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Skagit County Auditor



Form 64 0922

Open Space Taxation Agreement

Chapter 84.34 RCW

(To be used for "Open Space" and "Timber Land" Classification or Reclassification Only)

When recorded, return to:

Property owner: **MARION TWOMEY**

Property address: **2130 EAST BLACKBURN ROAD, MOUNT VERNON, WA 98273**

Legal description: **SEE ATTACHED EXHIBIT 'A', PTN NE SE, SECTION 29, TOWNSHIP 34 NORTH, RANGE 4 EAST, W.M.**

Assessor's property tax parcel or account number: **PORTION OF P28741** **TRANSFER FROM F&A AF#788889**

Reference numbers of documents assigned or released: **CU OS #3-2021**

This agreement between: **MARION TWOMEY**

hereinafter called the "Owner", and: **SKAGIT COUNTY**
hereinafter called the "Granting Authority".

Whereas, the owner of the above described real property having made application for classification of that property under the provisions of Chapter 84.34 RCW. And whereas, both the owner and granting authority agree to limit the use of said property, recognizing that such land has substantial public value as open space and that the preservation of such land constitutes an important physical, social, aesthetic, and economic asset to the public, and both parties agree that the classification of the property during the life of this agreement shall be for:

- Open Space Land – RCW 84.34.020(1)(a) or (b).
- Farm and Agricultural Conservation Land (a sub classification of open space land) - RCW 84.34.020(1)(c).
- Timber Land – RCW 84.34.020(3).

Now, therefore, the parties, in consideration of the mutual covenants and conditions set forth herein, do agree as follows:

1. During the term of this agreement, the land shall be used only in accordance with its classified use.
2. No structures shall be built upon such land except those directly related to, and compatible with, the classified use of the land.
3. This agreement shall be effective commencing on the date the legislative body receives the signed

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Open Space Taxation Agreement



- agreement from the property owner and shall remain in effect until the property is withdrawn or removed from classification.
4. This agreement shall apply to the parcels of land described herein and shall be binding upon the heirs, successors and assignees of the parties hereto.
 5. A request may be filed with the assessor to withdraw from the program after the land has been classified for 10 or more years. No 20% penalty will be imposed. The applicable taxes and interest shall be imposed as provided in RCW 84.34.070.
 6. After the effective date of this agreement, any change in use of the land, except through compliance with items (5), (7), (9), or (10), shall be considered a breach of this agreement, and shall be subject to removal of classification and liable for additional tax, interest, and penalty as provided in RCW 84.34.080 and RCW 84.34.108.
 7. A breach of agreement shall not have occurred and the additional tax shall not be imposed if removal of classification resulted solely from one of the following:
 - a. Transfer to a governmental 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 in anticipation of the exercise of such power and having manifested its intent in writing or by other official action.
 - 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 purposes enumerated in those sections (see RCW 84.34.108(6)(f)).
 - g. Removal of land classified as farm and agricultural land under RCW 84.34.020(2)(f).
 - 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 fee interest or 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 forest land under chapter 84.33 RCW, or under chapter 84.34 RCW continuously since 1993. The date of death shown on the death certificate is the date used.
 - l. The discovery that the land was classified in error through no fault of the owner.
 8. The county assessor may require an owner to submit data relevant to continuing the eligibility of any parcel of land described in this agreement.
 9. The owner may apply for reclassification of the land if reclassification is permissible under RCW 84.34.070.
 10. Changes to the conditions of this agreement could result in the re-rating of the parcel by the granting authority, subject to a public hearing, and may result in a change in assessed value. If the granting authority approves the changes in conditions, a revised agreement may be required.

Open Space Taxation Agreement



The parcel(s) of land described in this agreement is subject to the following conditions:

The parcel(s) of land described in this agreement may be used in the following manner:

The parcel(s) of land described in this agreement may be removed if the land is used in the following manner:

It is declared that this agreement specifies the classification and conditions as provided for in Chapter 84.34 RCW and the conditions imposed by this Granting Authority. This agreement to tax according to the use of the property is not a contract and can be annulled or canceled at any time by the Legislature (RCW 84.34.070).

Dated: Signature(s) of County and/or City Legislative Authority:
Title: Chair, Skagit County Board of Commissioners [Signature]

Dated: Signature(s) of County and/or City Legislative Authority:
Title: Skagit County Board of Commissioners Ron Wesen

Dated: Signature(s) of County and/or City Legislative Authority:
Title: Skagit County Board of Commissioners [Signature]

As owner(s) of the herein-described land I/we indicated by my/our signature(s) that I am/we are aware of the potential tax liability and hereby accept the classification and conditions of this agreement.

