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Skagit County Auditor



Form 64 0022

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: **STEVE LLOYD AND JULIE DRAKE**

Property address: **14869 COTTAGE LANE**

Legal description: **SEE ATTACHED EXHIBIT 'A' AND MAP - S 14, T 34 N, R 1 E**

Assessor's property tax parcel or account number: **PORTION OF P122040**

Reference numbers of documents assigned or released: **C/U O/S #11-2022**

This agreement between: **STEVE LLOYD AND JULIE DRAKE**

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- agreement from the property owner and shall remain in effect until the property is withdrawn or removed from classification.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: 3-14-2023 Signature(s) of County and/or City Legislative Authority: Ron McKee

Title: **CHAIR, SKAGIT COUNTY BOARD OF COMMISSIONERS**

Dated: 3-14-2023 Signature(s) of County and/or City Legislative Authority: Alvin Janich

Title: **COMMISSIONER, SKAGIT COUNTY BOARD OF COMMISSIONERS**

ABSENT

Dated: _____ Signature(s) of County and/or City Legislative Authority: _____

Title: **COMMISSIONER, SKAGIT COUNTY BOARD OF COMMISSIONERS**

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: 4-12-2023 Owner(s): [Signature]

(Must be signed by all owners) _____

Date signed agreement received by Legislative Authority: 4-14-2023

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

EXHIBIT 'A'

7.5000 ACRES OF

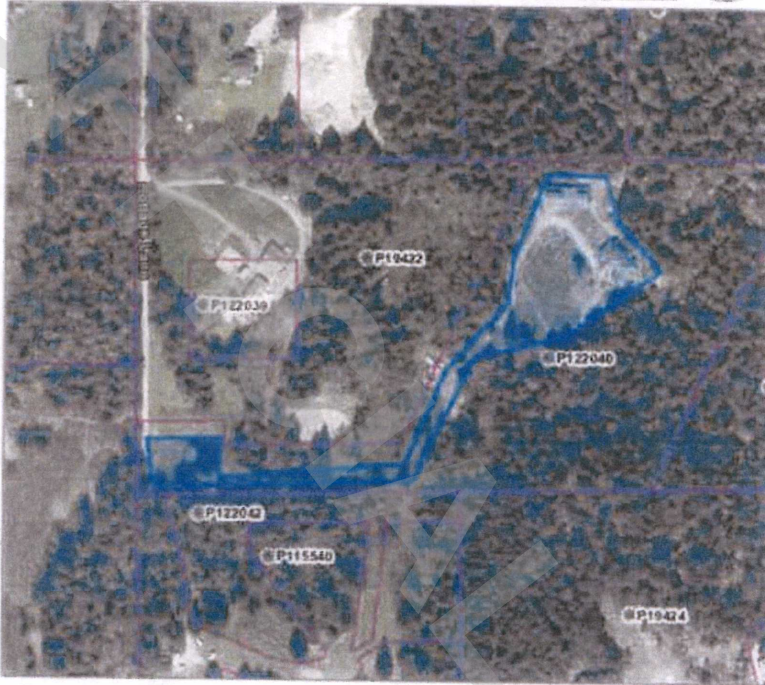
THAT PORTION OF THE N1/2 SW1/4 SW1/4 DESCRIBED AS FOLLOWS:

BEGINNING 308 FEET, MORE OR LESS, WEST OF THE SE CORNER OF THE N1/2 SW1/4 SW1/4; THENCE NORTH 3-30-00 WEST, 270 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 89-49-08 WEST PARALLEL WITH THE SOUTH LINE OF ABOVE DESCRIBED PARCEL, 208 FEET; THENCE NORTH 0-10-52 EAST, 209 FEET; THENCE SOUTH 89-49-08 EAST, 208 FEET, MORE OR LESS TO A POINT BEARING NORTH 0-10-52 EAST FROM THE POINT OF BEGINNING; THENCE SOUTH 0-10-52 WEST, 209 FEET, MORE OR LESS TO THE TRUE POINT OF BEGINNING. TOGETHER WITH THAT PORTION OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 14, TOWNSHIP 34 NORTH, RANGE 1 EAST, W.M., BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHWEST 1/4 OF SECTION 14, TOWNSHIP 34 NORTH, RANGE 1 EAST, W.M., (WEST 1/4 CORNER); THENCE SOUTH 0-21-23 WEST ALONG THE WEST LINE OF SAID SOUTHWEST 1/4 FOR A DISTANCE OF 2,043.03 FEET TO THE SOUTHWEST CORNER OF SAID NORTH 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 AND BEING THE TRUE POINT OF BEGINNING; THENCE NORTH 0-21-23 EAST ALONG THE WEST LINE OF SAID SOUTHWEST 1/4 FOR A DISTANCE OF 150.00 FEET; THENCE SOUTH 89-49-08 EAST PARALLEL WITH THE SOUTH LINE OF SAID NORTH 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 FOR A DISTANCE OF 180.00 FEET; THENCE SOUTH 0-21-23 WEST FOR A DISTANCE OF 50.00 FEET; THENCE SOUTH 89-49-08 EAST FOR A DISTANCE OF 165.60 FEET; THENCE SOUTH 0-21-23 WEST PARALLEL WITH SAID WEST LINE OF THE SOUTHWEST 1/4 FOR A DISTANCE OF 100.00 FEET, MORE OR LESS, TO THE SOUTH LINE OF SAID NORTH 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 AT A POINT BEARING SOUTH 89-49-08 EAST FROM THE POINT OF BEGINNING; THENCE NORTH 89-49-08 WEST ALONG SAID SOUTH LINE OF THE NORTH 1/2 FOR A DISTANCE OF 345.60 FEET, MORE OR LESS, TO THE POINT OF BEGINNING. TOGETHER WITH THAT PORTION OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 14, TOWNSHIP 34 NORTH, RANGE 1 EAST, W.M., AND THAT PORTION OF THE WEST 66.00 FEET OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 14, TOWNSHIP 34 NORTH, RANGE 1 EAST, W.M., BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER (WEST 1/4 CORNER) OF THE SOUTHWEST 1/4 OF SAID SECTION 14, TOWNSHIP 34 NORTH, RANGE 1 EAST, W.M.; THENCE SOUTH 0-21-23 WEST ALONG THE WEST LINE OF SAID SOUTHWEST 1/4 FOR A DISTANCE OF 1,362.02 FEET, MORE OR LESS, TO THE NORTHWEST CORNER OF SAID NORTH 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4; THENCE SOUTH 89-26-35 EAST ALONG THE NORTH LINE OF SAID NORTH 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 FOR A DISTANCE OF 812.96 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUE SOUTH 89-26-35 EAST ALONG SAID NORTH LINE OR NORTH

