

When Recorded Return to:

Michael L Jensen
Catherine L Jensen
13374 Bayview Rd
Mount Vernon, WA 98273



200408050155

Skagit County Auditor

8/5/2004 Page

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9 3:37PM

NOTICE OF CONTINUANCE

LAND CLASSIFIED AS CURRENT USE OR FOREST LAND

Chapter 84.34 And 84.33 Revised Code of Washington

Grantor(s) Triple J Enterprises A Washington General Partnership
Consisting of Larry R Jensen, Michael L Jensen, Catherine L Jensen
Grantee(s) Michael L Jensen, Catherine L Jensen

Legal Description

Legal Description + Surveyors Map attached as Exhibit A
Sec 19, Twp 39, Rge 3

Assessor's Property Tax Parcel or Account Number

A PORTION OF: P20682, P20684, P20689
All P20305, P20308, P119460, P119643, P119644

Reference Numbers of Documents Assigned or Released

EXHIBIT B - SUB-DIVISION GUARANTEE EXHIBIT A (ABOVE) + EXHIBIT B

If the new owner(s) of land that is classified or designated as current use or forest land wish(es) to continue the classification or designation of this land, the new owner(s) must sign below. All new owners must sign. If the new owner(s) do(es) not desire to continue the classification or designation, all additional or compensating tax calculated pursuant to RCW 84.34.108 or RCW 84.33.120, 140 shall be due and payable by the seller or transferor at the time of sale. To determine if the land qualifies to continue classification or designation, the county assessor may be consulted.

Name of New Owner(s) Michael L Jensen

Catherine L Jensen

Address 13374 Bayview Rd

Mount Vernon, WA 98273

Phone No. (360) 957-6385

Excise Tax No. _____

File No. _____

Taxing District _____

Date of Sale or Transfer 1, 28, 04

Date of Notice _____

Interest in Property: Fee Owner Contract Purchaser Other

To inquire about the availability of this notice in an alternate format for the visually impaired or in a language other than English, please call (360) 753-3217. Teletype (TTY) users may call (800) 451-7985

A. CLASSIFICATION UNDER CHAPTER 84.34 RCW. I/we request that this land retains the current use classification as Open Space Land, Farm and Agricultural Land, Timberland, and I am/we are aware of the following use classification of the land:

1. OPEN SPACE LAND MEANS EITHER:

- a) any land area so designated by an official comprehensive land use plan adopted by any city or county and zoned accordingly; or
- b) any land area, the preservation of which in its present use would: (i) conserve and enhance natural or scenic resources; (ii) protect streams or water supply; (iii) promote conservation of soils, wetlands, beaches, or tidal marshes; (iv) enhance the value to the public of abutting or neighboring parks, forests, wildlife preserves, nature reservations or sanctuaries or other open space; (v) enhance recreation opportunities; (vi) preserve historic sites; (vii) preserve visual quality along highway, road, and street corridors or scenic vistas; or (viii) retain in its natural state tracts of land not less than one acre situated in an urban area and open to public use on such conditions as may be reasonably required by the legislative body granting the open space classification; or
- c) any land that meets the definition of farm and agricultural conservation land. "Farm and agricultural conservation land is either: (i) land that was previously classified as open space farm and agricultural land that no longer meets the criteria of farm and agricultural land, and that is reclassified as open space and under RCW 84.34.020(1); or (ii) land that is traditional farmland that is not classified under chapter 84.33 or 84.34 RCW, that has not been irrevocably devoted to a use inconsistent with agricultural uses, and that has a high potential for returning to commercial agriculture.

2. FARM AND AGRICULTURAL LAND MEANS EITHER:

- a) any land in contiguous ownership of twenty or more acres devoted: (i) primarily to the production of livestock or agricultural commodities, for commercial purposes; or (ii) enrolled in the federal conservation reserve program or its successor administered by the United States department of agriculture; or (iii) other similar commercial activities as may be established by rule; or
- b) any parcel of land at least five acres but less than twenty acres devoted primarily to agricultural uses and produces a gross income equal to two hundred dollars or more per acre per year for three out of the five calendar years preceding the date of application for classification under chapter 84.34 RCW; or
- d) any parcel of land that is less than five acres devoted primarily to agricultural uses and produces a gross income equal to fifteen hundred dollars or more per year for three out of the five calendar years preceding the date of application for classification under chapter 84.34 RCW; or
- d) any land on which the principal place of residence of the farm operator or owner of land or housing for employees is sited if the classified farm and agricultural land is classified pursuant to subsection (a) of this section, if the residence or housing is on or contiguous to the classified parcel, and the use of the residence or housing is integral to the use of the classified land for agricultural purposes.

