

When Recorded Return to:

Greg Fullem  
Schwabe Williamson & Wyatt  
1211 SW Fifth, Suite 1900  
Portland, OR 97204

**Notice of Continuance**  
**Land Classified as Current Use or Forest Land**  
Chapter 84.34 and 84.33 Revised Code of Washington

Grantor(s)/Sellers: Pope Resources  
Grantee(s)/Buyers: Columbia Land Trust  
Mailing Address: 1351 Officer's Row  
City, State, Zip: Vancouver, WA 98661 Phone No: 360-696-0131  
Assessor's Parcel No: See Exhibit A *YM 12-22-14*  
Address: N/A  
Legal Description: See Exhibit B

Date of Sale or Transfer: \_\_\_\_\_ Date Notice of Continuance Received by Assessor: \_\_\_\_\_  
Reference numbers of documents assigned or released: \_\_\_\_\_  
Interest in property: ☒ Fee Owner ☐ Contract Purchaser ☐ Other

If the new owner(s) of land classified as current use or designated as forest land wishes to continue the classification or designation, the new owner(s) must sign the last page of this form. The county assessor must then determine if the land continues to qualify. The county assessor has 15 calendar days, from the date all documentation is received, to determine whether the land will continue to qualify. All new owners must sign before the conveyance is recorded or filed. If the new owner(s) do(es) not desire to continue the classification or designation, all additional tax, interest, and penalty or compensating tax calculated pursuant to RCW 84.34.108 or RCW 84.33.140, will be due and payable by the seller or transferor at the time of sale. Payment in full is required before the conveyance can be recorded or filed.

For Official Office Use Only	
Transfer Document _____	Real Estate Excise Tax No: _____

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**A. CLASSIFICATION UNDER CHAPTER 84.34 RCW.** I/we request that this land retain the current use classification as ☐ Open Space Land ☐ Farm & Agricultural Land ☐ Timberland and I am/we are aware of the following land use classifications;

**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, wetland, 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 farm and agricultural land under RCW 84.34.020(2) that no longer meets the criteria and is reclassified as open space 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 has a high potential for returning to commercial agriculture.

**2. FARM AND AGRICULTURAL LAND MEANS EITHER:**

- a. any parcel of land or contiguous parcels of land that are twenty or more acres: (i) devoted 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 or contiguous parcels of land that are at least five acres but less than twenty acres devoted primarily to agricultural uses which has:  
Produced 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;  
Standing crops with an expectation of harvest within seven years and a demonstrable investment in the production of those crops equivalent to one hundred dollars or more per acre in the current or previous year; or  
Standing crops of short rotation hardwoods with an expectation of harvest within fifteen years and a demonstrable investment in the production of those crops equivalent to one hundred dollars or more per acre in the current or previous year;  
For the purposes listed above, "gross income from agricultural uses" includes, but is not limited to, the wholesale value of agricultural products donated to nonprofit food banks or feeding programs;
- c. any parcel of land less than five acres devoted primarily to agricultural uses which has produced 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;  
"Commercial agricultural purposes" means the use of land on a continuous and regular basis, prior to and subsequent to application for classification or reclassification, that demonstrates that the owner or lessee is engaged in and intends to obtain through lawful means, a monetary profit from cash income by producing an agricultural product. In addition, commercial agricultural purposes include the following uses of agricultural land:
  - Land, one to five acres which is not contiguous to a classified parcel, that constitutes an integral part of the farming operation being conducted on the land qualifying as "farm and agricultural land."

- Land, not to exceed twenty percent of classified land, that has incidental uses compatible with agricultural purposes, and also the land on which appurtenances necessary to the production, preparation or sale of the agricultural products exist in conjunction with the lands producing such products.
  - Land used primarily for equestrian-related activities, for which a charge is made, including, but not limited to, stabling, training, riding, clinics, schooling, shows, or grazing for feed. The land must also meet the requirements of (a), (b), or (c) listed above.
  - Land on which the principal place of residence of the farm operator or owner of land or housing for employees is sited if the farm and agricultural land is classified pursuant to RCW 84.34.020(2)(a), 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.
3. **TIMBER LAND MEANS** any parcel or contiguous parcels of land five or more acres devoted primarily to the growing and harvesting of forest crops for commercial purposes. Timber land means the land only and does not include a residential home site. The term includes land used for incidental uses that are compatible with the growing and harvesting of timber but no more than ten percent of the land may be used for such incidental uses. It also includes the land on which appurtenances necessary for the production, preparation, or sale of the timber products exist in conjunction with land producing these products.