LINE EXTENDED FOR A DISTANCE OF 554.87 FEET, MORE OR LESS, TO A POINT BEARING NORTH 89-26-35 WEST, 40 FEET FROM THE NE CORNER OF THE WEST 66 FEET OF THE SE 1/4 SW 1/4 OF SAID SECTION 14; THENCE SOUTH 25-46-08 WEST PARALLEL WITH THE EASTERLY LINE OF HUNGERFORD PARCEL (200510110170), 745.11 FEET, MORE OR LESS, TO THE SOUTH LINE OF SAID N 1/2 SW 1/4 SW 1/4 OF SECTION 14; THENCE NORTH 89-49-08 WEST ALONG SAID SOUTH LINE, 1,048.09 FEET, MORE OR LESS TO THE SW CORNER THEREOF; THENCE NORTH 0-21-23 EAST ALONG THE WEST LINE OF SAID SW 1/4, 150 FEET, MORE OR LESS, TO THE SW CORNER OF SAID HUNGERFORD PARCEL; THENCE ALONG THE SOUTH LINE OF SAID HUNGERFORD PARCEL AS FOLLOWS: SOUTH 89-49-08 EAST, 180 FEET; THENCE SOUTH 0-21-23 WEST, 50 FEET; THENCE SOUTH 89-49-08 EAST, 359.06 FEET, MORE OR LESS, TO THE SE CORNER OF SAID HUNGERFORD PARCEL AT A POINT BEARING SOUTH 25-46-08 WEST FROM THE POINT OF BEGINNING; THENCE NORTH 25-46-08 EAST ALONG THE EAST LINE OF SAID HUNGERFORD PARCEL, 638.27 FEET, MORE OR LESS, TO THE TRUE POINT OF BEGINNING. EXCEPT FOR THE FOLLOWING DESCRIBED PARCEL: COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHWEST 1/4 OF SECTION 14, TOWNSHIP 34 NORTH, RANGE 1 EAST, W.M., (WEST 1/4 CORNER); THENCE SOUTH 0-21-23 WEST ALONG THE WEST LINE OF SAID SOUTHWEST 1/4 FOR A DISTANCE OF 2,043.03 FEET TO THE SOUTHWEST CORNER OF SAID NORTH 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 AND BEING THE TRUE POINT OF BEGINNING; THENCE NORTH 0-21-23 EAST ALONG THE WEST LINE OF SAID SOUTHWEST 1/4 FOR A DISTANCE OF 150.00 FEET; THENCE SOUTH 89-49-08 EAST PARALLEL WITH THE SOUTH LINE OF SAID NORTH 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 FOR A DISTANCE OF 180.00 FEET; THENCE SOUTH 0-21-23 WEST FOR A DISTANCE OF 50.00 FEET; THENCE SOUTH 89-49-08 EAST FOR A DISTANCE OF 165.60 FEET; THENCE SOUTH 0-21-23 WEST PARALLEL WITH SAID WEST LINE OF THE SOUTHWEST 1/4 FOR A DISTANCE OF 100.00 FEET, MORE OR LESS, TO THE SOUTH LINE OF SAID NORTH 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 AT A POINT BEARING SOUTH 89-49-08 EAST FROM THE POINT OF BEGINNING; THENCE NORTH 89-49-08 WEST ALONG SAID SOUTH LINE OF THE NORTH 1/2 FOR A DISTANCE OF 345.60 FEET, MORE OR LESS, TO THE POINT OF BEGINNING. EXCEPT THE FOLLOWING DESCRIBED PARCEL: BEGINNING 308 FEET, MORE OR LESS, WEST OF THE SE CORNER OF THE N 1/2 SW 1/4 SW 1/4; THENCE NORTH 3-30-00 WEST, 270 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 89-49-08 WEST PARALLEL WITH THE SOUTH LINE OF ABOVE DESCRIBED PARCEL, 208 FEET; THENCE NORTH 0-10-52 EAST, 209 FEET; THENCE SOUTH 89-49-08 EAST, 208 FEET, MORE OR LESS TO A POINT BEARING NORTH 0-10-52 EAST FROM THE POINT OF BEGINNING; THENCE SOUTH 0-10-52 WEST, 209 FEET, MORE OR LESS TO THE TRUE POINT OF BEGINNING.

SKAGIT COUNTY ASSESSOR
CURRENT USE MAP

P122040

0 125 249 498 Feet
Scale 1:2,993

Location based on details

STEVE K. LLOYD

Property Owner Printed Name

Property Owner Signature

12-01-2022

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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Julie B. Drake

12-1-2022