Agricultural land also includes (i) land on which appurtenances necessary for the production, preparation, or sale of commercial agricultural products are situated when the appurtenances are used in conjunction with the land(s) producing agricultural products, (ii) land incidentally used for an activity or enterprise that is compatible with commercial agricultural purposes as long as the incidental use does not exceed twenty percent of the classified land, and (iii) any noncontiguous parcel of land from one to five acres in size that constitutes an integral part of the commercial agricultural operations of a classified parcel of farm and agricultural land.



3. **TIMBER LAND MEANS** any land in contiguous ownership of five or more acres devoted primarily to the growing and harvesting of forest crops for commercial purposes and not classified as reforestation land pursuant to Chapter 84.28 RCW. Timber land means the land only.

I/we declare that I am/we are aware of the liability of withdrawal or removal of this land from classification to the following extent:

1. If the owner has filed the proper notice of request to withdraw the classified land and the land has been classified for a minimum of ten years he/she shall pay an amount equal to the difference between the tax computed on the basis of "current use" and the tax computed on the basis of true and fair value plus interest at the same statutory rate charged on delinquent property taxes. The additional tax and interest shall be paid for the preceding seven years.
2. If land is removed from classification because of a change to a non-conforming use, land is removed prior to the minimum ten year period, or land is removed because the owner(s) failed to comply with the two year notice of withdrawal he/she shall be liable to pay the additional tax and interest described in 1 above plus a penalty of twenty percent of the additional tax and interest. The additional tax, interest, and penalty shall be paid for the preceding seven years.
3. The additional tax, interest, and/or penalty shall not be imposed if the withdrawal or 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 this power, said entity having manifested its intent in writing or by other official action;
 - c) a natural disaster such as a flood, windstorm, earthquake, or other calamity rather than by virtue of the act of the landowner changing the use of the classified land;
 - d) official action by an agency of the state of Washington or by the county or city within which the land is located that disallows the present classified use of the land;
 - e) transfer of land to a church when the land would qualify for exemption pursuant to RCW 84.36.020;
 - f) acquisition of property interests by a state or federal agency, county, city, town, metropolitan park district; metropolitan municipal corporation, nonprofit historic preservation corporation as defined in RCW 64.04.130, or nonprofit nature conservancy corporation or association as defined in RCW 84.34.250;
 - g) removal of classified farm and agricultural land on which the principal residence of the farm operator or owner or housing for employees;
 - 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; or
 - j) the creation, sale, or transfer of a fee interest or a conservation easement for the riparian open space program under RCW 76.09.040.

B CLASSIFICATION UNDER CHAPTER 84.33 RCW. I/we request that this land retain its classification or designation as forest land and I am/we are aware of the following definition of forest land:

FOREST LAND means and is synonymous with timber land and means all land in contiguous ownership of at least twenty acres that is primarily devoted to and used for growing and harvesting timber. Forest land means the land only.

- a) **CLASSIFIED FOREST LAND** is land whose highest and best use is the growing and harvesting of timber.
- b) **DESIGNATED FOREST LAND** is land that is primarily devoted to and used for growing and harvesting timber but whose value for other purposes may be greater than its value for use as forest land.

REV 64 0047-3 (1/03/00)



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I/we declare that I am/we are aware of the liability of removal of this land from classification or designation and upon removal a compensating tax shall be imposed that shall be equal to the difference between the amount of tax last levied on the land as forest land and an amount equal to the new assessed valuation of the land multiplied by the mileage rate of the last levy extended against the land, multiplied by a number, not greater than ten, equal to the number of years the land was classified or designated as forest land.

The compensating tax shall not be imposed if the removal of classification or designation resulted solely from:

- a) transfer to a government entity in exchange for other forest 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 this power;
- c) a donation of fee title, development rights, or the right to harvest timber, to a government agency or organization qualified under RCW 84.34.210 and 64.04.130 for the purposes enumerated in those sections or the sale or transfer of fee title to a governmental entity or a nonprofit nature conservancy corporation, as defined in RCW 64.04.130, exclusively for the protection and conservation of lands recommended for state natural area preserve purposes by the natural heritage council and natural heritage plan as defined in Chapter 79.70 RCW;
- d) the sale or transfer of fee title to the parks and recreation commission for park and recreation purposes;
- e) official action by an agency of the State of Washington or by the county or city within which the land is located that disallows the present use of such land;
- f) the creation, sale, or transfer of forestry riparian easements under RCW 76.13.120; or
- g) the creation, sale, or transfer of a fee interest or a conservation easement for the riparian open space program under RCW 76.09.040.

