

Return Name & Address:



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SKAGIT COUNTY PLANNING & DEVELOPMENT SERVICES

LOT OF RECORD CERTIFICATION

File Number: PL_00-0885

Applicant Name: Keith Morrison

Property Owner Name: Morrison Land Co., LP

Having reviewed the information provided by the applicant, the Department hereby finds that the parcel(s) bearing Skagit County Parcel Number(s):

P#(s): _16520; 330408-2-004-0100; within a Ptn of the NW 1/4 of the NW 1/4 of Sec. 8, Twp. 33, Rge 4. Based on Board of County Commissioners Resolution 15567, Vol. 80, Pgs. 100-103, signed December 6, 1994.

Lot Size: _approximately 3.4 acres

1. CONVEYANCE

- IS**, a Lot of Record as defined in Skagit County Code (SCC) 14.04.020 or owned by an innocent purchaser who has met the requirements described in SCC 14.18.000(9) and RCW 58.17.210 and therefore IS eligible for conveyance.
- IS NOT**, a Lot of Record as defined in SCC 14.04.020 or owned by an innocent purchaser who has met the requirements described in SCC 14.18.000(9) and RCW 58.17.210 and therefore IS NOT eligible for conveyance or development.

2. DEVELOPMENT

IS, the minimum lot size required for the _____ zoning district in which the lot is located and therefore IS eligible to be considered for development permits.

- IS NOT**, the minimum lot size required for the Agricultural-Natural Resource/Rural Reserve zoning district in which the lot is located, but does meet an exemption listed in SCC 14.16.850(4)(c)(iv) and therefore IS eligible to be considered for development permits.
- IS NOT**, the minimum lot size required for the _____ zoning district in which the lot is located, does not meet an exemption listed in SCC 14.16.850(4)(c) and therefore IS NOT eligible to be considered for certain development permits.

