

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

File With The County Legislative Authority

Name of Owner(s): SARAJY FAMILY IRREVOCABLE TRUST Phone No: 206-799-7648
Email Address: haidari@ncscollect.com
Address: 5120 145TH PL SE, BELLEVUE, WA 98006

Parcel Number(s): 280729-001-006-00

Legal Description: Parcel B, Snohomish County Boundary Line Adjustment No. 19-116738-BLA, Recording No. 202007210672, Survey Recording No. 202007215011, a portion of the Northwest quarter of the Northeast quarter of Section 29, Township 28 North, Range 7 East, W.M., Snohomish County, Washington.

See attached Exhibit A for full legal

Total Acres in Application: 21.16

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.

Farm & Agricultural Land

2. Is the 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.

3. Describe the present improvements (residence, buildings, etc.) located on the land.

Residence with Shop / Garage, Equipment Shed, Loafing Shed and 2 Barns, along with Fenced Livestock/Equestrian areas.

4. Is the land subject to any easements?

☒ Yes ☐ No

If yes, describe the type of easement, the easement restrictions, and the length of the easement.

- Two Well Share Agreements / Grant of Easement with neighboring parcels regarding use and maintenance of existing wells. Perpetual duration.
- 30 ft wide access easement for ingress, egress and utilities for Parcel #28072900102700. Perpetual duration

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.

Previous Use – Raising & selling Cattle for commercial sale – classified under Farm and Agricultural classification

Current Use – Farm and agricultural conservation – use will include retaining the visual quality of the farm from the roadway along Wagner Road, growing fruits and vegetables and raising chickens.

NOTICE:

The county and/or city legislative authorities may require owners to submit additional information regarding the use of the land.

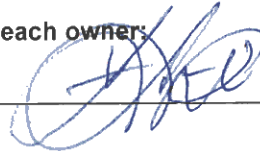
As owner of the parcel(s) described in this application, I hereby indicate by my signature below that I am aware of the additional tax, interest, and penalties involved when the land ceases to be classified under the provisions of Chapter 84.34 RCW. I also certify that this application and any accompanying documents are accurate and complete.

The agreement to 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)

Print the name of each owner:

SARAJY FAMILY IRREVOCABLE
TRUST – Haidari Sarajy as Trustee

Signature of each owner:



Date

7/8/2024

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.

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:

To ask about the availability of this publication in an alternate format for the visually impaired, please call 360-705-6705. Teletype (TTY) users may use the Washington Relay Service by calling 711. For assistance, contact your local county assessor's office.

REV 64 0021e (6/26/19)

DS
HS

6/4/2024

Authentic
RWD

06/04/24

Authentic
SJD

06/04/24

ORDER NO. : 5214020793

EXHIBIT A

The land referred to is situated in the unincorporated area of the County of Snohomish, State of Washington, and is described as follows:

The South half of the North half of the Northwest quarter of the Northeast quarter of Section 29, Township 28 North, Range 7 East, W.M., in Snohomish County, Washington;

EXCEPT the West 20 feet of the South half of the North half of the Northwest quarter of the Northeast quarter of said Section 29 conveyed to Snohomish County by Deed recorded under Auditor's File No. 253723;

AND EXCEPT the West 30 feet of the South half of the Northwest quarter of the Northeast quarter of said Section 29 conveyed to Snohomish County by Deeds recorded under Auditor's File Nos. 253723 and 2316305;

AND EXCEPT that portion of the South half of the Northwest quarter of the Northeast quarter of said Section 29, described as follows:

Beginning at the Southwest corner of said Subdivision;
THENCE East 595 feet;
THENCE North 311 feet;
THENCE West 595 feet;
THENCE South 311 feet to the Point of Beginning;

AND EXCEPT that portion of the South half of the Northwest quarter of the Northeast quarter of said Section 29, described as follows:

