TO: Darryl Piercy, CDS Director

FROM: Mandy Robinson, Deputy Clerk of the Board

DATE: November 22, 2006

RE: Item to be docketed for 2007 Comprehensive Plan Amendments

I have attached a copy of the following Open Space Open Space Application, to be docketed for the 2007 Comprehensive Plan Amendments:

Henley Group LTD Parcel No. 18162 / 19-17-04050-0015

If you have any questions please feel free to give me a call. Thank you!

c: Christy Garcia

file
MEMO

TO: Mandy Robinson, Deputy Clerk of the Board
FROM: Christy Garcia, Cadastral Technician II
DATE: November 22, 2006
RE: Open Space Open Space: Henley Group LTD

The legal is fine on the application, although I would add the parcel and map number so you have the information. The parcel number is 18162 and the map number is 19-17-04050-0015.

I have also included a copy of the Notice of Transfer while application is pending as this parcel is selling to a new owner.

Christy
NOTICE OF OWNERSHIP TRANSFER WHILE APPLICATION IS PENDING FOR RCW 84.33 DESIGNATED FOREST OR 84.34 OPEN SPACE

Land subject to this request (complete legal description - attach if necessary):
Pt. Lot 10-A (Parcel 16, B28/F221-227); Sec. 4, Twp 19 N, Rge 17E, W.M., Kittitas County, Washington.

Parcel Number(s) 19-17-04050-001

Application for classification or reclassification pending for:

<table>
<thead>
<tr>
<th>Classification</th>
<th>Granting Authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>RCW 84.34 Open Space</td>
<td>Commissioners</td>
</tr>
<tr>
<td>RCW 84.34 Timber</td>
<td>Commissioners</td>
</tr>
<tr>
<td>RCW 84.34 Agriculture</td>
<td>Assessor</td>
</tr>
<tr>
<td>RCW 84.33 Designated Forest</td>
<td>Assessor</td>
</tr>
</tbody>
</table>

Land is currently classified as:

<table>
<thead>
<tr>
<th>Classification</th>
</tr>
</thead>
<tbody>
<tr>
<td>RCW 84.34 Open Space</td>
</tr>
<tr>
<td>RCW 84.34 Timber</td>
</tr>
<tr>
<td>RCW 84.34 Agriculture</td>
</tr>
<tr>
<td>RCW 84.33 Designated Forest</td>
</tr>
</tbody>
</table>

This is my/our written statement, pursuant to WAC 458-30-215 (4), that I/we acknowledge approval is pending for the above (re)classification and request that I/we be given the same consideration as the original applicant. I/we shall assume the original applicant's rights and responsibilities in the application process, except for the application fee. I/we agree to satisfy all the requirements that otherwise would have been required in accordance with the original application.

Original Applicant(s): Print The Henley Group, Ltd. Date Telephone Number (206) 782-4400

New Owner(s): Print Gloria Ha Date 1/16/2018 Telephone Number 425/894-1083

New Owner(s) Signature(s): Gloria Ha
MEMORANDUM

To: Christy Garcia, Assessor’s Open Space

From: Mandy Robinson, Deputy Clerk of the Board

Subject: Open Space Timber
Henley Group LTD

Date: November 20, 2006

Hi Christy!
Attached is the Open Space Timber Application for your review.

Please let me know if there are any corrections to be made for this application.
And I will then forward it on to CDS.

Thank you!!!
Cash Receipts
Receipt Number: 2006-4741  
Received From: COMMISSIONERS  
Date: 11/20/2006

Check Amount: $300.00
Cash Amount: $0.00
Eft Amount: $0.00
Total Amount: $300.00

Deputy: judy  
Receipt Type: CHK
Template: OPEN SPACE  
OPEN SPACE ETC APPLICATION
Comments:

<table>
<thead>
<tr>
<th>FundCode</th>
<th>GLCode</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>001</td>
<td>3134141010</td>
<td>OPEN SPACE AG</td>
<td>$300.00</td>
</tr>
</tbody>
</table>

Total Amount: $300.00

Treasurer of KittitasCounty

Deputy
November 15, 2006

Kittitas County Commissioners
205 West Fifth
Ellensburg, WA 98926

To Whom It May Concern:

Due to a recent segregation and boundary line adjustment, Lot 16 at Horse Canyon Estates is 8.58 acres. At this time I realize that we cannot actively farm the land and produce the annual amount of income required by RCW 84.34.020. Therefore, I would like to request to have the land reclassified as farm and agricultural conservation land with in the open space classification.