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 two year notice to withdraw the classified land and the land has been classified for a minimum of ten years he/she will 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 must be paid for the preceding seven years.
2. If land is removed from classification and the removal does not meet one of the exceptions listed in 3 below, the additional tax and interest described in 1 above plus a penalty of twenty percent on the sum of the additional tax and interest will be imposed on the owner. The additional tax, interest, and penalty must be paid for the preceding seven tax years and from January 1 of the year of removal up to the date of removal.
3. The additional tax, interest, and penalty will 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;
  - g. removal of classified farm and agricultural land under RCW 84.34.020(2)(f) on which the principal residence of the farm operator or owner or housing for employees is located;

- 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 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 within two years after the death of an owner with at least a fifty percent interest in the land if the land has been continuously assessed and valued as designated forest land under chapter 84.33 RCW or classified under chapter 84.34 RCW since 1993 and the individual(s) or entity(ies) receiving the land from the deceased owner is selling or transferring the land. The date of death shown on a death certificate is the date used; or
- l. The discovery that the land was classified in error through no fault of the owner.

**B. CLASSIFICATION UNDER CHAPTER 84.33 RCW.** ☒ I/we request that this land retains its designation as forest land and I am/we are aware of the following definition of forest land.

FOREST LAND is synonymous with designated forest land and means any parcel of land or contiguous parcels of land at least twenty acres that is primarily devoted to and used for growing and harvesting timber and means the land only.

I/we declare that I am/we are aware of the liability of removal of this land from designated forest land and upon removal a compensating tax will be imposed that is 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 as of January 1 of the year of removal, multiplied by the dollar rate of the last levy extended against the land, multiplied by a number, not greater than nine, equal to the number of years the land was designated as forest land. Compensating tax will also be due on the land from January 1 of the year the designation is removed up to the removal date.

The compensating tax will not be imposed if the removal of designation resulted solely from:

- a. transfer to a government entity in exchange for other forest 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;
- c. 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 approved for state natural resources conservation area purposes as defined in chapter 79.71 RCW. At such time as the land is not used for the purposes enumerated, the compensating tax will be imposed upon the current owner;
- d. the sale or transfer of fee title to the parks and recreation commission for park and recreation purposes;
- e. 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 use of such land;
- f. the creation, sale, or transfer of forestry riparian easements under RCW 76.13.120;
- g. the creation, sale, or transfer of 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;
- h. the sale or transfer within two years after the death of an owner with at least a fifty percent interest in the land if the land has been continuously assessed and valued as designated forest land under chapter 84.33 RCW or classified under chapter 84.34 RCW since 1993 and the individual(s) or entity(ies) receiving the land from the deceased owner is selling or transferring the land. The date of death shown on a death certificate is the date used;
- i. the discovery that the land was designated in error through no fault of the owner; or
- j. a transfer of a property interest, in a county with a population of more than six hundred thousand inhabitants or in a county with a population of at least two hundred forty-five thousand inhabitants



that borders Puget Sound as defined in RCW 90.71.010, to a government entity, or to a nonprofit historic preservation corporation or nonprofit nature conservancy corporation, as defined in RCW 64.04.130, to protect or enhance public resources, or to preserve, maintain improve, restore, limit the future use of, or otherwise to conserve for public use or enjoyment, the property interest being transferred. At such time as the land is not used for the purposes enumerated, the compensating tax will be imposed upon the current owner.

The agreement to tax according to use of the property is not a contract and can be annulled or canceled at any time by the Legislature (RCW 84.34.070).

Please describe how you intend to use the land for continued classification or designation:\*

\*The assessor may require additional information from the seller(s) and/or Buyer(s) to determine whether the land will continue to qualify for classification or designation.

*[Signature]* 13/17/14  
Buyer's Signature Date

Columbia Land Trust - 1351 Officer's Row, Vancouver, WA 98661  
Address

\_\_\_\_\_  
Buyer's Signature Date

\_\_\_\_\_  
Address

**Pending Reclassification Applications (only complete this section if a reclassification application is pending for this parcel(s)).**

Do you wish to continue with the reclassification process? ☐ Yes ☒ No

If yes, have you notified the granting authority, in writing, that you wish to continue with the reclassification process? ☐ Yes ☐ No

If yes, do you understand your rights and responsibilities if the application is approved or denied? ☐ Yes ☐ No

\_\_\_\_\_  
Buyer's Signature Date

\_\_\_\_\_  
Buyer's Signature Date

**Assessor Use Only**

Does the parcel(s) subject to this document meet the qualifications for classification/designation continuance? ☐ Yes ☐ No

\_\_\_\_\_  
Assessor Signature Date

If the parcel(s) subject to this document is/are considered contiguous, as defined in RCW 84.33.035(4) or RCW 84.34.020(6), with other parcels having different ownerships, then verify the following information with the purchaser:

- ☐ The parcel(s) subject to this document will be managed as part of a single operation with the other parcels having different ownerships.
- ☐ The new purchaser meets the definition of "family" as defined in RCW 84.34.020(6)(b)(ii) with the owner of an adjoining parcel.

