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BOOK 183 PAGE 281

When Recorded Return to:

Hardy  
412 W 39th  
11508 NW 5th  
Vancouver WA  
98685

FILED  
SEAL  
OF STAMPAH CO, WA

Nov 16 10 09 AM '98

P. Lawry  
ASSISTANT  
GARY M. OLSON

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

SRR 21929

Grantor(s) Helmut Spieg + Spieg

Grantee(s) Brian + Ananda Hardy

Legal Description

Port of Wa SW 4 Sec 15, T3N, R10E

See attached pg 5

Assessor's Property Tax Parcel or Account Number 03-10-15-0-0-1000-00

Reference Numbers of Documents Assigned or Released Book F page 3

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) BRIAN + ANANDA HARDY

Address 11508 NW 5th Ave VANCOUVER WA 98685

Phone No. 360-573-9507

Excise Tax No.

File No.

Taxing District

Date of Sale or Transfer 1 1

Date of Notice 1 1

Interest 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 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 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 farm 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.

Property Owner BRIAN & ANANDA HARDY Date 10/21/98

Address 1508 N.W. 5TH Ave. MINNESOTA WA 98655

Property Owner \_\_\_\_\_ Date \_\_\_\_\_

Address \_\_\_\_\_

Property Owner \_\_\_\_\_ Date \_\_\_\_\_

Address \_\_\_\_\_

Property Owner \_\_\_\_\_ Date \_\_\_\_\_



## EXHIBIT "A"

A parcel of land in the West half of the Southwest Quarter of Section 15, Township 3 North, Range 10 East of the Willamette Meridian in the County of Skamania, State of Washington, described as follows:

COMMENCING AT THE POINT OF BEGINNING which is a State of Washington brass cap monumenting the Southwest Corner of said Section 15; thence North  $01^{\circ}03'48''$  East along West line of said Section 15, a distance 576.12 feet to the centerline of Skamania County Cook-Underwood Road easement; thence continuing North  $01^{\circ}03'48''$  East along said West Line, a distance of 593.16 feet; thence South  $88^{\circ}25'24''$  East, a distance of 445.05 feet to the centerline of Skamania County Newell Road easement; thence Northeasterly 221.87 feet along said centerline, on a curve having a radius of 1130.04 feet and a central angle of  $11^{\circ}14'58''$  and being subtended by a chord which bears North  $50^{\circ}40'42''$  East 221.52 feet; thence continuing along said centerline North  $65^{\circ}10'01''$  East, a distance of 111.93 feet; thence South  $01^{\circ}50'11''$  West, a distance of 764.64 feet to the South right of way line of said Cook-Underwood Road; thence Southeasterly 228.43 feet along said Southline, on a curve having a radius of 1115.92 feet and a central angle of  $11^{\circ}43'43''$  and being subtended by a chord which bears South  $68^{\circ}38'51''$  East 228.03 feet; thence continuing along said Southline South  $62^{\circ}47'00''$  East, a distance of 426.04 feet; thence South  $01^{\circ}50'18''$  West parallel to the East Line of said West Half of Southwest Quarter, a distance of 339.03 feet to a point 30 feet North  $88^{\circ}22'25''$  West of the Southeast Corner of said South Half of the Southwest Quarter; thence North  $88^{\circ}22'25''$  West, along the South Line of said South Half of the Southwest Quarter a distance of 1295.92 feet more or less to the POINT OF BEGINNING.

EXCEPT that portion of the Cook-Underwood, Newell, Lacock-Kelchner, and any other unvacated Skamania County road easements that lie within this land description.

RCW 84.34.041(1)(k)

Mr. & Mrs. Hardy are currently living in the Vancouver area, but were raised in the White Salmon area. They grew up in and around forest practices. They understand the need for perpetuation of our federal and private timber lands. They intend to use consulting services in areas that they may not understand.

RCW 84.34.041 (1)(l)

The Hardy's are acquiring this property from Helmut Spiegl and plan to continue under the recorded forest management plan which is attached.

This next spring (1999) Mr. & Mrs. Hardy will be working on removing brush and will reevaluate the need for restocking. Plans will be made at that time for replanting.



Arando Hardy