

NO EXCISE  
REF

JUN 15 2004

BOB DANTINI, Snohomish County Treasurer

By BOB DANTINI

RETURN NAME & ADDRESS

City of Arlington  
238 N Olympic Ave  
Arlington, WA 98223



200406150167 3 PGS  
06-15-2004 09:46am \$21.00  
SNOHOMISH COUNTY, WASHINGTON

Please print neatly or type information  
Document Title(s)

Arlington Municipal Airport Avigation easement

Reference Number(s) of related documents

Additional Reference #'s on page \_\_\_\_\_

Grantor(s) (Last, First, and Middle Initial)

Dwayne Lane

Additional Grantors on page \_\_\_\_\_

Grantee(s) (Last, First, and Middle Initial)

City of Arlington

Additional Grantees on page \_\_\_\_\_

Legal Description (abbreviated form i.e. lot, block, plat or section, township, range, quarter/quarter)

Section 29, Township 31, Range 5

Complete legal on page \_\_\_\_\_

Assessor's Property Tax Parcel/Account Number

310529 001 014 00

Additional parcel #'s on page \_\_\_\_\_

The Auditor/Recorder will rely on the information provided on this form. The responsibility for the accuracy of the indexing information is that of the document preparer.

# ARLINGTON MUNICIPAL AIRPORT AVIGATION EASEMENT

WHEREAS, Dwayne Lane,  
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

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 287' 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 future 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

By

[Handwritten Signature]

ACKNOWLEDGMENT

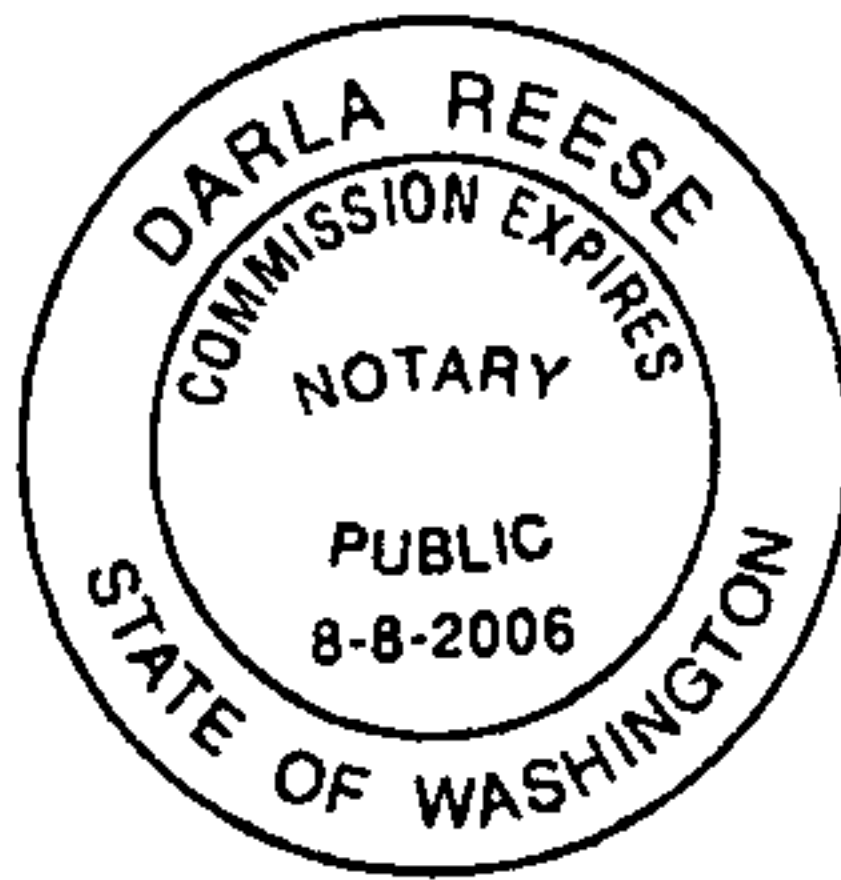
STATE OF Washington)

COUNTY OF Snohomish)

SS

The foregoing instrument was acknowledged before me by Dwayne Lane  
this 6th

day of may, 2004



Darla Reese

NOTARY PUBLIC in and for the  
State of Washington, residing  
at Sno County  
My commission expires 8-8-2006  
Name Darla Reese