Department of Revenue
Washington State

Application for Classification or Reclassification
Open Space Land
Chapter 84.34 RCW

COPY

File With The County Legislative Authority

Name of Owner(s): Abe E. Zimmerman Phone No. (206) 659-2364
Email Address: abezimmerman@gmail.com
Address: P.O. Box 122 Morton WA 98356

Parcel Number(s): 034160001004

Legal Description:
Section 35 Township 13 Range 4E Pt. SE4SW4 ly S14 SR

Total Acres in Application: 6.45

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

- [x] Conserve or enhance natural, cultural, or scenic resources
- [x] Protect streams, stream corridors, wetlands, natural shorelines, or aquifers
- [x] Protect soil resources, unique or critical wildlife, or native plant habitat
- [x] 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

RECEIVED
DEC 15 2015
BY: PS

1. Describe the present use of the land.

It is in its natural state / unused. The land is inaccesable except through the river.

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.

None

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.

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.

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:	**Signature of each owner:**
Abe E. Zimmerman	12/15/15

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 (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, 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) 705-6715. Teletype (TTY) users, please call (360) 705-6718. For tax assistance, call (360) 534-1400.

Lewis County, WA

Since 1845

Lewis County Assessor

360 NW North Street
MS:ASR01
Chehalis, WA 98532

Phone: 360-740-1392
Fax: 360-740-1262

Receipt No. 2015

Date: **12/15/2015**

Applicant:

Abe Zimmerman
PO Box 122
Morton WA 98356

Parcel No.
34160-1-4

Date	Type	Check #	Description	Amount	Payment
12/15/2015	OSL	2508	New OSL app	$200.00	$200.00
				Total	$200.00

LEWIS COUNTY

Lewis County • Since 1845

Property Account Summary

As Of 12/23/2015 Status: Active

Account No.: 034160001004 **Alternate Property Number:**

Account Type: Real Property

TCA: 260F

Situs Address: 0 ST HWY 7 OFF
MORTON WA

Legal: Section 35 Township 13 Range 4E Pt. SE4 SW4 ly Sly SR 7

Parties:

Role	Name & Address
Owner	ZIMMERMAN, ABE PO BOX 122 MORTON WA 98356
Taxpayer	ZIMMERMAN, ABE PO BOX 122 MORTON WA 98356

Property Values:

Value Name	2015	2014	2013
Taxable Value Regular	$24,700	$24,700	$24,700
Market Total	$24,700	$24,700	$24,700
Assessed Value	$24,700	$24,700	$24,700
Market Land	$24,700	$24,700	$24,700
Market Improvement	$0	$0	$0
Current Use Land			
Current Use Improvement			
New Construction			
Added Improvement	$0	$0	$0

Property Characteristics:

Tax Year	Characteristic	Value
2015	Use Code	91 Residential Land - Undivided
	Size	6.45
	Appraiser ID	LCA
	FP Acres	6.45

Exemptions:

(End of Report)

pt.

SCALE : 1 in = 400 ft

LEWIS COUNTY ASSESSOR'S MAPPING

Date: FEB-08-2013

LEWIS COUNTY G.I.S.

