

**Application for Classification or Reclassification
Open Space Land
Chapter 84.34 RCW**

File With The County Legislative Authority

Name of Owner(s): Cody Schwindt Phone No: 425-760-7100
Email Address: Crschwindt99@gmail.com
Address: 11529 107TH AVE NE Arlington, WA 98223
Mailing: PO Box 718 Lake Stevens, WA 98258

Parcel Number(s):	<u>30060700100800</u>
Legal Description:	<u>The East half of the Southwest quarter of the Northeast quarter of Section 7, township 30 North, Range 6 East, W.M., in Snohomish County, Washington</u>
Total Acres in Application:	<u>15.58</u>

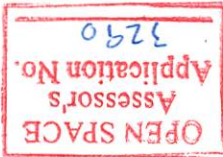
Indicate what category of open space this land will qualify for:

- ☐ Conserve or enhance natural, cultural, or scenic resources
- ☒ Protect streams, stream corridors, wetlands, natural shorelines, or aquifers
- ☐ Protect soil resources, unique or critical wildlife, or native plant habitat
- ☐ Promote conservation principles by example or by offering educational opportunities
- ☐ Enhance the value to the public of abutting or neighboring parks, forests, wildlife preserves, nature reservations or sanctuaries, or other open spaces
- ☐ Enhance recreation opportunities
- ☐ Preserve historic or archaeological sites
- ☐ Preserve visual quality along highway, road, street corridors, or scenic vistas
- ☐ 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 granting authority
- ☐ Farm and agricultural conservation land previously classified under RCW 84.34.020(2), that no longer meets the criteria
- ☐ Farm and agricultural conservation land that is "traditional farmland" not classified under Chapter 84.33 or Chapter 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

1. Describe the present use of the land. Current Use code is 880 DF Timber Acres Only aligned with RCW84.33	
2. Is the land subject to a lease or agreement which permits any other use than its present use? If yes, attach a copy of the lease agreement. ☐ Yes ☒ No	
3. Describe the present improvements (residence, buildings, etc.) located on the land. Vacant land in the 15.58 acres being asked for reclassification. It will remain wetland and wetland buffers.	
4. Is the land subject to any easements? If yes, describe the type of easement, the easement restrictions, and the length of the easement. ☐ Yes ☒ No	
5. If applying for the farm and agricultural conservation land category, provide a detailed description below about the previous use, the current use, and the intended future use of the land. No farm or agricultural conservation being requested.	
NOTICE: The county and/or city legislative authorities may require owners to submit additional information regarding the use of the land.	
As owner of the parcel(s) described in this application, I hereby indicate by my signature below that I am aware of the additional tax, interest, and penalties involved when the land ceases to be classified under the provisions of Chapter 84.34 RCW. I also certify that this application and any accompanying documents are accurate and complete. The agreement 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)	
Print the name of each owner:	CODY SCHWINDT
Signature of each owner:	<i>Cody Schwindt</i>
Date	5/11/14
The granting or denial of an application for classification or reclassification as open space land is a legislative determination and shall be reviewable only for arbitrary and capricious actions. Denials are only appealable to the superior court of the county in which the land is located and the application is made.	

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 or upon sale or transfer, unless the new owner has signed the Notice of Continuance. The additional tax shall be the sum of the following:
 - (a) The difference between the property tax paid as "Open Space 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 in (a), paid at the same statutory rate charged on delinquent property taxes; plus
 - (c) A penalty of 20% will be applied to the additional tax and interest if the classified land is applied to some other use except through compliance with the property owner's request for withdrawal as described in RCW 84.34.070(1).
2. The additional tax, interest, and penalty specified in (1) 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, 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 disallows 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 84.34.108(6)(f)).
 - (g) Removal of land classified as farm & agricultural land under RCW 84.34.020(2)(f) (farm home site).
 - (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 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 designated forest land under chapter 84.33 RCW, or classified under this 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.



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FOR LEGISLATIVE AUTHORITY USE ONLY

Date application received: _____ By: _____

Amount of processing fee collected: \$ _____

• Is the land subject to a comprehensive land use plan adopted by a city or county? ☐ Yes ☐ No

If yes, application should be processed in the same manner in which an amendment to the comprehensive land use plan is processed.

If no, application must be acted upon after a public hearing and notice of the hearing shall have been given by one publication in a newspaper of general circulation in the area at least ten days before the hearing.

• If the land is not subject to a comprehensive land use plan, is the land located within an incorporated part of the county? ☐ Yes ☐ No

If yes, application must be acted upon by three members of the county legislative authority and three members of the city legislative authority. See RCW 84.34.037(1) for details.

