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BOOK 177 PAGE 202

FILED FOR RECORD  
SKAMANIA CO. WASH  
BY SKAMANIA CO. TITLE

MAY 18 11 40 AM '98

J. M. OLSON  
AUDITOR  
GARY M. OLSON

When Recorded Return to:

WEYERHAEUSER REAL ESTATE COMPANY

ATTENTION: MADALYN STYERS

WRE 1-1

P. O. BOX 2999

TACOMA WA 98477-2999

NOTICE OF CONTINUANCE  
LAND CLASSIFIED AS CURRENT USE OR FOREST LAND  
Chapter 84.34 And 84.33 Revised Code Of Washington

Registered	
Indexed, Dir	
Indirect	
Filed	
Noted	

Grantor(s) WEYERHAEUSER COMPANY, A WASHINGTON CORPORATIONGrantee(s) WEYERHAEUSER REAL ESTATE COMPANY, A WASHINGTON CORPORATIONLegal Description SECTION 21: PTNS. NW1/4, S1/4, W1/4 ALL IN T7N,R5E, W.M., IN THE COUNTY OF SKAMANIA, STATE OF WASHINGTON. COMPLETELEGAL DESCRIPTION ON PAGE 1 OF EXHIBIT A ATTACHED TO THIS DOCUMENT.SC02 21562Assessor's Property Tax Parcel or Account Number 07 05 21 0 0 0200 00

Reference Numbers of Documents Assigned or Released

N/A Book F  
Page 417

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) WEYERHAEUSER REAL ESTATE COMPANYATTN: MADALYN STYERS, LAND USE ADMINISTRATORAddress MAILING: P. O. BOX 2999 WRE 1-1, TACOMA WA 98477-2999SHIPPING: 33650 SIXTH AVENUE SOUTH WRE 1-1, FEDERAL WAY WAPhone No. (253) 924-3531Excise Tax No. 98003File No. 21567

Taxing District

Date of Sale or Transfer 03 / 26 / 98Date of Notice 03 / 26 / 98Interest in Property: ☒ Fee Owner ☐ Contract Purchaser ☐ Other

REV 64 0047-1 (01-06-97)

To inquire about the availability of this form in an alternate format for the visually impaired or a language other than English, please call (360) 753-3217.

A. CLASSIFICATION UNDER CHAPTER 84.34 RCW. I/we request that this land retain 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 stream 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
- c) 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 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; or
  - g) removal of classified farm and agricultural land on which the principal residence of the farm operator or owner or housing for employees.

(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 timberland 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.



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 millage 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:

- transfer to a government entity in exchange for other forest land located within the state of Washington;
- 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;
- 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; or
- the sale or transfer of fee title to the parks and recreation commission for park and recreation purposes.

WEYERHAEUSER REAL ESTATE COMPANY

BY: Thomas B. Miller  
Property Owner THOMAS B. MILLER, VICE PRESIDENT

05/15/98  
Date

WEYERHAEUSER REAL ESTATE COMPANY, ATTN: MADALYN STYERS WRE 1-1  
P. O. BOX 2999 WRE 1-1, TACOMA WA 98477

Address

Property Owner

Date

Address

Property Owner

Date

Address

Property Owner

Date

## IN SKAMANIA COUNTY, WASHINGTON

TOWNSHIP 7 NORTH, RANGE 5 EAST OF WILLAMETTE MERIDIAN

**SECTION 21:** Those portions of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ , the S $\frac{1}{2}$ NW $\frac{1}{4}$ , and the W $\frac{1}{2}$ SW $\frac{1}{4}$  lying Westerly of that certain tract of land described in that certain Warranty Deed to Pacific Power & Light Company dated October 24, 1960, recorded March 2, 1961 in Book 48 at Page 352 under Auditor's File No. 58170.

Grantor hereby expressly **SAVES, EXCEPTS** and **RESERVES** out of the grant hereby made, unto itself, its successors and assigns, forever, all geothermal steam and heat and all metals, ores and minerals of any nature whatsoever in or upon said land including, but not limited to, coal, lignite, peat, oil and gas, including coal seam gas, together with the right to enter upon said land for the purpose of exploring the same for such geothermal resources, metals, ores and minerals, and drilling, opening, developing and working mines and wells thereon and taking out and removing therefrom, including by surface mining methods, all such geothermal resources, metals, ores and minerals, and to occupy and make use of so much of the surface of said land as may be reasonably necessary for said purposes; provided, that Grantee and Grantee's heirs, representatives, successors and assigns, shall be paid just and reasonable compensation for any injury or damage to the surface of said land, to the crops or to the improvements thereon caused by the exercise of any rights herein reserved; provided, further, that the exercise of such rights by Grantor shall not be postponed or delayed pending reasonable efforts to agree upon or have determined such just and reasonable compensation.

**SUBJECT TO** rights reserved in federal patents or state deeds, all prior oil, gas, mineral or fossil rights reservations, exceptions or conveyances, all planning, zoning, health and other governmental regulations, if any, ancestral rights, if any, of descendants of aboriginal inhabitants to occupy, use and possess any portion of the lands, as reserved by treaties, understandings, practice, statutes or judicial decisions, for food gathering, shelter, religious ceremonies, social and economic gatherings, battlefields and burial sites, all easements and rights of way for public and/or private roads and utilities heretofore established and existing on said land, all matters of public record, and

1. Any adverse claims based upon assertion that Swift Reservoir and Creeks have the shifted or changed course.
2. Rights of others thereto entitled in and to the continued uninterrupted flow of Swift reservoir and Creeks, and rights of upper and lower riparian owners in and to the use of the waters and the natural flow thereof.
3. The property herein conveyed is carried on the County Assessor's rolls for tax purposes as "Designated Forest Land." Upon removal of the property from such designation, compensating tax, if any is due, will be the responsibility of the Grantee or its successors or assigns.
4. Easement for access road and the terms and conditions thereof as contained in:
 

Document:	Easement dated December 3, 1959 granted to the United States Forest Service
Recorded:	December 24, 1959 under Auditor's File No. 56407

**EXHIBIT A**

Weyerhaeuser Company/  
Weyerhaeuser Real Estate Company  
Skamania County, Washington  
H98-198(1)/Swift Cove West (Parcel #2133900)