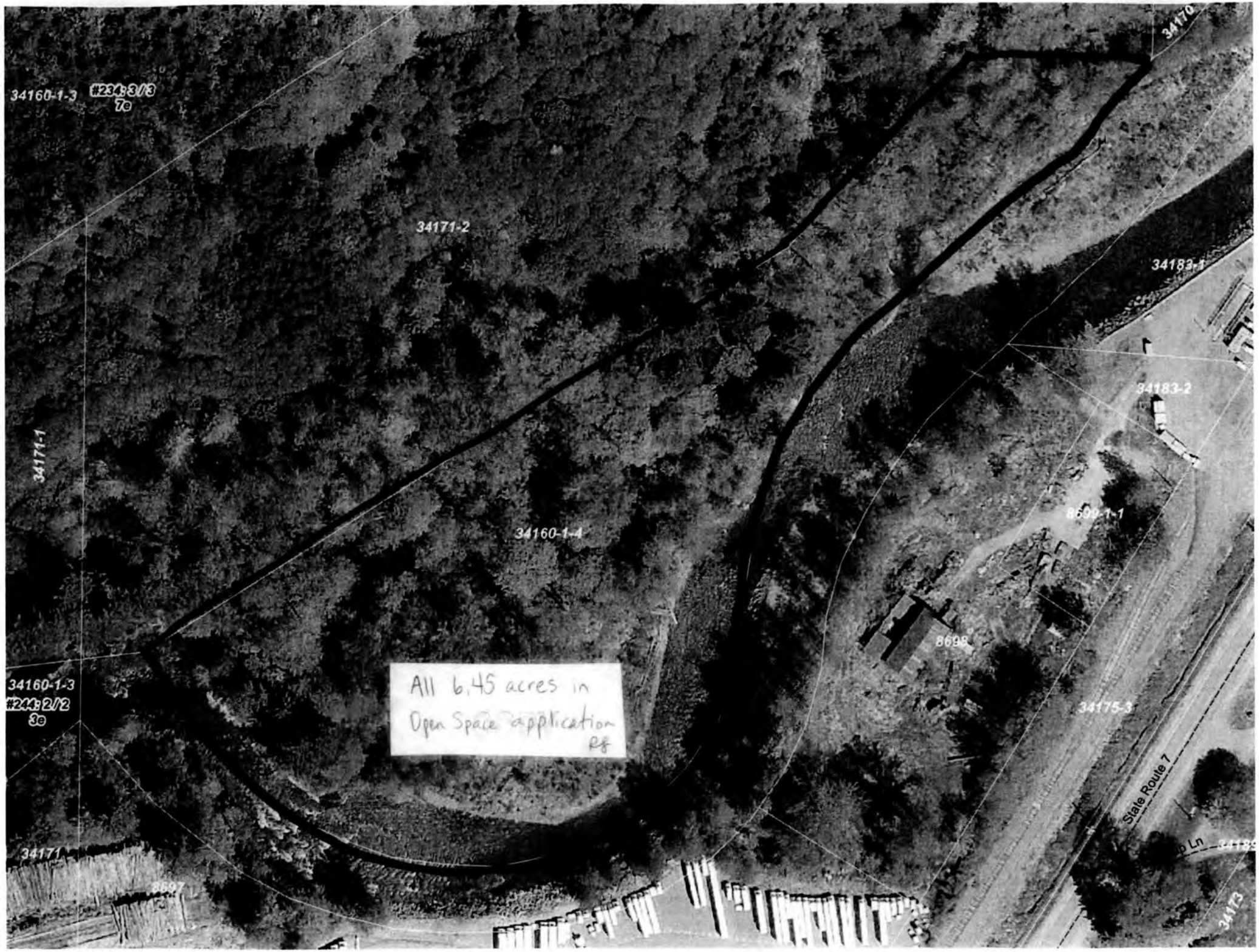
Section 35

Township 13 N Range 04 E

Map for Locating Property Only
Measurements Not Guaranteed
Scale May Change When Printed

Road centerline from mobile GPS, Lewis Co.
PLSS lines modified from WA Dept. Nat. Res.
2008 digital orthophoto from WA Dept. Nat. Res.
Parcel lines digitized from LC Assessor Maps
& adjusted to the GPS roads & PLSS lines.

Alta Forest Products
318 Morton Rd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Lewis County, Washington
DEPARTMENT OF COMMUNITY DEVELOPMENT

Critical Area and Natural Resource Review on Application for Open Space Reclassification Lewis County Code 3.50.090(4)(a)

Applicant Name: Zimmerman, Abe

TAX PARCEL: 034160-001-004

Total Acres: 6.45 Acres

Current Land Use Zoning (LCC 17): RDD-5, City

Furtherance of the Objectives of Chapter 17.30 LCC Resource Lands:
"The purpose of this chapter is to identify and conserve long-term commercially significant forest, agricultural and mineral resource lands designated pursuant to this chapter as required by the Growth Management Act of 1990…to conserve resource lands and protect human health and safety."

