



201905150032

05/15/2019 11:40 AM Pages: 1 of 4 Fees: \$102.00  
Skagit County Auditor

When recorded return to:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

SKAGIT County

Grantor or County: SKAGIT COUNTY

Grantee or Property Owner: ESTATE OF LYLE OVENELL

Mailing Address: 18582 JOSH WILSON ROAD

BURLINGTON WA 98233  
City State Zip

Legal Description: SEE ATTACHED EXHIBIT 'A'  
SECTION 31, TOWNSHIP 35 NORTH, RANGE 4 EAST, W.M.

Assessor's Parcel/Account Number: P38145 CU F&A AF#761331

Reference Numbers of Documents Assigned or Released: CU F&A VIO#28-2019

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, go to page two and complete the rest of form. If no, complete questions 1-4 below.

1. Date of removal: \_\_\_\_\_
2. Calculate amount due in #8 (recording fee) and #10 (calculation of tax for remainder of current year.)
3. Reason for exception (see page 4 for exceptions.)
4. Provide a brief explanation on why removal meets the exception listed in #3.

Kylin Seven      5/15/2019  
County Assessor or Deputy      Date

(See next page for current use assessment additional tax statement.)

SKAGIT

Open Space Loss Worksheet  
for Property 38145

5/15/2019 11:34:44AM

Change In Use Date: May 14, 2019

Acres Removed: 2.1500

Non-Senior

Year	Market Value	Current Use Value	Levy Rate	Proration Factor	Market Taxes Due	Current Use Taxes Due	Additional Taxes Due	Interest Due	Tax & Interest Override
Current Tax Year	\$6,700.00	\$2,000.00	10.001	0.367123	\$24.60	\$7.34	\$17.26	\$0.17	\$17.43
Remainder of Year	\$6,700.00	\$2,000.00	10.001	0.632877	\$42.41	\$12.68	\$29.75	\$0.00	\$29.75
<b>Total</b>									<b>\$47.18</b>

Prior Tax Years

Year	Tax Year	Market Value	Current Use Value	Value Difference	Tax Area ID	Levy Rate	Additional Taxes Due	Int 1%/Mo from 4/30	Interest Due	Tax & Interest
1	2017 - 2018	\$6,600.00	\$2,000.00	\$4,600.00	201	12.796	\$68.86	13	\$7.65	\$66.51
2	2016 - 2017	\$5,800.00	\$2,000.00	\$3,800.00	201	12.124	\$46.07	25	\$11.52	\$57.59
3	2015 - 2016	\$2,700.00	\$2,000.00	\$700.00	201	11.232	\$7.86	37	\$2.91	\$10.77
4	2014 - 2015	\$2,700.00	\$1,900.00	\$800.00	201	12.826	\$10.26	49	\$5.03	\$15.29
5	2013 - 2014	\$2,700.00	\$1,700.00	\$1,000.00	201	13.023	\$13.02	61	\$7.94	\$20.96
6	2012 - 2013	\$2,700.00	\$1,100.00	\$1,600.00	201	13.040	\$20.86	73	\$15.23	\$36.09
7	2011 - 2012	\$2,700.00	\$1,100.00	\$1,600.00	201	11.798	\$18.78	85	\$15.96	\$34.74
<b>Total</b>										<b>\$244.95</b>

Current Year Taxes Due: 47.18  
Prior Year Taxes Due: 244.95

Penalty: 48.39  
Penalty Percent: 20.00%  
Total Prior Year Taxes Due: 290.34  
Total Additional Taxes & Interest: 337.52  
RECORDING FEE: \$102.00  
Total Due: 439.52

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, interest, or penalty are due until the application is denied. If an application for reclassification under 84.34 RCW 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. WAC 458-30-215(8)

#### 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, wildfire, 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 for the purpose enumerated in those sections (RCW 84.34.108(6)(f));
  - g) Removal of land classified as farm and agricultural land under RCW 84.34.020(2)(f)(homesite);
  - 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.

**CHICAGO TITLE**

COMPANY OF WASHINGTON

**EXHIBIT A****For APN/Parcel ID(s): P38145 - 350431-1-007-0009**

The North 664.15 feet of West 440 feet of the Northwest quarter of the Northeast quarter of Section 31, Township 35 North, Range 4 East of the Willamette Meridian, in Skagit County, Washington;

EXCEPT ROAD;

AND ALSO EXCEPT THE FOLLOWING DESCRIBED PARCEL:

That portion of the West 440 feet of the North  $\frac{1}{2}$  of the Northwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of Section 31, Township 35 North, Range 4 East, W. M., lying Southerly of the following described line:

Beginning at the Northwest corner of said Northwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$ ;  
thence North  $88^{\circ}36'30''$  East along the North line of said subdivision a distance of 134.00 feet to the Northeast corner of that certain tract of land conveyed to Jack Daniels and wife by instrument recorded under Auditor's File No. 553946;  
thence South  $0^{\circ}54'$  West along the East line of said Daniels tract a distance of 327.20 feet to the Southeast corner thereof, said point being the TRUE POINT OF BEGINNING of this line description;  
thence North  $89^{\circ}33'$  East a distance of 306.19 feet, more or less, to the East line of said Northwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  and the TERMINUS of this line description.

SITUATE in the County of Skagit, State of Washington.