Agreement to tax according to use shall not be considered to be a contract and can be abrogated at any time by the legislature in which event no additional tax or penalty shall be imposed. (RCW 84.34.070).

x Michael L Jensen / [Signature] 7/28/04
Property Owner 13374 Bayview Rd Date
Mount Vernon, WA 98273
Address

x Catherine L Jensen / [Signature] 7/28/04
Property Owner 13374 Bayview Rd Date
Mount Vernon, WA 98273
Address

Property Owner _____ Date / /

Address _____

Property Owner _____ Date / /

Address _____

REV 64 0047-4 (1/03/00)



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EXHIBIT "A"
(consisting of 3 pages)

PARCEL A (Michael L Jensen, Catherine L Jensen)

The land referred to herein is situated in the State of Washington, County of Skagit, and is described as follows:

Lot 4 of Short Plat Number PL00-0408 as approved on July 31, 2002, and recorded as Auditor's File Number 200208010118, records of Skagit County, Washington, being in Sections 13 and 24, Township 34 North, Range 2 East, W.M., and also in Section 19, Township 34 North, Range 3 East, W.M.,

AND ALSO Lot 4 of Short Plat Number PL02-0485 as approved on September 13, 2002, and recorded as Auditor's File Number 200209160059, records of Skagit County, Washington, being in Sections 13, Township 34 North, Range 2 East, W.M., and also in Section 18, Township 34 North, Range 3 East, W.M., EXCEPT those portions of Lot 4 of Short Plat Number PL00-0408 and said Lot 4 of Short Plat Number PL02-0485 lying Northerly and Easterly of the following described line:

Beginning at the Southeast corner of said Lot 4, Short Plat Number PL02-0485; thence Westerly along the South line of said Lot 4 to the Southeast corner of said Section 13, as shown on the "Plat of Skagit Beach No. 1", as per plat recorded in Volume 8 of Plats, page 71, records of Skagit County, Washington; thence North 89°21'46" West 2070.66 feet along an existing ditch to a line that is 40 feet east of and parallel with the east line of said "Plat of Skagit Beach No. 1"; thence North 45°28'30" East 142.20 feet along said parallel line; thence North 24°38'30" East 239.26 feet along said parallel line; thence North 04°26'30" West 298.01 feet along said parallel line; thence North 14°57'00" East 213.60 feet along said parallel line to an existing ditch; thence South 88°35'37" East 552.13 feet along said ditch; thence North 75°40'36" East 31.97 feet along said ditch; thence North 60°30'11" East 94.00 feet along said ditch; thence North 00°00'00" West 1375.31 feet to an existing ditch; thence North 49°40'18" West 93.40 feet along said ditch; thence North 62°34'07" West 48.57 feet along said ditch; thence North 72°31'43" West 35.22 feet along said ditch; thence North 62°29'38" West 32.82 feet along said ditch; thence North 48°48'39" West 51.56 feet along said ditch; thence North 54°12'12" West 79.38 feet along said ditch; thence North 80°52'14" West 59.94 feet along said ditch; thence South 75°58'30" West 110.80 feet along said ditch; thence North 72°37'53" West 67.46 feet along said ditch; thence North 63°44'03" West 102.39 feet along said ditch; thence North 43°11'28" West 98.98 feet along said ditch; thence North 31°52'08" West 107.10 feet along said ditch; thence North 16°33'40" West 125.70 feet along said ditch; thence North 04°10'20" East 153.90 feet along said ditch; thence North 28°53'43" East 156.41 feet along said ditch; thence North 16°42'45" East 105.13 feet along said ditch; thence North 00°35'19" West 108.97 feet along said ditch; thence North 07°31'33" West 141.06 feet along said ditch; thence North 05°34'37" East 103.70 feet along said ditch;



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thence North 18°28'35" East 114.83 feet along said ditch;
thence North 33°05'56" East 101.50 feet along said ditch;
thence North 45°42'52" East 98.54 feet along said ditch;
thence North 38°10'50" East 59.78 feet along said ditch;
thence North 21°25'46" East 30.65 feet along said ditch;
thence North 17°35'36" East 40 feet more or less, to the north line of said Lot 4, Short Plat Number PL02-0485, and the terminus of said line.

EXCEPT that portion of Lot 4 of said Short Plat No. PL00-0408, described as follows:

Beginning at the Northeast corner of Lot 1 of said Short Plat No. PL00-0408; thence North 82 degrees 12'49" East along the Easterly Projection of the North line of said Lot 1, a distance of 97.00 feet; thence South 7 degrees 47'11" East along a line which is parallel to and 97 feet distant from, when measured at right angles to, the East line of said Lot 1 and the Southerly Projection thereof, a distance of 658.63 feet, more or less, to a point on the Westerly line of said Lot 4, which point bears South 31 degrees 59' East a distance of 236.66 feet, more or less, from the Southerly corner of said Lot 1; thence North 31 degrees 59' West along the Westerly line of said Lot 4, a distance of 236.66 feet, more or less, to the Southerly corner of said Lot 1; thence North 7 degrees 47'11" West along the East line of said Lot 1, a distance of 442.76 feet to the point of beginning.