1. FEMA Flood Zone: Flood Zone A, 100 year floodplain and Flood Zone C, typically areas of minimal flooding.

2. Population Zone: NW ___, SW ___, Mid-County _X_, Gateway ___

3. Soil Type:

	SCS#:	SCS Name:	Hydric		Class:
			Yes	No	
a.	234	Vailton Variant Loam; 30-65 percent slopes		X	III-Slight
b.	244	Winston Gravelly Loam; 8-15 percent slopes		X	I-Severe
c.					
d.					

4. Mapped NWI wetlands: Yes _X_ No___

5. Water Type: None **S** Fa Fb Np Ns or if zoned ARL, None 1 2 3 4 5

6. Shoreline Jurisdiction? No ___ Yes _X_ Environment _Urban_

7. Sensitive Wildlife Habitat? No _X_ Yes ___ Type _NA_

8. Geological Hazards? Slopes> 30%: Yes _X_ No ___; Slide Area: Yes___ No___

9. Proximity of Resource Lands:

   a. Forestry Resource Lands within 500 feet? Yes ___ No _X_

b. Mineral Resource Lands within 1320 feet? Yes ___ No X
c. Agricultural Resource Lands within 1320 feet? Yes ___ No X

10. Would approval of this application further the objectives of LCC 17.30 Resource Lands? NA

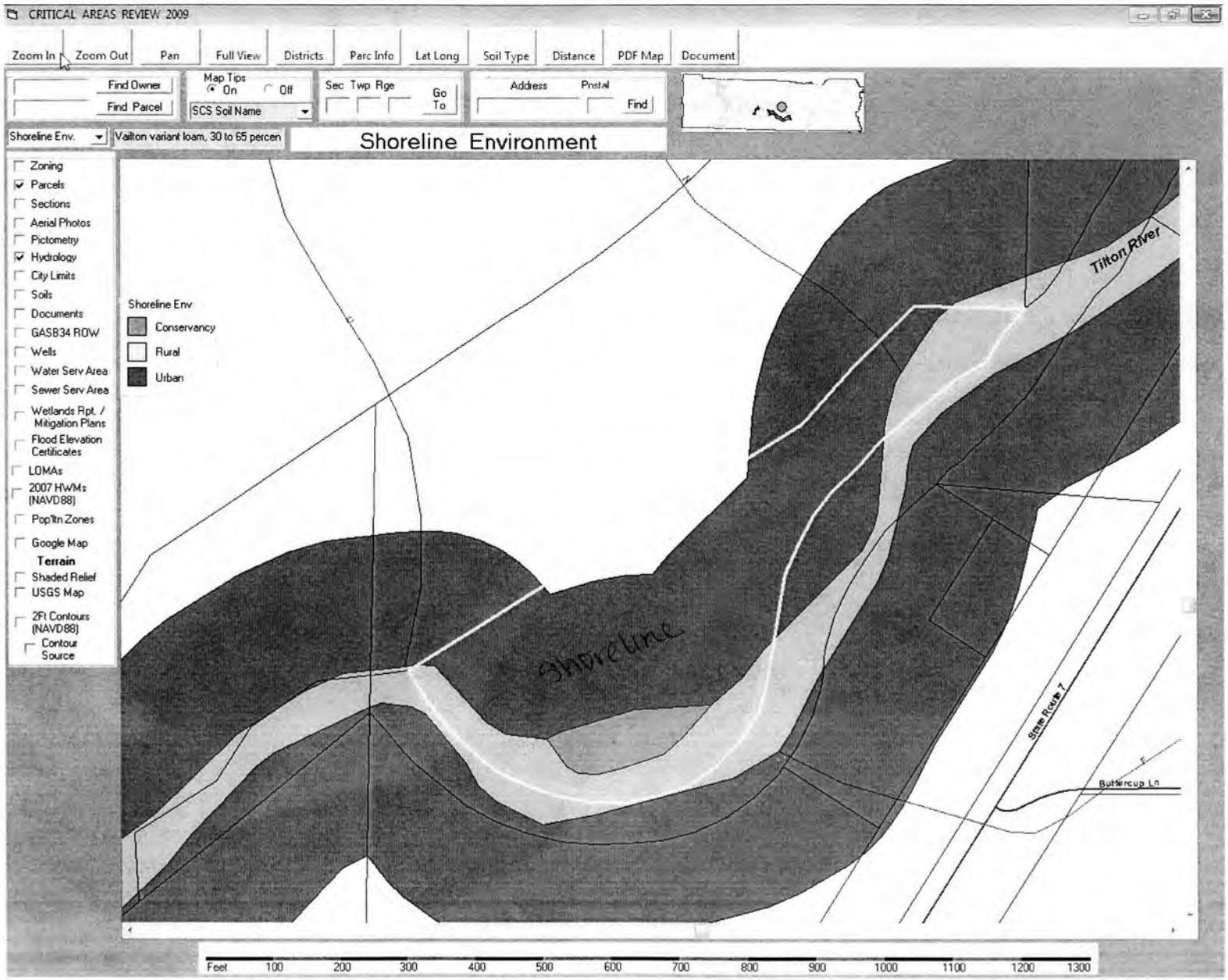
Consistency with the Lewis County Comprehensive Plan:
Natural Environment Sub Element, Page 4-61
GMA Requirements (9) *Open space and Recreation—Encourage the retention of open space and development of recreational opportunities, conserve fish and wildlife habitat, increase access to natural resource lands and discourage incompatible land uses.*