If no, application must be acted upon by three members of the county legislative authority.

☐ Application approved ☐ In whole ☐ In part ☐ Application denied ☐ Date owner notified of denial (Form 64 0103): _____

If approved, date Open Space Taxation Agreement (OSTA) was mailed to owner: _____

Signed OSTA received by Legislative Authority on: _____

Copy of signed OSTA forwarded to Assessor on: _____

**Change of Designation
(Chapter 84.33 RCW)**

File with County Assessor

Applicant's Name: <u>Cody Schwindt</u>	County: <u>Snohomish</u>
Address: <u>11529 107th AVE NE</u>	Tax Code Area: <u>05090</u>
City, State, Zip: <u>Arlington, WA 98223</u>	
Phone Number: <u>425-760-7100</u>	

Land Subject To This Application: (legal description)
The East half of the Southwest quarter of the Northeast quarter of Section 7, township 30 North, Range 6 East, W.M., in Snohomish County, Washington.

Parcel No. or Account No.: 30060700100800

Change in Designation

The land is currently designated as forest land under the provisions of Chapter 84.33 RCW and meets the definition of one of the following and I/we request reclassification as: **(Check appropriate box.)**

- ☒ Open space land as provided under RCW 84.34.020(1). (Attach completed form REV 64 0021)
- ☐ Farm and agricultural land as provided under RCW 84.34.020(2). (Attach completed form REV 64 0024 or 64 0108)
- ☐ Timber land as provided under RCW 84.34.020(3), unless county has merged their timber land classification into their designated forest land program. (Attach completed form REV 64 0109 or 64 0111 and a timber management plan)

Affirmation

As owner(s) or contract purchaser(s) of the land described in this application, I/we hereby indicate by my/our signature that I/we am aware of the potential tax liability involved when the land ceases to be classified under the provisions of Chapter 84.34 RCW.

If this land is removed from classification before ten years have elapsed, compensating tax may also be due for part of the period it was designated as forest land. See reference to RCW 84.33.145 on page two.

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

5/22/24

Date

Attachments:

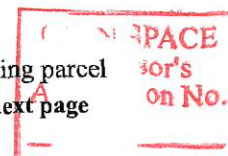
- ☒ REV 64 0021 ☐ REV 64 0108 ☐ REV 64 0111
- ☐ REV 64 0024 ☐ REV 64 0109
- ☐ Timber Management Plan

Cody Schwindt

Assessors Use Only

If the parcel(s) subject to this transfer document is considered contiguous, as defined in RCW 84.33.035(4), with other parcels having different ownerships, verify all remaining designated parcels with different ownerships are still:

- ☐ Adjoining
- ☐ Being managed as part of a single operation
- ☐ Meeting the definition of "family" as defined in RCW 84.34.020(6)(b)(ii) with the owner of an adjoining parcel



- (1) If no later than thirty days after removal of designation the owner applies for classification under RCW 84.34.020(1), (2) or (3), then the designated forest land shall not be considered removed from designation for purposes of compensating tax under RCW 84.33.140 until the application for current use classification under chapter 84.34 RCW is denied or the property is removed from classification under RCW 84.34.108. Upon removal from classification under RCW 84.34.108, the amount of compensating tax due under chapter 84.33 RCW shall be equal to:

- (a) The difference, if any, between the amount of the assessed valuation on such land as forest land and the amount of the new assessed valuation of such land when removed from classification under RCW 84.34.108 multiplied by the dollar rate of the last levy extended against such land, multiplied by;

(b) A number equal to:

- (i) The number of years the land was designated under this chapter, if the total number of years the land was designated under chapter 84.33 RCW and classified under chapter 84.34 RCW is less than ten; or
- (ii) Ten minus the number of years the land was classified under chapter 84.34 RCW, if the total number of years the land was designated under chapter 84.33 RCW and classified under chapter 84.34 RCW is at least ten.

- (2) Nothing in this section authorizes the continued designation under this chapter or defers or reduces the compensating tax imposed upon forest land not transferred to classification under subsection (1) of this section which does not meet the necessary definitions of forest land under RCW 84.33.035. Nothing in this section affects the additional tax imposed under RCW 84.34.108.
- (3) 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, no amount of compensating tax is due under this section if the removal from classification under RCW 84.34.108 results from a transfer of property described in RCW 84.34.108(6).

OPEN SPACE
Assessor's
Application No.
3290

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