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Skagit County Auditor

Department of Revenue
Washington State

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:
HOWARD AND JUDITH ROBBINS

Owner mailing address:
9801 BAYVIEW EDISON ROAD, BOW, WA 98232

Property address:
SEE ATTACHED EXHIBIT 'A'

Legal description:
SEE ATTACHED EXHIBIT 'A' AND MAPS, PORTIONS OF SECTIONS 19 & 30, T 35 N, R 3 E, W.M.

Assessor's property tax parcel or account number:
PTNS P34481 & P34482 AND ALL P34484 (UNIT A) AND PTN P34986 AND ALL P35045 (UNIT B)

Reference numbers of documents assigned or released:
CU OS #3-2024

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Open Space Taxation Agreement

Department of Revenue Washington State

This agreement between:

hereinafter called the "Owner", and:

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body receives the signed agreement from the property owner and shall remain in effect until the property is withdrawn or removed from classification.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

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Department of Revenue Washington State

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: 3/25/25 Signature(s) of County and/or City Legislative Authority: Lisa Janicki

Title: **LISA JANICKI, CHAIR** Chair, Skagit County Board of Commissioners

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Open Space Taxation Agreement

Department of Revenue Washington State

Dated: 3.25.25 Signature(s) of County and/or City Legislative Authority: Ron Wesen

Title: **RON WESEN, COMMISSIONER** Skagit County Board of Commissioners

Dated: 3-25-25 Signature(s) of County and/or City Legislative Authority:

Title: **PETER BROWNING, 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: 4-2-2025 Owner(s): Howard Emery Robbins Judith A. Robbins

(Must be signed by all owners)

Date signed agreement received by Legislative Authority: 4/4/2025

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

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EXHIBIT 'A'

UNIT A

PROPERTY ADDRESS: 9801 BAYVIEW EDISON ROAD, BOW, WA 98232

PORTION P34481 – 0.05 ACRES OF SOUTH HALF GOVERNMENT LOT 3, SECTION 19, TOWNSHIP 35 NORTH, RANGE 3 EAST, W.M., E OF RD LESS N 600FT.

PORTION P34482 – 0.80 ACRES OF GOVERNMENT LOT 4, SECTION 19, TOWNSHIP 35 NORTH, RANGE 3 EAST, W.M., E OF RD LESS S 1230FT.

P34484 – THAT PORTION OF THE NORTH 100 FEET OF THE SOUTH 1230 FEET OF GOVERNMENT LOT 4 OF SECTION 19, TOWNSHIP 35 NORTH, RANGE 3 EAST, W.M., LYING EAST OF THE COUNTY ROAD.

UNIT B

PROPERTY ADDRESS: 10683 BAYVIEW EDISON ROAD, MOUNT VERNON, WA 98273

PORTION P34986 – 1.50 ACRES OF THE NORTH 137.5 FEET OF THE SOUTH 327.5 FEET OF GOVERNMENT LOT 3 IN SECTION 30, TOWNSHIP 35 NORTH, RANGE 3 EAST, W.M., EXCEPT COUNTY ROAD AND EXCEPT THE NORTH 100 FEET (MEASURED ALONG THE COUNTY ROAD) OF THAT PORTION OF SAID PROPERTY LYING WESTERLY OF SAID COUNTY ROAD.

P35045 - THE NORTH 137.5 FEET OF THE SOUTH 327.5 FEET OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 30, TOWNSHIP 35 NORTH, RANGE 3 EAST, W.M.

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SKAGIT COUNTY ASSESSOR
CURRENT USE MAP

CU OS #3-2024 (UNIT A)
0.05 ACRES OF P34481, 0.80 ACRES OF P34482
AND ALL P34484



0 125 249 498
Feet

Scale 1: 2,993

SECTION 19, TOWNSHIP 35 NORTH, RANGE 3 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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SKAGIT COUNTY ASSESSOR
CURRENT USE MAP

CU OS #3-2024 (UNIT B)
1.50 ACRES OF P34986 AND ALL P35045



0 249 499 997
Feet

Scale 1: 5,986

SECTION 30, TOWNSHIP 35 NORTH, RANGE 3 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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