

After recording return to:  
Arlington Municipal Airport  
18204 59<sup>th</sup> Ave NE  
Arlington, WA 98223

Grantor: Alayar and Gitty Dabestani  
Grantee: City of Arlington  
Legal (abbrev.): SEC 28 TWP 31 RGE 05LOT 9 AS DESC IN BSP NO ZA8311257  
REC'D VOL 19 OF SURVS PG 187 AF NO 8407195007 BEING PTN  
OF NW1/4  
Tax parcel no.: 31052800203300  
Reference no.: Permit # PLN188

**ARLINGTON MUNICIPAL AIRPORT  
AVIGATION EASEMENT**

WHEREAS, Alayar & Gitty Dabestani, hereinafter called “Grantor”, is the owner of that certain parcel of land situated in the City of Arlington, County of Snohomish, State of Washington, to wit:

SEC 28 TWP 31 RGE 05LOT 9 AS DESC IN BSP NO ZA8311257 REC'D VOL 19 OF SURVS PG 187 AF NO 8407195007 BEING PTN OF NW1/4

Hereinafter called “Grantor’s Property”, and outlined on the attached map.

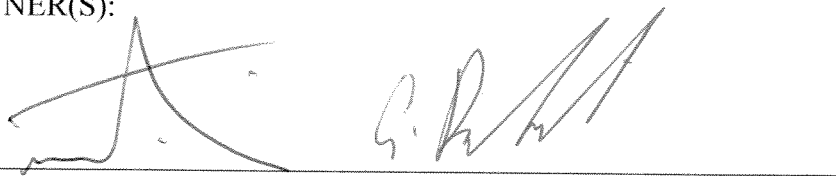
NOW, THEREFORE, for good and valuable consideration to the Grantor, the receipt and sufficiency of which is hereby specifically acknowledged, the Grantor, its successors and assigns, subject to the provisions herein contained, hereby grants, bargains, sells and conveys unto the City of Arlington, State of Washington, its successors and assigns (“Grantee”), for use and benefit of the public, a perpetual easement and right-of-way over that portion of the

Grantor's above-described land starting at 292' Mean Sea Level (MSL), in the vicinity of Arlington Municipal Airport, for the purpose of the passage of all aircraft ("aircraft" being defined for the purpose of this instrument as any device now known or hereafter invented, used or designated for navigation of, or flight in the air) by whomsoever owned and operated in the air space to an infinite height above the surface of the Grantor's property, together with the right to cause in said air space noise, vibration and all other effects that may be caused by the operation of aircraft landing at or taking off from, or operated at, or on Arlington Municipal Airport, located in Snohomish County, State of Washington. Grantor hereby waives, remises and releases any right or cause of action which Grantor has now, or which Grantor may have in the future against the Grantee, its successors and assigns, due to such noise, vibration, and other effects that may be caused by the operation of aircraft landing and taking off from, or operating on or near the Arlington Municipal Airport. The Grantor further covenants and agrees that upon said property (A) no use shall be permitted that causes a discharge into the air of fumes, smoke or dust which will obstruct visibility and adversely affect the operation of aircraft, nor shall any use be permitted which causes any interference with navigational facilities necessary to aircraft operation; and (B) no development or construction shall be permitted which will interfere in any way with the safe operation of aircraft in the air space over the land described herein or at or on the Arlington Municipal Airport.

This easement shall be effective and shall inure to the benefit of the Grantee, its successors and assigns, until the Arlington Municipal Airport shall be abandoned and shall cease to be used for airport purposes. It is specifically understood and agreed that this easement, its covenants and agreements shall run with the land, which is described herein. The Grantor, on behalf of itself, its successors and assigns, further acknowledges that the easements herein granted contemplate and include all existing and future operations at Arlington Municipal Airport, acknowledging that future aircraft numbers and types will most likely increase and noise patterns may also increase, and that the rights, obligations and covenants herein set forth shall not terminate or vary in the event of changes in the flight volume or noise, traffic patterns, runway lengths or locations or characteristics or type or category of aircraft using the Arlington Municipal Airport, City of Arlington, State of Washington.

OWNER(S):

By:

Two handwritten signatures in black ink, one on the left and one on the right, positioned above a horizontal line.

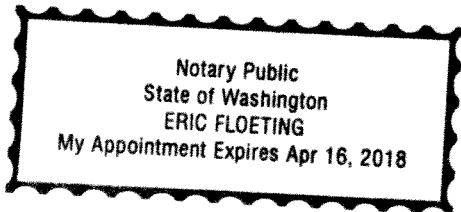
Date:

1/11/16 1/11/16

ACKNOWLEDGMENT

STATE OF WASHINGTON )  
 ) SS.  
COUNTY OF SNOHOMISH )

The foregoing instrument was acknowledged before me by ALAYAR DABESTANI  
\_\_\_\_\_ this 11<sup>th</sup>  
\_\_\_\_\_ day of JANUARY, 20 16

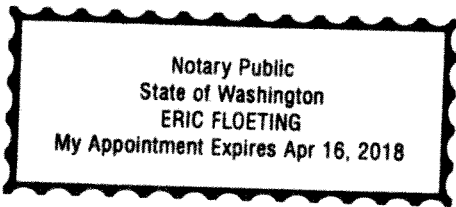


Eric Floeting  
NOTARY PUBLIC in and for the  
State of Washington, residing  
at UG STEVENS WA.  
My commission expires: April 16, 2018  
Name: ERIC FLOETING

ACKNOWLEDGMENT

STATE OF WASHINGTON )  
 ) SS.  
COUNTY OF SNOHOMISH )

The foregoing instrument was acknowledged before me by GUTTY DABESTANI  
this 11th  
day of JANUARY, 2016.



[Signature]  
NOTARY PUBLIC in and for the  
State of Washington, residing  
at UK STEVENS, WA.  
My commission expires: April 16, 2019  
Name: ERIC FLOETING

Legal Description

Parcel # 31052800203300

**Lots 9 and 10 of Snohomish County Survey recorded in Volume 19 Of Surveys at Page 187 under Recording No. 8407195007, Records of Snohomish County, Washington, being a portion of the South Three-Fifths of the Northwest Quarter of Section 28, Township 31 North, Range 5 East, W.M.**

Vicinity Map

Parcel # 31052800203300