Dated: 6/15/2022 Owner(s): Mairi Twomey
(Must be signed by all owners)

Date signed agreement received by Legislative Authority: June 15, 2022

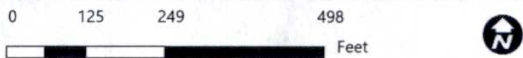
Make three copies with one copy to each of the following: Owner, Granting Authority, and County Assessor

EXHIBIT 'A'

THAT PORTION OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 29, TOWNSHIP 34 NORTH, RANGE 4 EAST, W.M., LYING EASTERLY OF THE FOLLOWING DESCRIBED LINE: BEGINNING AT A POINT ON THE SOUTH LINE OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4, SAID SECTION 29, SAID POINT BEING SOUTH 88-49 EAST 357.81 FEET FROM THE SOUTHWEST CORNER OF SAID NORTHEAST 1/4 OF THE SOUTHEAST 1/4; THENCE NORTH 30 FEET; THENCE NORTH 24-38 EAST 159.50 FEET THENCE NORTH 45-50-20 EAST 136.25 FEET; THENCE NORTH 14-42 EAST 121.46 FEET THENCE NORTH 14-16-10 WEST 123.98 FEET; THENCE NORTH 13-19-10 EAST 110.04 FEET; THENCE NORTH 6-44 EAST 100.63 FEET; THENCE NORTH 33-04-30 EAST 118.92 FEET; THENCE NORTH 35-18 EAST 122.07 FEET THENCE NORTH 0-24-15 EAST 60 FEET THENCE SOUTH 89-41 EAST 116.71 FEET; THENCE NORTH 41-26-30 EAST 199.13 FEET TO THE SOUTHEASTERLY CORNER OF A TRACT OF LAND CONVEYED TO JOSEPH P SOUZA AND JEAN P SOUZA, HUSBAND AND WIFE, BY DEED RECORDED JULY 15, 1957, UNDER AF 553738; THENCE ALONG THE EASTERLY LINE OF SAID SOUZA TRACT, THE FOLLOWING COURSES AND DISTANCES; THENCE NORTH 49-21 EAST 55.48 FEET; THENCE NORTH 6-39 EAST 144.33 FEET, MORE OR LESS, TO THE NORTH LINE OF SAID NORTHEAST 1/4 OF THE SOUTHEAST 1/4, SAID POINT BEING THE TERMINAL POINT OF SAID LINE, EXCEPT THAT PORTION LYING WITHIN THAT CERTAIN COUNTY ROAD KNOWN AS THE BLACKBURN ROAD; AND EXCEPT THAT PORTION CONVEYED TO SKAGIT COUNTY BY DEED RECORDED JULY 11, 1946, UNDER AF 393775; AND EXCEPT THAT PORTION CONVEYED TO SKAGIT COUNTY BY DEED RECORDED JULY 28, 1969, UNDER AF 729225, AND ALSO LESS THE FOLLOWING DESCRIBED RIGHT OF WAY ACQUISITION RECORDED UNDER AF 201106270063; BEGINNING AT HIGHWAY ENGINEERS STATION (HEREINAFTER REFERRED TO AS HES) 65+25.71 ON THE ANDERSON/LAVENTURE ROAD (CEDARDALE RD. TO BLACKBURN RD.) RIGHT OF WAY AND EASEMENT PLAN WHEN MEASURED AT RIGHT ANGLES FROM ANDERSON/LAVENTURE CENTERLINE SAID POINT BEING THE NORTHEAST CORNER OF SAID PARCEL; THENCE WESTERLY ALONG THE NORTH LINE OF SAID PARCEL TO A POINT 65.00 FEET LEFT OF HES 65+25.23; THENCE LEAVING SAID NORTH LINE SOUTHEASTERLY TO A POINT 40.00 FEET LEFT OF HES 65+00.42; THENCE SOUTHERLY TO A POINT 40.00 FEET LEFT OF 60+11.21, SAID POINT BEING A POINT OF CURVE RIGHT OF A 760.00 FOOT RADIUS CURVE; THENCE ALONG THE ARC OF SAID CURVE TIGHT THROUGH A CENTRAL ANGLE OF 37-41-12; A DISTANCE OF 499.89 FEET TO A POINT 40.00 FEET LEFT OF HES 54+85.01; THENCE SOUTHWESTERLY TO A POINT ON THE SOUTH LINE OF SAID PARCEL SAID POINT BEING 40.00 FEET LEFT OF HES 50+96.50; THENCE EASTERLY ALONG THE SOUTH LINE OF SAID PARCEL TO A POINT 40.00 FEET RIGHT OF HES 51+57.29; THENCE NORTHEASTERLY TO A POINT 40.00 FEET RIGHT OF HES 54+85.01, SAID POINT BEING A POINT OF CURVE LEFT OF A 840.00 FOOT RADIUS CURVE; THENCE ALONG THE ARC OF SAID CURVE LEFT THROUGH A CENTRAL ANGLE OF 19-56-02, A DISTANCE OF 292.25 FEET MORE OR LESS TO A POINT ON THE WEST LINE OF SAID PARCEL SAID POINT BEING 40.00 FEET RIGHT OF HES 57+63.34; THENCE NORTHERLY ALONG THE WESTLINE TO THE POINT OF BEGINNING. EXCEPT 1.00 ACRE HOMESITE

SKAGIT COUNTY ASSESSOR
CURRENT USE MAP

PORTION OF P28741 1.00 ACRE HOMESITE



Scale 1: 2,993

SECTION 29, TOWNSHIP 34 NORTH, RANGE 4 EAST,
W.M.

Property Owner Printed Name

Property Owner Signature

Date

Map Accuracy Warning: This map was created from available public records and existing map sources not from field surveys. Map features from all sources have been adjusted to achieve a best-fit registration to the Ownership Parcels map. While great care was taken in this process, maps from different sources rarely agree as to the precise location of geographic features. The relative positioning of map features to one another results from combining different map sources without field ground truthing. Errors can be as great as 300 feet on this document. THIS MAP IS NOT A SUBSTITUTE FOR FIELD SURVEY. For questions about map accuracy, contact Skagit County GIS.

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