

Name _____ Mailing Address _____
City _____ Zip _____ Phone _____

Site of Violation

☐ Same as Owner Mailing Address

Address 22243 Prairie Rd. City Sedro Woolley Zip 98284
Parcel No(s) P50020 Zoning Agricultural-Natural Resource Lands

Background

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

1. On August 26, 2016, a Request for Investigation was submitted to Planning & Development Services (PDS). PDS conducted a site visit which confirmed a structure under construction, without a building permit.
2. On September 30, 2016, Nicholas Clement came to the PDS offices and spoke with Building Official Jack Moore. Mr. Clement indicated that he would obtain the required engineering and submit the building permit application in a timely manner.
3. As of January 20, 2017, no building permit application has been submitted to PDS.

Description of Violation(s)

Based on our investigation, the Administrative Official has found you in violation of the following specific provision(s) of Skagit County Code.

Violation:

SCC 15.04 and IBC 105.1. Construction shall not occur without first making application and obtaining the required building permit. Your construction without a permit violates these code sections.

Corrective Action Ordered

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

Correction:

Provide a completed application, including fees, for a building permit for your structure by **February 28, 2017**, and obtain the required permit inspection approval up to current stage of construction **90 days** from the date your building permit is approved; or remove or dismantle the structure by **February 28, 2017**.

Civil Penalties

You are hereby ordered to pay the following civil penalties:

- ☐ \$100 per day, per violation, from date violation occurred until the violation is abated and you have notified the Administrative Official. SCC 14.44.330(2)(a)
- ☐ For flood hazard violation, \$1,000 per day per violation from date violation occurred until the violation is abated and you have notified the Administrative Official. SCC 14.44.330(2)(c)
- ☐ For critical areas or drainage violations, the amount of _____. SCC 14.44.330(2)(b)

If you do not take the corrective action described above to abate the violations by the specified deadlines, you will be liable for the following additional civil penalties:

- ☒ \$100 per day, per violation, until the violation is abated and you have notified the Administrative Official. SCC 14.44.330(2)(a)
- ☐ For flood hazard violation, up to \$1,000 per day per violation. SCC 14.44.330(2)(c)
- ☐ For critical areas or drainage violations, the amount of _____. SCC 14.44.330(2)(b)

Due to a new and separate violation within one year of resolution of prior violation:

- ☐ All penalties normally imposed are doubled. SCC 14.44.330(2)(d)

Disclosures

Voluntary Compliance Agreement. The County and the violator may enter into a binding Voluntary Compliance Agreement to correct the violation by a specified deadline with a reduction or waiver of civil penalties. Contact the Department for more information. SCC 14.44.310.

Reduction in civil penalties. The Administrative Official may reduce a civil penalty if the violator cooperates with efforts to correct the violation. SCC 14.44.330(2)(e).

Failure to comply with this order. If you do not fully comply with this order by the deadlines, Skagit County may do the following:

- Issue supplemental orders to pay accrued civil penalties. SCC 14.44.330(3)(b).
- Refer unpaid civil penalties to a collection agency 30 days after service of this order. Per RCW 19.16.500, Skagit County or collection agency may add a reasonable fee, payable by the debtor, to the outstanding debt for the collection agency fee incurred or to be incurred. SCC 14.44.330(3)(c).
- Record a certificate of non-compliance against your property, which may make it difficult to sell your property.
- Refer this matter to the Prosecuting Attorney's office for further enforcement action including criminal charges, an injunction, or the collection of civil penalties.
- If you do not fully correct the violation, Skagit County may do the work itself. Any County costs incurred to abate the violation(s) may be charged as a public nuisance lien against your 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.

Additional Disclosures.

- You may have to pay additional enforcement fees equal to 100% of the cost of the application fees, and 200% of the cost of critical areas fees, for any permits required by code enforcement actions. Resolution R20110111.
- Skagit County may deny any other permits you apply for on the same site until the violation is corrected and payment of any civil penalties is complete. SCC 14.44.360
- If you commit a new and separate violation within a year after the resolution of a prior violation, you may be subject to double the civil penalties normally imposed for such violation. SCC 14.44.330(2)(d).

Effective date. This order is effective upon service. Service is the date of mailing via certified mail. SCC 14.44.220(2)(e) and (3)(b).

Appeal. This order becomes final unless you file an appeal to the Skagit County Hearing Examiner, with the required fees, within 14 days of 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. Failure to appeal may constitute waiver of all rights to appeal the order.

No verbal agreements. The Administrative Official may only rescind or modify this order in writing.

If you have any questions regarding this order, please contact the undersigned at (360) 416-1343.

Issued By

Sandra Perkins
Sandra Perkins, Code Compliance Officer

Date

1/24/17