**EXHIBIT A**

Portions of the following tax parcels:

07 06 00000 4 0000  
07 06 00000 3 0000  
07 06 00000 8 0000  
07 06 0000 13 0000  
07 06 0000 14 0000

Unofficial  
Copy

EXHIBIT B

LEGAL DESCRIPTION OF THE FEE SIMPLE RIPARIAN AREA

A tract of land located in a portion of the West half of Section 4, a portion of the North half of Section 5, a portion of the North half and SE quarter of Section 9, a portion of the North half of the South half and the South half of the North half of Section 15 and a portion of the East half of the NE quarter of Section 16, Township 7 North, Range 6 East, Willamette Meridian, Skamania County, Washington, more particularly described as follows:

Beginning at the Northwest corner of said Section 5;  
Thence South 88°55'49" East, along the north line of Said Section 5, for a distance of 2485.51 feet to the TRUE POINT OF BEGINNING;

Thence South 88°55'49" East, along said north line, for a distance of 399.64 feet;  
Thence leaving said north line, along a meander line of the thread of Pine Creek, said line being the southwesterly boundary of those lots adjacent to and north and east of Pine Creek as recorded in the "Third Revised Division Map of Swift North", according to the plat thereof, recorded in Auditor's file number ~~2614002216~~, Records of Skamania County, Washington, and in Deed recorded in Auditor's file number ~~2614002219~~, Records of Skamania County, Washington, the following courses:

:  
South 39°00'00" East, for a distance of 99.00 feet;  
Thence South 05°00'00" East, for a distance of 255.00 feet;  
Thence South 36°00'00" East, for a distance of 570.00 feet;  
Thence South 66°00'00" East, for a distance of 329.00 feet;  
Thence South 44°00'00" East, for a distance of 318.00 feet;  
Thence South 87°00'00" East, for a distance of 385.00 feet;  
Thence North 78°00'00" East, for a distance of 440.00 feet;  
Thence South 41°00'00" East, for a distance of 807.00 feet;  
Thence South 08°00'00" East, for a distance of 128.00 feet;  
Thence North 84°00'00" East, for a distance of 840.00 feet;  
Thence South 47°00'00" East, for a distance of 851.00 feet;  
Thence South 20°00'00" West, for a distance of 890.00 feet;  
Thence South 18°00'00" East, for a distance of 800.00 feet;  
Thence South 49°00'00" East, for a distance of 250.00 feet;  
Thence South 08°00'00" West, for a distance of 300.00 feet;  
Thence South 84°00'00" West, for a distance of 330.00 feet;  
Thence South 11°00'00" West, for a distance of 500.00 feet;  
Thence South 10°00'00" East, for a distance of 718.00 feet;  
Thence South 28°00'00" East, for a distance of 968.00 feet;  
Thence South 08°00'00" West, for a distance of 235.00 feet;  
Thence South 50°00'00" East, for a distance of 605.00 feet;  
Thence South 74°00'00" East, for a distance of 855.00 feet;  
Thence South 23°00'00" East, for a distance of 660.00 feet;  
Thence South 44°00'00" East, for a distance of 760.00 feet;  
Thence South 25°00'00" East, for a distance of 215.00 feet;

Thence South 51°00'00" East, for a distance of 610.00 feet;  
 Thence South 65°00'00" East, for a distance of 565.00 feet;  
 Thence South 13°00'00" West, for a distance of 545.00 feet;  
 Thence South 29°00'00" East, for a distance of 830.00 feet;  
 Thence South 46°00'00" East, for a distance of 180.00 feet;  
 Thence South 29°00'00" West, for a distance of 280.00 feet;  
 Thence South 03°00'00" East, for a distance of 325.00 feet;  
 Thence South 26°00'00" East, for a distance of 545.00 feet;  
 Thence South 11°00'00" West, for a distance of 640.00 feet;  
 Thence South 61°00'00" East, for a distance of 285.00 feet;  
 Thence South 02°00'00" West, for a distance of 525.00 feet;  
 Thence South 39°00'00" East, for a distance of 415.00 feet;  
 Thence South 72°00'00" East, for a distance of 390.00 feet;  
 Thence North 58°00'00" East, for a distance of 430.00 feet;  
 Thence South 48°00'00" East, for a distance of 658.00 feet;  
 Thence North 60°00'00" East, for a distance of 152.00 feet;  
 Thence North 89°00'00" East, for a distance of 525.00 feet;  
 Thence South 39°00'00" East, for a distance of 190.00 feet;  
 Thence South 73°00'00" East, for a distance of 475.00 feet;  
 Thence North 28°00'00" East, for a distance of 190.00 feet;  
 Thence North 89°00'00" East, for a distance of 1655.00 feet;  
 Thence South 56°00'00" East, for a distance of 265.00 feet;  
 Thence North 80°00'00" East, for a distance of 140.00 feet;  
 Thence South 53°00'00" East, for a distance of 634.20 feet to a point on the East  
 line of said Section 15;