Open Space Goals: *The County recognizes the importance of open space corridors linking regions of the county and providing physical and visual relief to the built environment. In Lewis County the character of rural Lewis County is derived from its association with large acreage of lands in both the eastern and western portions of the county which are either park, wilderness or resource lands. Connecting these large blocks of land are corridors which flow to and through both the rural and urban areas, defining and separating the developed lands, defining the cities, and providing access and habitat for wildlife. The corridors follow the stream and river valleys and are comprised of steep slopes, agricultural resource land and flood hazard areas. Unlike park and recreation areas, open space lands may be either public or private ownership and are often to generally available to public access.*

Relevant Natural Environment Policies:
NE 4.2 Encourage the preservation of natural buffers along the County's rivers, lakes and streams.
NE 4.3 Encourage the preservation of wetlands, open lands, and habitat areas for the benefit of the county's indigenous fish and wildlife and quality of life of county residents.

Would approval of this application be consistent with the Lewis County Comprehensive Plan?
Yes

Recommended conditions to assure conformity with any applicable zoning, the comprehensive plan, the neighborhood, and other applicable regulations: None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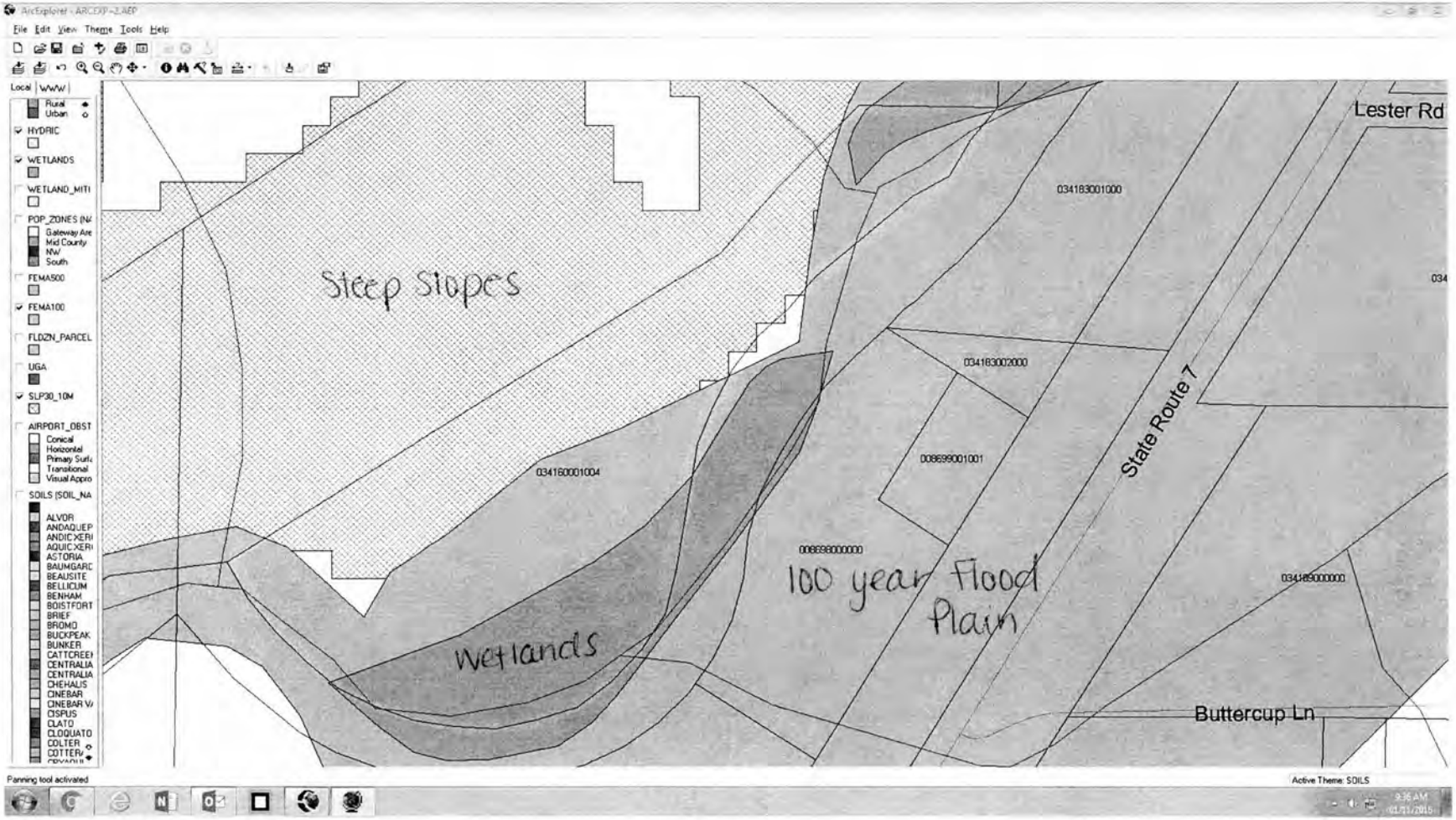
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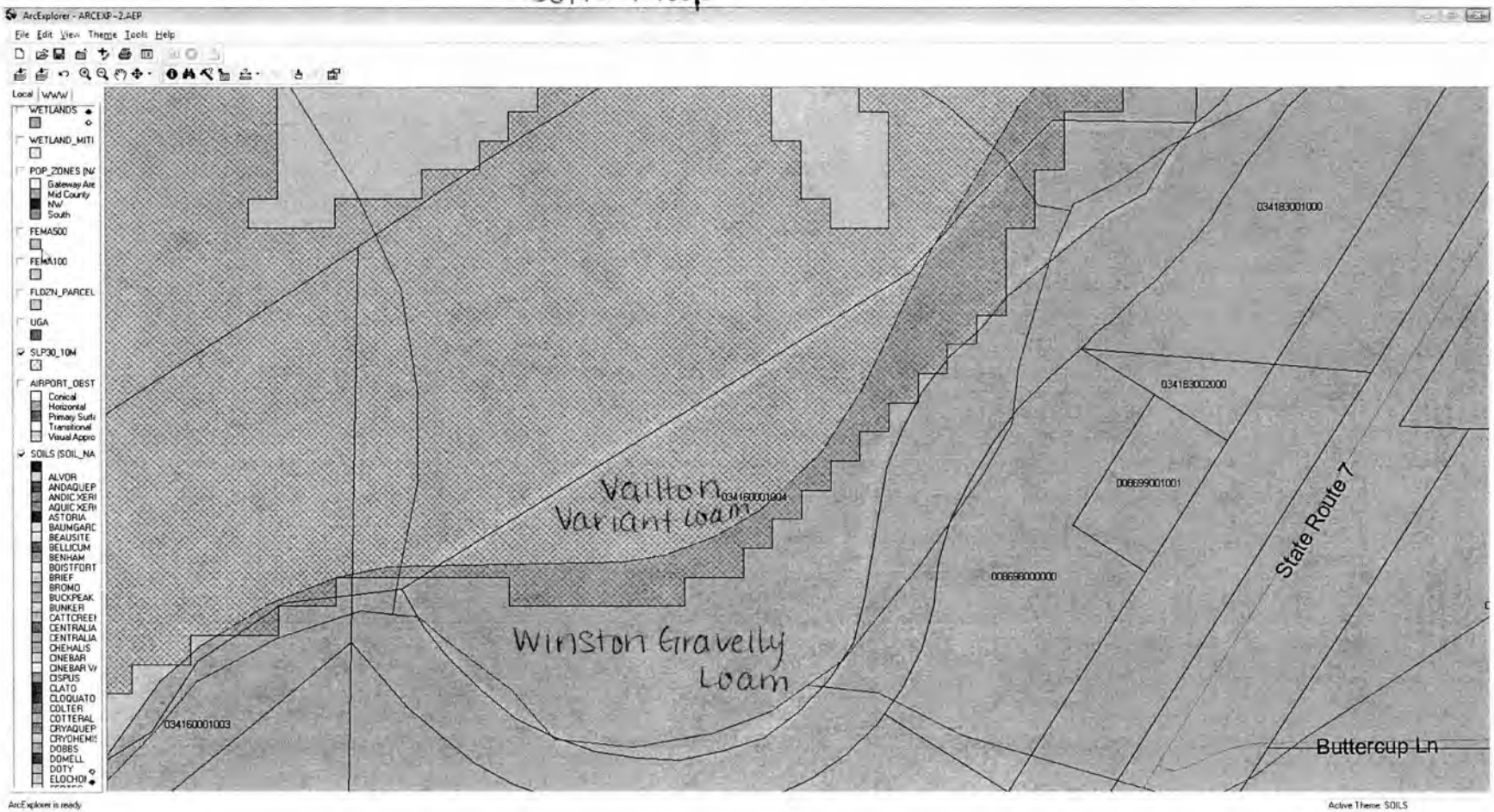
Soils Map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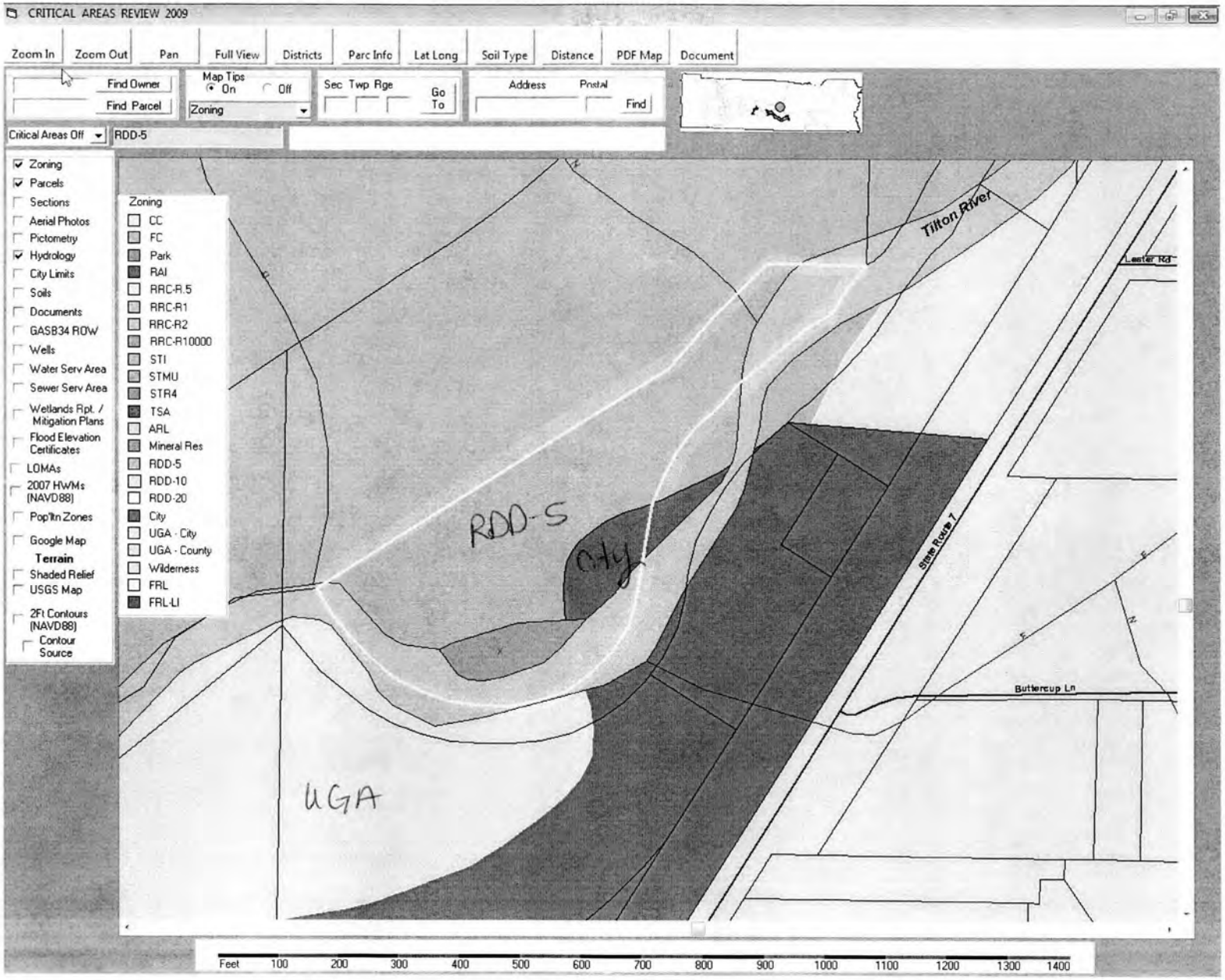
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08/29/2013 03:46:54 PM Total Pages: 2 Fees: 73.00
Gary E. Zandell, Lewis County Auditor, Chehalis, Washington