Authorized Signature: Goed Roede

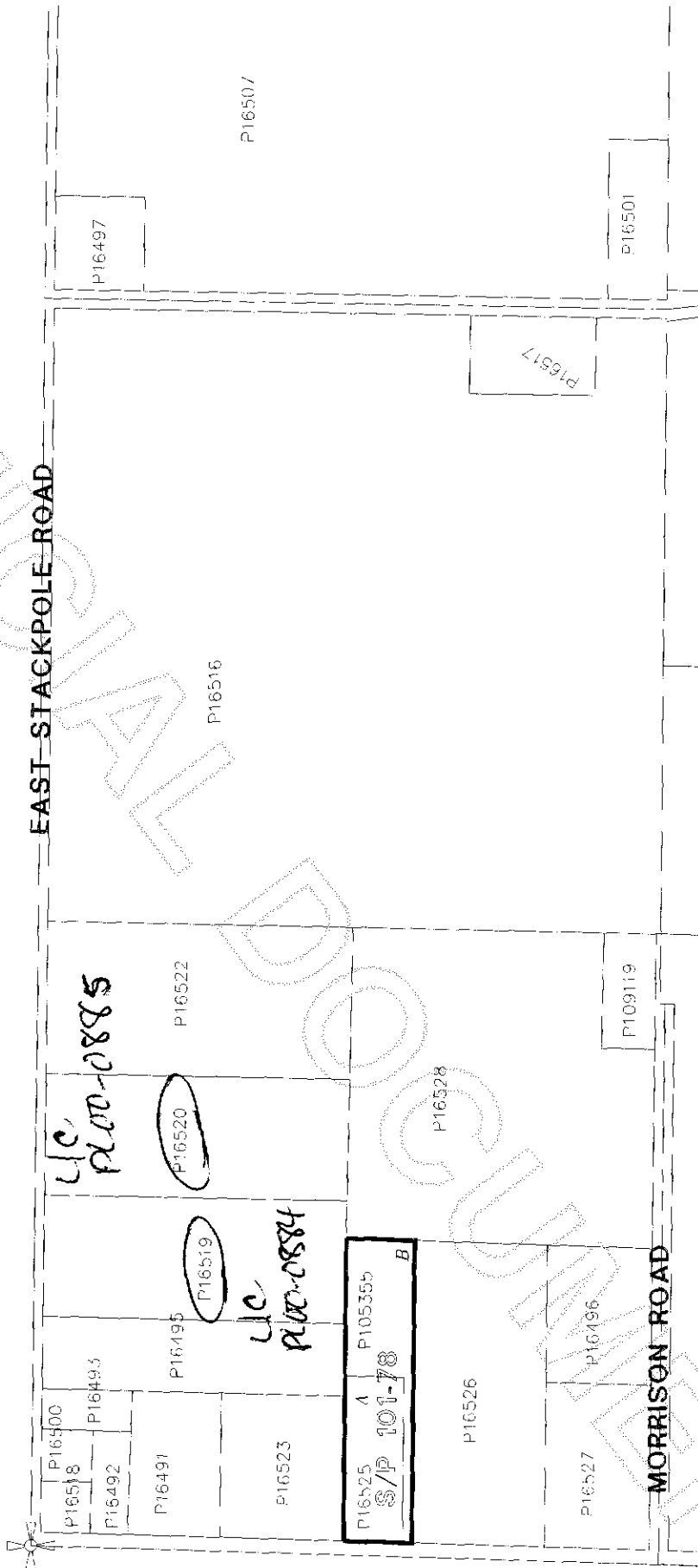
Originally approved:
Date: _4/26/2000_

See attached map for Lot of Record boundaries.

UNOFFICIAL DOCUMENT

EAST STACKPOLE ROAD

MORRISON ROAD



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RESOLUTION NUMBER

15547 ✓

AMENDING RESOLUTION NUMBER 15547
CONCERNING THE APPROVAL OF
VARIANCE REQUEST VAR 93-020

WHEREAS, the Skagit County Board of Commissioners met in a public meeting on Tuesday, November 1, 1994 at 1:30 p.m., to consider whether the applicants qualify under the innocent purchaser for value without actual notice provisions of RCW 58.17.210 as remanded by Chelan County Superior Court; and,

WHEREAS, the applicants Conrad S. Bock and Maryann A. Bock, husband and wife and Fred J. Lotz and Audrey R. Lotz, husband and wife requested a variance to create two substandard lots approximately 3.885 acres in size. If a variance was approved to allow two substandard lots, the applicants also requested a variance seeking relief from the provisions of the Skagit County Short Subdivision Ordinance (Section 14.08 of the Skagit County Code); and,

WHEREAS, the subject Variance request VAR 93-020 was received on April 20, 1993 seeking relief from the provisions of the Skagit County Short Subdivision Ordinance, the minimum lot size in the Agricultural Zone, and relief from the provisions of RCW 58.17.210; and,

WHEREAS, the subject properties are located on the south side of Stackpole Road and are each approximately 3.885 acres for a total of approximately 7.77 acres. The application indicates that the subject properties are owned by two parties (Bock and Lotz). The subject property was subdivided in 1974 without benefit of a short subdivision. As a result of the illegal subdivision, Skagit County is unable to issue any development permits unless the applicants fall within the innocent purchaser for value without actual notice exemption in RCW 58.17.210; and,

WHEREAS, the Skagit County Hearing Examiner conducted a Public Hearing on August 4, 1993. The Hearing Examiner issued Findings of Fact and Recommendation No. AGV 93 020 on August 31, 1993. The Hearing Examiner recommended denial; and,

WHEREAS, the Skagit County Board of Commissioners reviewed the Findings and Recommendation and concurred with the Hearing Examiner's recommendation for denial on September 22, 1993; and,

WHEREAS, the subject property is zoned Agricultural and the Southcentral District Comprehensive Plan designates the area as Agriculture; and,

WHEREAS, Section 14.04.110 of the Skagit County Code indicates that the minimum lot size in the Agricultural Zone is 40 acres; and,

WHEREAS, Section 14.04.030 (50) of the Skagit County Code sets forth the definition of a Lot of Record as: Any lot platted under Skagit County Subdivision Ordinance on or after March 1, 1965; any



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cc: PLANNING, G. JONES, C. BOCK, F. LOTZ, J.

tract of land divided by metes and bounds description or platted and recorded with the auditor prior to March 1, 1965; or any tract of land defined by metes and bounds and conveyed by notarized deed prior to March 1, 1965; and,