Sincerely,

Thomas E. Roth
TER: Is

[Signature]

[Check Image]
APPLICATION FOR CLASSIFICATION OR RECLASSIFICATION AS OPEN SPACE LAND OR TIMBER LAND FOR CURRENT USE ASSESSMENT UNDER CHAPTER 84.34 RCW

Name of Applicant: Henley Group LTD
Phone No.: 206 295 8586

Address: 100 BE VAlMay Ave NW, Suite #400, Ste 9217

Property Location: T19N R17E Section 7

1. Interest in property: [X] Fee owner [ ] Contract purchaser [ ] Other (Describe)

2. Assessor's Parcel or Account Number: Parcel #18102
Legal description of land to be classified: Parcel 16 of Survey recorded 4/14/93

Book 221, of Surveys, page 221-225, Auditor's file #200304140030
Section 4 T19N R17E

3. Land classification that is being sought: [X] 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: 2.52

5. OPEN SPACE CLASSIFICATION  Number of acres: 2.52

6. Indicate what category of open space this land will qualify for: (see reverse side for definitions)
   [ ] 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
   [X] Farm and agricultural conservation land as defined in RCW 84.34.020(8)

7. TIMBER LAND CLASSIFICATION  Number of acres:

Definition: “Timberland” 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. “Timberland” means land only.

A timber management plan shall be filed with the county legislative authority either (a) when an application for classification as timberland pursuant to this chapter is submitted; (b) when a sale or transfer of timberland occurs and a notice of classification continuance is signed; or (c) within sixty days of the date the application for reclassification under this chapter is received. The application for reclassification will be accepted but not processed until the timber management plan is received. If the timber management plan is not received within sixty days of the date the application for reclassification is received, the application for reclassification shall be denied. If circumstances require it, the county assessor may allow in writing an extension of time for submitting a timber management plan when an application for classification or reclassification or notice of continuance is filed. When the assessor approves an extension of time for filing the timber management plan, the county legislative authority may delay processing an application until the timber management plan is received. If the timber management plan is not received by the date set by the assessor, the application or the notice of continuance shall be denied.

REV 64-0021-1 (9/1/02)
8. Submit a copy of your timber management plan with this application.

A timber management plan will include the following elements:

a) a legal description of, or assessor's parcel numbers for, all land the applicant desires to be classified or reclassified as timber land,

b) date or dates of acquisition of the land,

c) a brief description of timber, or if harvested, the owner's plan for restocking,

d) whether there is a forest management plan for the land,

e) if so, the nature and extent of implementation of the plan,

f) if land is used for grazing,

g) whether the land has been subdivided or a plat filed with respect to the land,

h) whether land and applicant are in compliance with restocking, forest management, fire protection, insect and disease control, etc.,

i) whether land is subject to forest fire protection assessments pursuant to RCW 76.04.610,

j) whether land is subject to a lease, option, or other right that permits it to be used for a purpose other than growing and harvesting timber,

k) a summary of past experience and activity of the applicant in growing and harvesting timber,

l) a summary of current and continuing activity of the applicant in growing and harvesting timber,

m) a statement that the applicant is aware of the potential tax liability involved when the land ceases to be classified as timber land.

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.

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 quality along highway, road, and street corridor 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 granting authority.
(c) Or, any land meeting the definition of “farm and agricultural conservation land”.

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” 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.

