

When recorded return to:

**Notice of Removal of Designated Forest Land
and Compensating Tax Calculation
Chapter 84.33 RCW**

County
Grantor or County: _____
Grantee or Property Owner: _____
Mailing Address: _____
City: _____ State: _____ Zip: _____
Property Address: _____
Legal Description: _____

Assessor's Parcel/Account Number: _____
Reference Numbers of Documents Assigned or Released: _____

You are hereby notified that the above described property has been removed from designated forest land as of _____ . The land no longer meets the definition and/or provisions of designated forest land for the following reason(s):

If compensating tax is due, it is payable to the county treasurer 30 days from the date of this notice. Any amount unpaid on its due date is considered delinquent. From the date of delinquency until paid, interest will be charged at the same rate applied by law to delinquent ad valorem property taxes. The county may begin foreclosure proceedings as provided in RCW 84.64.050 if the compensating tax and interest remain unpaid.

Is removal subject to compensating tax? Yes No

If yes, go to page two and complete the rest of the form. If no, complete questions 1-4 below.

1. Date of removal: _____
2. Calculate amount due in #2 (recording fee only) and #4 (calculation of tax for remainder of current year). _____
3. Reason for exception (see page 4 for exceptions) _____
4. Provide a brief explanation on why removal meets the exception listed in #3.

County Assessor or Deputy: _____ Date of Notice: _____
Total Compensating Tax Due: _____ Payment Due Date: _____
(See #3 on next page)

Assessors Use Only

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

Designated Forest Land Compensating Tax Statement

RCW 84.33.140(10)...The assessor shall revalue the land to be removed with reference to its true and fair value as of January 1 of the year of removal from designation. Both the assessed value before and after the removal of designation shall be listed. Taxes based on the value of the land as forest land shall be assessed and payable up until the date of removal and taxes based on the true and fair value of the land shall be assessed and payable from the date of removal from designation.

Parcel No: _____ Date of Removal: _____

1. Calculation of Current Year's Taxes to Date of Removal.

	÷	365	=	0.0000000000		
No. of days in DFL		No. of days in year		Proration Factor	(apply to 1a and 1b)	
a. <u> </u>	x	<u> </u>	÷	<u> </u>	=	<u> </u>
True & Fair Value (Jan 1 of year removed)		Levy Rate per \$1,000 of AV		1,000		Proration Factor
						0.0000000000
						\$0.00
b. <u> </u>	x	<u> </u>	÷	<u> </u>	=	<u> </u>
Forest Land Value		Levy Rate per \$1,000 of AV		1,000		Proration Factor
						0.0000000000
						\$0.00
c. Total amount of compensating tax for current year to date of removal (1a minus 1b)					=	<u> </u>
						\$0.00

2. Calculation of Prior Year's Compensating Tax.

True & Fair Value (Jan 1 of year removed)	Forest Land Value	Total Assessed Value	Last Levy Rate Extended Against Land Divided by 1,000	Tax Due	Years*	Compensating Tax
\$0	\$0	\$0		\$0		\$0.00

* Number of years in designation, not to exceed 9. Recording fees: _____

Total Amount of prior year's compensating tax plus recording fee:

\$0.00

3. Total Compensating Tax to the Date of Removal (1c plus 2). =

\$0.00

(See page one for payment due date)

4. Calculation of Tax for Remainder of Current Year.

	÷	365	=			
No. of days from date of removal to end of year		No. of days in year		Proration Factor	(apply to 4a and 4b)	
a. <u> </u>	x	<u> </u>	÷	<u> </u>	=	<u> </u>
True & Fair Value (Jan 1 of year removed)		Levy Rate		1,000		Proration Factor
b. <u> </u>	x	<u> </u>	÷	<u> </u>	=	<u> </u>
Forest Land Value		Levy Rate		1,000		Proration Factor

c. Amount of tax due for remainder of current year (4a minus 4b) =

d. Taxes are payable on regular due dates and may be paid in half payments under provisions of RCW 84.56.020.

Compensating Tax

Compensating tax recaptures taxes that would have been paid on the land if it had been assessed and taxed at its true and fair value instead of the forest land value. The assessor uses the current year's levy rate, the last assessed forest land value, and the true and fair value as of January 1st of the year of removal from designation to calculate the compensating tax for the land being removed. The compensating tax due is the difference between the amount of taxes assessed at the forest land value on the land being removed and the taxes that would have been paid at the true and fair value for the period of time the land was so classified or designated as forest land, up to a maximum of nine years, plus an amount using the same calculation for the current year, up to the date of removal.

Reclassification

You may apply to have the land reclassified as either Open Space Land, Farm and Agricultural Land or Timber Land under chapter 84.34 RCW. If an application for reclassification is received within 30 days of the postmark date of this notice, the land will not be removed from designation until the application is denied. If an application for reclassification was previously denied, a reapplication covering the same parcel of land, or a portion thereof, may not be submitted to the granting authority until 365 days have elapsed from the date the initial application for reclassification was received. WAC 458-20-215(8)

Appeal

The property owner or person responsible for the payment of taxes may appeal the assessor's removal from designation and/or the true and fair value calculated as of January 1 of the year of removal to the County Board of Equalization. Said Board may be reconvened to consider these appeals. The petition must be filed with the Board on or before July 1 of the year of the assessment or determination, or within thirty days after the notice has been mailed, or within a time limit of up to sixty days adopted by the county legislative authority, whichever is later. A petition form may be obtained by either contacting the assessor or the county board of equalization in the county in which the land is located. County contact information can be found at the following website:

<http://dor.wa.gov/Content/FindTaxesAndRates/PropertyTax/Links.aspx>.

Compensating Tax is Not Imposed if the Removal From Designation Resulted Solely From:

1. Transfer to a government entity in exchange for other forest land located within the state;
2. 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 based on official action taken by the entity and confirmed in writing;
3. A donation of fee title, development rights or the right to harvest timber, to a government agency or organization listed in RCW 84.34.210 and 64.04.130 for the purposes stated in those sections. When land is no longer used for these purposes, compensating tax will be imposed upon the current owner;

4. 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, or for acquisition and management as a community forest trust as defined in chapter 79.155 RCW. When land is no longer used for these purposes, compensating tax will be imposed upon the current owner;
5. The sale or transfer of fee title to the Parks and Recreation Commission for park and recreation purposes;
6. Official action by an agency of the state of Washington or by the county or city which the land is located that disallows the present use of such land;
7. The creation, sale, or transfer of forestry riparian easements under RCW 76.13.120;
8. 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;
9. 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) who received 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;
10. The discovery that the land was designated in error through no fault of the owner; or
11. 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 shall be imposed upon the current owner.
12. Compensating tax authorized in this section may not be imposed on land removed from designation as forestland solely as a result of 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 the property.

To ask about the availability of this publication in an alternate format for the visually impaired, please call 1-800-647-7706. Teletype (TTY) users may use the Washington Relay Service by calling 711. For assistance, contact your local county assessor's office.