Thence South 00°51'28" West along said East line, for a distance of 493.81 feet;  
 Thence leaving said East line, North 50°43'59" West, for a distance of 183.04 feet;  
 Thence North 43°32'17" West, for a distance of 524.07 feet;  
 Thence North 57°54'34" West, for a distance of 285.15 feet;  
 Thence North 88°36'49" West, for a distance of 295.31 feet;  
 Thence South 84°52'41" West, for a distance of 310.89 feet;  
 Thence South 86°54'11" West, for a distance of 612.80 feet;  
 Thence South 86°18'05" West, for a distance of 663.75 feet;  
 Thence North 74°53'22" West, for a distance of 409.65 feet;  
 Thence South 87°53'59" West, for a distance of 162.46 feet;  
 Thence North 88°00'19" West, for a distance of 337.55 feet;  
 Thence North 77°47'50" West, for a distance of 890.51 feet;  
 Thence South 87°25'04" West, for a distance of 455.90 feet;  
 Thence North 71°13'37" West, for a distance of 436.30 feet;  
 Thence North 46°29'36" West, for a distance of 514.62 feet;  
 Thence North 07°36'21" West, for a distance of 1179.16 feet;  
 Thence North 28°22'01" West, for a distance of 538.33 feet;  
 Thence North 07°36'23" West, for a distance of 669.12 feet;  
 Thence North 08°24'36" West, for a distance of 552.20 feet;  
 Thence North 36°03'42" West, for a distance of 508.01 feet;  
 Thence North 09°05'52" East, for a distance of 483.24 feet;



Thence North  $58^{\circ}12'26''$  West, for a distance of 650.26 feet;  
 Thence North  $36^{\circ}41'55''$  West, for a distance of 1960.17 feet;  
 Thence North  $69^{\circ}39'46''$  West, for a distance of 221.68 feet;  
 Thence North  $49^{\circ}57'16''$  West, for a distance of 163.52 feet;  
 Thence North  $58^{\circ}46'43''$  West, for a distance of 498.22 feet;  
 Thence North  $53^{\circ}50'44''$  West, for a distance of 535.22 feet;  
 Thence North  $21^{\circ}15'19''$  West, for a distance of 1521.66 feet;  
 Thence along the arc of a 1454.28 foot radius curve to the right, for an arc distance of 1131.22 feet, through a central angle of  $44^{\circ}34'05''$ , the radius of which bears North  $68^{\circ}44'41''$  East, the long chord of which bears North  $01^{\circ}01'44''$  East, for a chord distance of 1102.92 feet;  
 Thence North  $23^{\circ}04'46''$  East, for a distance of 148.57 feet;  
 Thence North  $68^{\circ}13'03''$  East, for a distance of 369.17 feet;  
 Thence North  $23^{\circ}38'54''$  West, for a distance of 1081.14 feet;  
 Thence North  $21^{\circ}35'02''$  East, for a distance of 240.07 feet;  
 Thence North  $02^{\circ}08'10''$  East, for a distance of 579.23 feet;  
 Thence along the arc of a 168.55 foot radius curve to the left, for an arc distance of 293.73 feet, through a central angle of  $99^{\circ}50'52''$ , the radius of which bears North  $85^{\circ}45'25''$  West, the long chord of which bears North  $45^{\circ}40'51''$  West, for a chord distance of 257.95 feet;  
 Thence South  $84^{\circ}23'43''$  West, for a distance of 523.46 feet;  
 Thence North  $73^{\circ}49'57''$  West, for a distance of 438.38 feet;  
 Thence North  $55^{\circ}18'25''$  West, for a distance of 183.80 feet;  
 Thence North  $42^{\circ}11'04''$  West, for a distance of 175.00 feet;  
 Thence North  $46^{\circ}30'21''$  West, for a distance of 199.93 feet;  
 Thence North  $39^{\circ}32'29''$  West, for a distance of 249.29 feet;  
 Thence North  $86^{\circ}35'36''$  West, for a distance of 627.53 feet;  
 Thence North  $62^{\circ}53'20''$  West, for a distance of 999.80 feet;  
 Thence along the arc of a 1168.31 foot radius curve to the right, for an arc distance of 1033.14 feet, through a central angle of  $50^{\circ}40'00''$ , the radius of which bears North  $40^{\circ}00'08''$  East, the long chord of which bears North  $24^{\circ}39'52''$  West, for a chord distance of 999.80 feet;  
 Thence North  $15^{\circ}02'50''$  West, for a distance of 150.87 feet to the TRUE POINT OF BEGINNING.

Containing 210.41 Acres, more or less