WHEREAS, the Revised Code of Washington (RCW) Chapter 58.17.210 provides:

"No building permit, septic tank permit, or other development permit, shall be issued for any lot, tract, or parcel of land divided in violation of this chapter or local regulations adopted pursuant thereto unless the authority authorized to issue such permit finds that the public interest will not be adversely affected thereby. The prohibition contained in this section shall not apply to an innocent purchaser for value without actual notice. All purchasers' or transferees' property shall comply with provisions of this chapter and each purchaser or transferee may recover his damages from any person, firm, corporation, or agent selling or transferring land in violation of this chapter or local regulations adopted pursuant thereto, including any amount reasonably spent as a result of inability to obtain any development permit and spent to conform to the requirements of this chapter as well as cost of investigation, suit, and reasonable attorneys' fees occasioned thereby. Such purchaser or transferee may as an alternative to conforming his property to these requirements, rescind the sale or transfer and recover costs of investigation, suit, and reasonable attorneys' fees occasioned thereby"; and,

WHEREAS, the Board of County Commissioners finds that there is legitimate reason to believe that the purchasers are innocent purchasers for value without actual notice, as provided in RCW 58.17.210, based on evidence provided, the price paid for the properties, the value of Agricultural land at the time of purchase, the previous issuance of permits on the properties, the amount of time elapsing between the date of the illegal subdivision and the date the applicants acquired the properties, and the number of other transactions involving the properties between the date of the illegal subdivision and the date the applicants acquired the properties; and,

WHEREAS, on November 15, 1994, the Board of County Commissioners adopted Resolution Number 15547 approving the variance sought; and

WHEREAS, said Resolution Number 15547 should be clarified to address with greater specificity the lots affected hereby and the intent of this variance;

NOW THEREFORE BE IT RESOLVED that the Skagit County Board of County



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Commissioners hereby amends Resolution Number 15547 and approves the Variance request # VAR 93-020 of Conrad S. Bock and Maryann A. Bock, husband and wife and Fred J. Lotz and Audrey R. Lotz, husband and wife, for the following described parcels:

1. The West 1/2 of the following described premises:

The North 1/2 of the Northwest 1/4 of the Northwest 1/4 of Section 8, Township 33 North, Range 4 East, W.M., Except the West 330 feet thereof and the East 5 acres thereof; Except County road and ditch right of way; Excepting from the remainder the West 2 acres thereof as conveyed to Harold B. Holter, et. ux., by Deed recorded January 16, 1956, under Auditor's File No. 529993.

Situate in the County of Skagit, State of Washington;

2. The East 1/2 of the following described premises:

The North 1/2 of the Northwest 1/4 of the Northwest 1/4 of Section 8, Township 33 North, Range 4 East, W.M., Except the West 330 feet thereof and the East 5 acres thereof; Except County road and ditch right of way; Excepting from the remainder the West 2 acres thereof as conveyed to Harold B. Holter, et. ux., by Deed recorded January 16, 1956, under Auditor's File No. 529993.

Situate in the County of Skagit, State of Washington;

each of the two described parcels shall be entitled to certification as a lot of record, for purposes of any building permit, septic tank permit, or other development permit as if their subdivision were approved by Skagit County after March 1, 1965.



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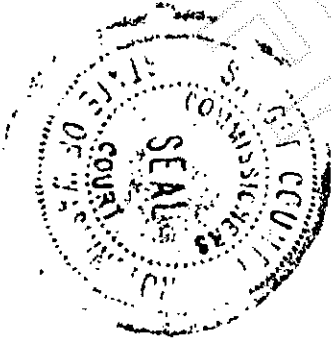
WITNESS our hands and official seal this 6th day of DECEMBER, 1994.

BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON

Harvey Wolden
Harvey Wolden, Chairman

Robby Robinson
Robby Robinson, Commissioner

Robert Hart
Robert Hart, Commissioner



ATTEST:

Patti J. Owen
Patti J. Owen, Clerk
Skagit County Board of Commissioners

APPROVED AS TO FORM:

John R. Moffat
John R. Moffat, Chief Civil Deputy

APPROVED AS TO CONTENT:

David Hough
David Hough, Planning Director



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