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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:

HUMBLE FAMILY LTD PARTNERSHIP LP

Owner mailing address:

12296 MAPLE CREST DRIVE, BURLINGTON, WA 98233

Property address:

Legal description:

SEE ATTACHED EXHIBIT 'A' - PTN SECTION 12, TOWNSHIP 35 NORTH, RANGE 1 EAST, W.M.

Assessor's property tax parcel or account number:

P31435, P31472, P113802 AND P113803

Reference numbers of documents assigned or released:

CU OS #1-2024 TRANSFER FROM F&A AF#8002040020

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Open Space Taxation Agreement



This agreement between:

HUMBLE FAMILY LTD PARTERSHIP LP

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legislative body receives the signed agreement from the property owner and shall remain in effect until the property is withdrawn or removed from classification.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:

Open Space Taxation Agreement



- 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.

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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.

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:

9/24/2024

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

Open Space Taxation Agreement



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

9/24/2024 *Christa Jaurich*

Title: COMMISSIONER, SKAGIT COUNTY BOARD OF COMMISSIONERS

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

9/24/2024 *Ben Wesen*

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: Owner(s):

10/14/2024 *Chie E. Humble*

(Must be signed by all owners) *Diane J Humble*

Date signed agreement received by Legislative Authority: 10/14/2024

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

EXHIBIT 'A'

THAT PORTION OF BLOCKS 23, 24, 25, AND 26 OF THE PLAT OF TOWN OF PAXTON WHICH LIES WITHIN THE SW1/4 SW1/4 NE1/4 OF SECTION 12, TOWNSHIP 35 NORTH, RANGE 1 EAST, W.M. TOGETHER WITH THOSE PORTIONS OF ADJACENT DOUGLAS STREET, ADAMS STREET, GUEMES AVENUE AND SEATTLE AVENUE ATTACHED. EXCEPT COUNTY ROAD.

TOGETHER WITH

BLOCKS 13 AND 14 AND THE STREETS ATTACHED THERETO BY THE OPERATION OF LAW, OF THE PLAT OF TOWN OF PAXTON, RECORDED IN VOLUME 2 OF PLATS, PAGE 30, RECORDS OF SKAGIT COUNTY, TOGETHER WITH THAT PORTION OF BLOCKS 11 AND 12 AND THE STREETS ATTACHED TO THE PLAT OF TOWN OF PAXTON LYING NORTH OF THE FOLLOWING DESCRIBED LINE:
COMMENCING AT THE NW CORNER OF BLOCK 12 OF SAID PLAT: THENCE SOUTH 00-36-45 WEST ALONG THE WEST LINE THEREOF, 100 FEET TO THE POINT OF BEGINNING OF THIS LINE DESCRIPTION; THENCE SOUTH 89-23-27 EAST, 597.64 TO A POINT ON THE EAST LINE OF SAID BLOCK 11 OF SAID PLAT WHICH IS 100 FEET SOUTH OF THE NE CORNER THEREOF; THENCE CONTINUING SOUTH 89-23-27 EAST, 25 FEET TO THE EAST LINE OF SEATTLE AVENUE AS SHOWN ON SAID PLAT AND TERMINAL POINT OF THIS DESCRIPTION.

TOGETHER WITH

BLOCKS 15, 16, 17 AND 18 OF THE PLAT OF TOWN OF PAXTON TOGETHER WITH THOSE PORTIONS OF ADJACENT VICTORIA STREET, YORK STREET, UNION STREET, GUEMES AVENUE, AND SEATTLE AVENUE ATTACHED EXCEPT THE WEST 208 FEET OF THE SOUTH 446.25 FEET OF THE NORTH 647.25 FEET OF THE W1/2 OF THE NW1/4 SE1/4 AND EXCEPT COUNTY ROAD, SECTION 12, TOWNSHIP 35 NORTH, RANGE 1 EAST, W.M.

TOGETHER WITH

BLOCKS 19, 20, 21, AND 22 OF THE PLAT OF TOWN OF PAXTON, RECORDED IN VOLUME 2 OF PLATS, AT PAGE 30, RECORDS OF SKAGIT COUNTY, WASHINGTON; TOGETHER WITH THOSE PORTIONS OF ADJACENT UNION STREET, JEFFERSON STREET, DOUGLAS STREET, GUEMES AVENUE, AND SEATTLE AVENUE

ATTACHED THERETO BY OPERATION OF LAW; EXCEPT THE WEST 208 FEET OF THE SOUTH 568.61 FEET OF THE NORTH 647.25 FEET OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 12, TOWNSHIP 35 NORTH, RANGE 1 EAST, W.M.; AND EXCEPT COUNTY ROAD. AND ALSO EXCEPT THOSE PORTION OF BLOCKS 20 AND 21 AND VACATED JEFFERSON STREET IN THE PLAT OF TOWN OF PAXTON, RECORDED IN VOLUME 2 OF PLATS, PAGE 30, RECORDS OF SKAGIT COUNTY, WASHINGTON, ALSO BEING PORTIONS OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 AND OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 12, TOWNSHIP 35 NORTH, RANGE 1 EAST, W.M., BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE MONUMENTED CENTER OF SECTION 12, TOWNSHIP 35 NORTH, RANGE 1 EAST, W.M. AS SHOWN ON THAT CERTAIN RECORD OF SURVEY MAP RECORDED UNDER SKAGIT COUNTY AUDITOR'S FILE NO. 200503080033; THENCE SOUTH 0-36-45 WEST ALONG THE NORTH-SOUTH CENTERLINE OF SAID SECTION 12 FOR A DISTANCE OF 78.64 FEET; THENCE SOUTH 89-23-24 EAST PARALLEL WITH THE NORTH LINE OF SAID SOUTHEAST 1/4 OF SECTION 12, FOR A DISTANCE OF 30.00 FEET, MORE OR LESS, TO THE EASTERLY RIGHT-OF-WAY MARGIN OF GUEMES ISLAND ROAD AND BEING THE NORTHWEST CORNER OF THAT CERTAIN PARCEL CONVEYED TO GUEMES ISLAND COMMUNITY CENTER ASSOCIATION BY QUIT CLAIM DEED RECORDED UNDER SKAGIT COUNTY AUDITOR'S FILE NO. 200412270139 AND BEING THE TRUE POINT OF BEGINNING; THENCE CONTINUE SOUTH 89-23-24 EAST ALONG THE NORTH LINE OF SAID GUEMES ISLAND COMMUNITY CENTER ASSOCIATION PARCEL FOR A DISTANCE OF 178.00 FEET TO THE NORTHEAST CORNER THEREOF; THENCE NORTH 0-36-45 EAST FOR A DISTANCE OF 308.64 FEET, MORE OR LESS, TO A POINT 40.00 FEET SOUTHERLY (AS MEASURED PERPENDICULAR) OF THE CENTERLINE OF VACATED DOUGLAS STREET; THENCE NORTH 89-23-24 WEST PARALLEL WITH SAID CENTERLINE OF VACATED DOUGLAS STREET FOR A DISTANCE OF 178.00 FEET, MORE OR LESS, TO SAID EASTERLY RIGHT-OF-WAY MARGIN OF GUEMES ISLAND ROAD AT A POINT BEARING NORTH 0-36-45 EAST FROM THE TRUE POINT OF BEGINNING; THENCE SOUTH 0-36-45 WEST ALONG SAID EASTERLY RIGHT-OF-WAY MARGIN FOR A DISTANCE OF 308.64 FEET, MORE OR LESS, TO THE TRUE POINT OF BEGINNING.