

APPLICATION FOR CHANGE OF CLASSIFICATION OR USE

(Chapters 84.33 & 84.34 RCW)

BOOK 151 PAGE 602

122980

FILE WITH COUNTY ASSESSOR

County SKAMMIA

Tax Code

Name of Applicant Richard & Helen Grams

Phone 360-694-3326

Address 4518 NE 22nd Ave. VANCOUVER, WA 98663

Land Subject to This Application (Legal Description)

FILED FOR RECORD
SKAMMIA CO. WASH
BY Planning Dept

AUG 4 4 53 PM '95

Assessor's Parcel or Account Numbers 01-05-26-00-0100

AUDITOR

GARY H. OLSON

Auditor's File No. on Original Application

CHANGE OF CLASSIFICATION

(Check Appropriate Box)

The land is currently classified as farm and agricultural land under RCW 84.34.020(2) and I hereby request reclassification as:

- ☐ Timber land as provided under RCW 84.34.020(3) (Attach completed FORM REV 64 0021 and a timber management plan)
- ☒ Open Space land as provided under RCW 84.34.020(1) (Attach completed FORM REV 64 0021) for 45 acres of 83.5 acre parcel
- ☐ Forest Land classification under chapter 84.33 RCW (Attach FORM REV 62 0021)
- ☐ Farm and Agricultural Conservation Land as provided in RCW 84.34.020(1)(c) (Attach FORM REV 64 0021)

The land is classified as Open Space Farm and Agricultural Conservation Land under RCW 84.34.020(1)(c) and I hereby request reclassification to:

- ☐ Farm and agricultural land under RCW 84.34.020(2).

The land is currently classified as timber land under RCW 84.34.020(3) and I hereby request reclassification as:

- ☐ Forest land classification under chapter 84.33 RCW (Attach FORM REV 62 0021)
- ☐ Open Space land as provided under RCW 84.34.020(1) (Attach completed FORM REV 64 021)
- ☐ Farm and agricultural land as provided under RCW 84.34.020(2) (Attach completed FORM REV 64 0024)

Exempt	☒
Advised, Dir	☒
Indirect	☒
Filed	☐
Noted	☐

Requests for transfer from Forest Land classification under provisions of Chapter 84.33 RCW to Current Use classification under Chapter 84.34 RCW should be made on FORM REV 64 0038.

Attachment:

- ☐ FORM REV 62 0021
- ☐ FORM REV 64 0021
- ☐ FORM REV 64 0024

NOTE: No additional tax, fee or penalty accrues from this change of classification or use.

FORM REV 64 0080-1 (2-83 DRAFT)

GENERAL INFORMATION

Reclassifications: Are defined in RCW 84.34.070(2) as follows: BOOK 151 PAGE 603,

(2) The following reclassifications are not considered withdrawals or removals and are not subject to additional tax under RCW 84.34.108:

- (a) Reclassification between lands under RCW 84.34.020(2) and (3);
- (b) Reclassification of land classified under RCW 84.34.020(2) or (3) or chapter 84.33 RCW to open space land under RCW 84.34.020(1);
- (c) Reclassification of land classified under RCW 84.34.020(2) or (3) to forest land classified under chapter 84.33 RCW; and
- (d) Reclassification of land classified as open space land under RCW 84.34.020(1)(c) and reclassified to farm and agricultural land under RCW 84.34.020(2) if the land had been previously classified as farm and agricultural land under RCW 84.34.020(2).

(3) Applications for reclassification shall be subject to applicable provisions of RCW 84.34.037, 84.34.036, section 20 of this act, and chapter 84.33 RCW.

(4) The income criteria for land classified under RCW 84.34.020(2)(b) and (c) may be deferred for land being reclassified from land classified under RCW 84.34.020(1)(c) or (3), or chapter 84.33 RCW into RCW 84.34.020(2)(b) or (c) for a period of up to five years from the date of reclassification. [1992 c 69 § 10]

Farm and Agricultural Conservation Land: is defined in RCW 84.34.020(8)(a & b) as follows:

(8) "Farm and agricultural conservation land" means either:

(a) Land that was previously classified under subsection (2) of this section, that no longer meets the criteria of subsection (2) of this section, and that is reclassified under subsection (1) of this section; or

(b) 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. [1992 c 69 § 4]

And also defined in RCW 84.34.037(2)(c) as follows:

(c) Whether granting the application for land applying under RCW 84.34.020(1)(c) will (i) either preserve land previously classified under RCW 84.34.020(2) or preserve land that is traditional farmland and not classified under chapter 84.33 or 84.34 RCW, (ii) preserve land with a potential for returning to commercial agriculture, and (iii) affect any other factors relevant in weighing benefits to the general welfare of preserving the current use of property.