ALSO EXCEPT those portions of said Lot 4 of Short Plat Number PL00-0408 and said Lot 4 of Short Plat Number PL02-0485 lying Southerly and Easterly of the following described line:

Parcel B (Larry R Jensen)

Beginning at the Southeast corner of said Lot 4, Short Plat Number PL02-0485; thence Westerly along the South line of said Lot 4 to the Southeast corner of said Section 13, as shown on the "Plat of Skagit Beach No. 1", as per plat recorded in Volume 8 of Plats, page 71, records of Skagit County, Washington; thence North 89°21'46" West a distance of 2070.66 feet along an existing ditch to a line that is 40 feet east of and parallel with the east line of said "Plat of Skagit Beach No. 1"; thence South 45°28'30" West a distance of 229.39 feet along said parallel line; thence South 09°44'00" West a distance of 53.06 feet along said parallel line to an existing ditch; thence South 66°31'59" East a distance of 18.50 feet along said ditch; thence South 32°54'23" East a distance of 22.50 feet along said ditch; thence South 10°11'32" East a distance of 38.03 feet along said ditch; thence South 01°18'54" West a distance of 161.19 feet along said ditch; thence South 02°55'57" East a distance of 65.76 feet along said ditch; thence South 17°42'52" East a distance of 84.23 feet along said ditch; thence South 31°14'08" East a distance of 81.72 feet along said ditch; thence South 39°47'07" East a distance of 108.82 feet along said ditch; thence South 48°43'40" East a distance of 131.89 feet along said ditch; thence South 29°41'21" East a distance of 110.25 feet along said ditch; thence South 12°50'42" East a distance of 174.01 feet along said ditch; thence South 16°17'21" East a distance of 137.92 feet along said ditch; thence South 21°45'41" East a distance of 105.65 feet along said ditch; thence South 42°03'59" East a distance of 161.32 feet along said ditch; thence South 53°43'28" East a distance of 133.16 feet along said ditch; thence South 49°24'40" East a distance of 115.89 feet along said ditch; thence South 68°41'03" East a distance of 162.43 feet along said ditch; thence South 01°21'14" East a distance of 61.40 feet along said ditch;



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thence South 19°06'04" West a distance of 93.09 feet along said ditch;
thence South 14°08'21" West a distance of 69.28 feet along said ditch;
thence South 29°51'07" East a distance of 100.06 feet along said ditch;
thence South 58°48'26" East a distance of 98.92 feet along said ditch;
thence South 70°48'24" East a distance of 102.92 feet along said ditch;
thence South 58°20'31" East a distance of 90.89 feet along said ditch;
thence South 31°17'46" East a distance of 194.07 feet along said ditch;
thence South 40°36'49" East a distance of 57.94 feet along said ditch;
thence South 44°44'37" East a distance of 72.81 feet along said ditch;
thence South 22°10'31" East a distance of 126.83 feet along said ditch;
thence South 05°21'14" East a distance of 121.88 feet along said ditch;
thence South 00°34'30" West a distance of 57.89 feet to the South line of the
Southeast ¼ of the Northeast ¼ of said Section 24 and the terminus of said
line at a point that is North 89°25'30" West a distance of 836.36 feet from
the Southeast corner of said subdivision (East ¼ corner of said Section 24).

Situate in the County of Skagit, State of Washington



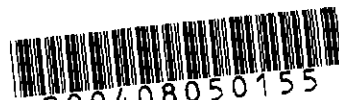
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P119459

Page 2 Exhibit A
Legal Description

Lot 3 of Skagit County Short Plat No. PL00-0408 approved and recorded August 1, 2002 Auditor's File No. 20020600118, records of Skagit County, WA. Being a portion of Government Lots 4 and 6 of Section 13, Township 34 North, Range 2 East, W.M. Assessor's Tax No. 340213-0-002-0100.

SUBJECT TO terms, covenants, provisions, notes and restriction contained in said Short Plat No. PL00-0408; and FURTHER SUBJECT TO easements, restrictions, covenants and other instruments of record.



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P119643

Page 2 Exhibit A
Legal Description

ACREAGE ACCOUNT, ACRES 0.43, 0/S#200 AF#751695 1973 DK12 DR19 (NOT FOR BUILDING PURPOSES) TRACT B SHORT PLAT #PL02-09485 AF#200209160059 LOCATED IN A PORTION OF GOVERNMENT LOT 4. QUARTER 01, SECTION 13, TOWNSHIP 34, RANGE 02. ASSESSOR'S TAX NUMBER: 340213-0-002-0500.

SUBJECT TO easements, restrictions, covenants and other instruments of record.



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