REV 64-0021-2 (9/1/02)
8. Submit a copy of your timber management plan with this application. A timber management plan will include the following elements:
   a) a legal description of, or assessor’s parcel numbers for, all land the applicant desires to be classified or reclassified as timber land,
   b) date or dates of acquisition of the land,
   c) a brief description of timber, or if harvested, the owners plan for restocking,
   d) whether there is a forest management plan for the land,
   e) if so, the nature and extent of implementation of the plan,
   f) if land is used for grazing,
   g) whether the land has been subdivided or a plat filed with respect to the land,
   h) whether land and applicant are in compliance with restocking, forest management, fire protection, insect and disease control, etc.,
   i) whether land is subject to forest fire protection assessments pursuant to RCW 76.04.610,
   j) whether land is subject to a lease, option, or other right that permits it to be used for a purpose other than growing and harvesting timber,
   k) a summary of past experience and activity of the applicant in growing and harvesting timber,
   l) a summary of current and continuing activity of the applicant in growing and harvesting timber,
   m) a statement that the applicant is aware of the potential tax liability involved when the land ceases to be classified as timber land.

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.

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 quality along highway, road, and street corridor 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 granting authority.
   c) Or, any land meeting the definition of “farm and agricultural conservation land”.

STATEMENT OF ADDITIONAL TAX, INTEREST, AND PENALTY DUE UPON REMOVAL OF CLASSIFICATION
   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” 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 withdraw process, or except as a result of those conditions listed in 2) below.

EV 64-0021-2 (9/1/02)
2. The additional tax, interest, and penalty specified in (1) above shall not be imposed if removal 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 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 84.34.108 (6)(f).
   (g) Removal of land classification as farm & agricultural land under RCW 84.34.020(2)(e) (farm homesite).
   (h) Removal of land from classification after enactment of 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 fee interest or a conservation easement for the riparian open space program under RCW 76.09.040.
   (k) The sale or transfer of the 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.
   (l) The sale or transfer of land within three years after the death of the owner of at least 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 and the sale or transfer takes place within two years after July 22, 2001, and the death of the owner occurred after January 1, 1991, or;
   (m) The date of death shown on a death certificate is the date used.

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 Chapter 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.

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).

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

[Signatures]

All owners and purchasers must sign.

FOR LEGISLATIVE AUTHORITY USE ONLY

Date application received: By: Amount of processing fee collected $ Transmitted to: Date:

FOR GRANTING AUTHORITY USE ONLY

Date received: By: Application approved □ Approved in part □ Denied Owner notified of denial on: Agreement executed on: Mailed on:

For tax assistance, visit http://dor.wa.gov or call (800) 647-7706. To inquire about the availability of this document in an alternate format for the visually impaired, please call (360) 486-2342. Teletype (TTY) users may call (800) 451-7985.

REV 64-0021-3 (9/1/02)
APPLICATION FOR CHANGE OF CLASSIFICATION OR USE
(Chapters 84.33 and 84.34 RCW)

File With County Assessor

Applicant(s) name and address:

Henry Group LTD
Thomson, Roe
Lot 36 Valmay Ave NW
Seattle, WA 98177

Phone No.: (206) 295 8589

Land subject to this application (legal description):

Parcel 1C of Survey recorded 4/14/93
Book 28, Survey's pages 221-225
Section 14, Township 1 NW, R 17E

Assessor's Parcel or Account No.:
19-17-04054-0-15

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)

☐ Forest Land classification under Chapter 84.33 RCW. (Attach completed form REV 62 0021)

☐ Farm and Agricultural Conservation land as provided in RCW 84.34.020(1)(c). (Attach completed 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 completed form REV 62 0021)

☐ 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 84.34.010(2).
   (Attach completed form REV 64 0024)

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

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 REV 64 0038.

Attachment:

☐ REV 62 0021
☑ REV 64 0021
☐ REV 64 0024
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 84.34.037, 84.34.035, 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. [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.

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

[Signatures]

Date 11/15/06

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