Date

7/29/95

Signatures of All Owner(s) or Contract Purchaser(s)

Richard E. Grimes
Helen A. Grimes

OPEN SPACE TAXATION AGREEMENT

CH. 84.34 RCW

(TO BE USED FOR "OPEN SPACE", "TIMBER LAND" CLASSIFICATION OR "RECLASSIFICATION" ONLY)

This Agreement between Richard E. and Helen D. Grans **BOOK 151 PAGE 604**

hereinafter called the "Owner", and Skamania County

hereinafter called the "Granting Authority".

Whereas the owner of the following described real property having made application for classification of that property under the provisions of CH. 84.34 RCW.

Assessor's Parcel or Account Numbers: 01-05-20-00-0100

Legal Description of Classified Land: _____

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, esthetic, 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 ☐ TIMBER LAND

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 the preservation of its classified use.
2. No structures shall be erected 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 for a period of at least ten (10) years.
4. This Agreement shall apply to the parcels of land described herein and shall be binding upon the heirs, successors and assigns of the parties herein.
5. Withdrawal: The land owner may withdraw from this Agreement if, after a period of eight years, he or she files a request to withdraw classification with the assessor. Two years from the date of that request the assessor shall withdraw classification from the land, and the applicable taxes and interest shall be imposed as provided in RCW 84.34.070 and 84.34.108.
6. Branches: After the effective date of this Agreement, any change in use of the land, except through compliance with items (5), (7) or (9) shall be considered a branch of this Agreement, and shall be subject to removal of classification and liable for applicable taxes, penalties, and interest as provided in RCW 84.34.080 and 84.34.108.
7. A branch of Agreement shall not have occurred and the additional tax shall not be imposed if removal of classification resulted solely from:
 - (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 such power in anticipation of the exercise of such power and having manifest its intent in writing or by other official action.
 - (c) A natural disaster such as a flood, windstorm, earthquake, 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 (See RCW 84.34.108 (5)(f)).
 - (g) Removal of land classified as farm and agricultural land under RCW 84.34.020(2)(d).
8. The county assessor may require an owner to submit data relevant to confirming the eligibility of any parcel of land described in this Agreement.
9. Reclassification as provided in Chapter 84.34. RCW.

This Agreement shall be subject to the following conditions:

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That the 45 acres of the subject property, zoned as Open Space, remain in Open Space zoning.

It is declared that this Agreement specifies the classification and conditions as provided for in CH. 84.34 RCW and the conditions imposed by this Granting Authority.

Granting Authority: SLEMANIA COUNTY, WASHINGTON

Dated 7-17-95

Melissa Carlson-Price
City or County

Melissa Carlson-Price
Chair, Board of County Commissioners

Title

As owner(s) of the herein described land I (we) indicated by my (our) signature(s) that I (we) are aware of the potential tax liability and hereby accept the classification and conditions of this Agreement.

Dated 7/29/95

Richard E. Grom
Owner(s)

Helen D. Grom
(Must be signed by all owners)

Date signed Agreement received by Legislative Authority

Prepare in triplicate with one completed copy to each of the following:

Owner(s)
Legislative Authority
County Assessor

95-02

**APPLICATION FOR CLASSIFICATION OR RECLASSIFICATION AS OPEN SPACE LAND
OR TIMBER LAND FOR CURRENT USE ASSESSMENT UNDER CHL 84.34 RCW**

FILE WITH THE COUNTY LEGISLATIVE AUTHORITY

BOOK 151 PAGE 606

Name of Applicant RICHARDE + HELEN D. GRAMS Phone 360-194-3326

Address 4518 N.E. 32ND AVE - VANCOUVER, WA 98663

Property Location _____

1. Interest in property: ☒ Fee Owner ☐ Contract Purchaser ☐ Other _____
2. Assessor's parcel or account number 01-05-20-00-0100-00
Legal description of land to be classified _____
3. Land classification that is being sought? ☒ Open Space ☐ Timber Land _____
NOTE: A single application may be made for both open space and timber land, but a separate legal description must be furnished for each area that classification is being sought.
4. Total acres in application _____