Commencing at the Southwest corner of said Subdivision;
THENCE North 89°46'20" East, along the South line thereof, 595.00 feet;
THENCE North 00°57'36" West, parallel with the West line of said South half, 311.00 feet;
THENCE North 01°03'24" East, 110.50 feet to the Point of Beginning;
THENCE North 00°10'32" West 207.49 feet to the South line of the North 36 feet of said South half of the Northwest quarter of the Northeast quarter of said Section 29;
THENCE South 89°50'28" West, along said South line, 242.30 feet;
THENCE South 06°07'45" West 225.87 feet;
THENCE North 86°11'44" East 267.65 feet to the Point of Beginning;

AND EXCEPT that portion of the South half of the North half of the Northwest quarter of the Northeast quarter of Section 29, Township 28 North, Range 7 East, W.M., described as follows:

Commencing at the Northeast corner of the Northwest quarter of the Northeast quarter of said Section 29;
THENCE South 00°43'32" East, along the East line thereof, 30.00 feet to the Southerly right-of-way margin of 116th Street Southeast;

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HS

6/4/2024

THENCE continuing South 00°43'32" East, along said East line of the Northwest quarter of the Northeast quarter of said Section 29, a distance of 302.06 feet to the North line of the South half of the North half of the Northwest quarter of the Northeast quarter of said Section 29;
THENCE South 89°52'31" West, along said North line, 377.90 feet;
THENCE South 00°07'29" East, 293.78 feet;
THENCE North 89°50'28" East, 390.98 feet;
THENCE North 00°43'32" West, 293.57 feet to the Point of Beginning;

(ALSO KNOWN AS Parcel B, Snohomish County Boundary Line Adjustment No. 19-116738-BLA, recorded under Recording No. 202007210672, and delineated in Survey recorded under Recording No. 202007215011, records of Snohomish County, Washington)

SITUATE in the County of King, State of Washington

ABBREVIATED LEGAL

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Tax Account No. 280729-001-006-00

Rick [Signature] 5/8/24

Shelley [Signature] 5/8/24

Change of Classification
(Chapters 84.33 and 84.34 RCW)

Tax Code: 03971

County: Snohomish County

File With County Assessor

Applicant(s) name and address:
SARAJY FAMILY IRREVOCABLE TRUST
5120 145TH PL SE
BELLEVUE, WA 98006

Phone No: 206-799-7648

Land subject to this application (legal description):
See attached Exhibit A

Assessor's Parcel or Account No:
280729-001-006-00

Auditor's File No. on original application:
2414759

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), 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)
- ☐ Open Space land as provided under RCW 84.34.020(1). (Attach completed form REV 64 0021)
- ☐ Forest Land classification under Chapter 84.33 RCW. (Attach completed form REV 62 0021 or 62 0110)
- ☒ Farm and Agricultural Conservation land as defined in RCW 84.34.020(8)(a). (Attach completed form REV 64 0021)

The land is currently classified as Farm and Agricultural Conservation land under RCW 84.34.020(8)(a) and I hereby request reclassification to:

- ☐ Farm and Agricultural land under RCW 84.34.020(2). (Attach completed form REV 64 0024 or 64 0108)

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 completed form REV 62 0021 or 62 0110)
- ☐ 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)

NOTE: If request to change classification is approved, no additional tax, interest, and penalty will be imposed.

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

Attachment:

- ☐ REV 62 0021
- ☐ REV 62 0110
- ☐ Timber Management Plan

- ☒ REV 64 0021
- ☐ REV 64 0024

- ☐ REV 64 0108
- ☐ REV 64 0109

☐ REV 64 0111
OPEN SPACE
Assessor's
Application No.
3297

General Information

RECLASSIFICATIONS are defined in

RCW 84.34.070(2) as follows:

- (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 84.34.035, 84.34.037, 84.34.041, 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.

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 RCW 84.34.020(2), that no longer meets the criteria and is reclassified under RCW 84.34.020(1)(c); 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.

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) 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.

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



Date 7/8/2024

Assessor Use Only

If the parcel(s) subject to this document is considered contiguous, as defined in RCW 84.34.020(6), with other parcels having different ownerships, verify all remaining classified 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

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Robert 5/8/24

Deley 5/8/24