AFTER RECORDING MAIL TO:

Name Abe Zimmerman

Address P.O.Box122

City, State, Zip Morton WA 98356

Quit Claim Deed

THE GRANTOR Ben Lov and Reena Lov
for and in consideration of $0
conveys, and quit claims to Abe Zimmerman
the following described real estate, situated in the County of Lewis, State of Washington, together with all after acquired title of the grantor(s) therein:

That portion of the Southeast 1/4 of the Southwest 1/4 of Section 35, Township 13 North, Range 4 East, W.M. lying Easterly of State Route No. 7 as established by document recorded on May 13, 1974 under Auditor's File No. 789588 and lying Westerly of the Tilton River

ABBR LEGAL:

Assessor's Property Tax Parcel Account Number(s): 034160001004

Dated 8/24/13

Grantor(s) Ben Lov
Ben Lov
Reena Lov

Grantee See Attachment
Abe Zimmerman

STATE OF WASHINGTON
COUNTY OF Snohomish } ss

I certify that I know or have satisfactory evidence that Ben Lov & Reena Lov is the person who appeared before me, and said person acknowledged that they signed this instrument and acknowledged it to be their free and voluntary act for the uses and purposes mentioned in this instrument.

Dated: 8/24/13

L. C. TRAN
NOTARY PUBLIC
STATE OF WASHINGTON
MY COMMISSION EXPIRES
11-29-14

L.C. Tran
Notary Public in and for the State of Washington
Residing at Everett
My appointment expires: 11-29-14

Unofficial Record