5. OPEN SPACE CLASSIFICATION Number of acres 45
6. Indicate what category of open space this land will qualify for: (See reverse side for definitions)
 - ☐ Open space zoning
 - ☒ Conserve and enhance natural or scenic resources
 - ☐ Protect streams or water supply
 - ☐ Promote conservation of soils, wetlands, beaches or tidal marshes
 - ☐ Enhance public recreation opportunities
 - ☐ Enhance value to public of abutting or neighboring parks, forests, wildlife preserves, nature reservations or sanctuaries or other open space
 - ☐ Preserve historic sites
 - ☒ Preserve visual quality along highway, road, and street corridors or scenic vistas.
 - ☐ Retain in natural state tracts of one (1) or more acres in urban areas and open to public use as reasonably required by granting authority
 - ☐ Farm and agricultural conservation land as defined in RCW 84.34.020(3)

7. TIMBER LAND CLASSIFICATION Number of acres _____
Definition: "Timber land" means any parcel of land that is five or more acres or multiple parcels of land that are contiguous and total five or more acres which is or are devoted primarily to the growth and harvest of forest crops for commercial purposes. A timber management plan shall be filed with the county legislative authority at the time (a) an application is made for classification as timber land pursuant to this chapter or (b) when a sale or transfer of timber land occurs and a notice of classification determination is signed. Timber land means land only.
8. Submit a copy of your timber management plan with this application. Guidelines for a timber management plan are available from the county assessor.
A timber management plan will include the following:
 - a) a legal description or assessor's parcel numbers for the property,
 - b) date of acquisition of land,
 - c) a brief description of timber or if harvested, the owners plan for restocking,
 - d) if land is used for grazing,
 - e) whether land and applicant are in compliance with restocking, forest management, fire protection, insect & disease control, etc.,
 - f) a summary of past experience and current and continuing activity,
 - g) a map of property outlining current use of property and indicating location of all buildings.
9. Describe the present improvements on this property (buildings, etc.) _____
10. Is this land subject to a lease or agreement which permits any other use than its present use? ☐ Yes ☐ No
If yes, attach a copy of the lease agreement.

NOTICE: The assessor may require owners to submit pertinent data regarding the use of classified land.
FORM REV 64 000-1 (2-88)

OPEN SPACE LAND MEANS:

- (a) Any land area so designated by a comprehensive land use plan adopted by a city or county authority, or
- (b) Any land area, in which the preservation 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 corridors along highway, road, and street corridor or scenic vista, or
 - (viii) Retain existing state trees 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 granting authority.
- (c) Or, any land meeting the definition of "farm and agricultural conservation land".

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STATEMENT OF ADDITIONAL TAX, INTEREST, AND PENALTY DUE UPON REMOVAL OF CLASSIFICATION

1. Upon removal of classification, an additional tax shall be imposed which shall be due and payable to the county treasurer 30 days after removal of classification or transfer, unless the new owner has signed the Notice of Continuance. The additional tax shall be the sum of:
- (a) The difference between the property tax paid as "Open Space Land" or "Timber Land" and the amount of property tax otherwise due and payable for the last seven years had the land not been so classified; plus
 - (b) Interest upon the amounts of the difference (a), paid at the same statutory rate charged on delinquent property taxes.
 - (c) A penalty of 20% shall be applied to the additional tax if the classified land is applied to some other use, except through compliance with the property owner's request for withdrawal process, or except as a result of those conditions listed in (2) below.
2. The additional tax, interest, and penalty specified in (1) above shall not be imposed if removal resulted solely from:
- (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 of eminent domain in anticipation of the exercise of such power.
 - (c) A natural disaster such as a flood, windstorm, earthquake, 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 property tax 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 (See RCW 84.34.100(5)(7)).
 - (g) Removal of land classified as farm & agricultural land under RCW 84.34.020(2)(d) (farm homestead).

AFFIRMATION

As owner(s) of the land described in this application, I hereby indicate by my signature that I am aware of the potential tax liability involved when the land ceases to be classified under provisions of CHL 84.34 RCW. I also declare under the penalties for false swearing that this application and any accompanying documents have been examined by me and to the best of my knowledge it is a true, correct, and complete statement.

Signature of all Owner(s) or Contract Purchaser(s)

X *[Signature]*
X *[Signature]*

All owners and purchasers must sign.

FOR LEGISLATIVE AUTHORITY USE ONLY

Date application received _____ By *[Signature]*
Amount of processing fee collected \$ _____ Transmitted to _____ Date _____

FOR GRANTING AUTHORITY USE ONLY

Date received _____ By _____
Application approved *7/17/95* Approved in part _____ Denied _____ Owner notified of denial on _____
Agreement entered on *7-17-95* Mailed on _____