

**NO EXCISE TAX
REQUIRED**

MAR 14 2006

BOB DANTINI, Snohomish County Treasurer

By BOB DANTINI

After recording return to.
Arlington Municipal Airport
18204 59th Dr NE
Arlington, WA 98223



200603160128 3 PGS
03/16/2006 9:08am \$34.00
SNOHOMISH COUNTY, WASHINGTON

Grantor
Al Dabestani and Gitty Dabestani, husband and wife

Grantee
City of Arlington
Legal (abbrev.)

SMOKEY POINT (PLANNED COMM BUSINESS) BLK 000 D-01 - BEG MOST WLY COR TR 6 TH S89*56
56E ALG LN COMMON TO LOTS 6 & 12 SD PLAT 127 97FT TH S00*16 55E 145 50FT TH S54*31 55W
144 72FT TO INT WLY LN SD LOT 6 BEING THE ELY LN OF PRIVATE RD AS SHOWN ON SD PLAT TH
NLY ALG ELY LN SD PRIVATE RD TO POB.

Tax parcel no.
00645300000601
Reference no

ARLINGTON MUNICIPAL AIRPORT \$34.1
AVIGATION EASEMENT

CHICAGO 596,0420

***This easement replaces the easement recorded on January 4th, 2006 with Snohomish County under recording number 200601040259

WHEREAS, Al Dabestani and Gitty Dabestani, husband and wife,
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:

Tax Parcel # 00645300000601

CHICAGO TITLE INSURANCE COMPANY HAS PLACED
THIS DOCUMENT OF RECORD AS A CUSTOMER
COURTESY AND ACCEPTS NO LIABILITY FOR THE
ACCURACY OR VALIDITY OF THE DOCUMENT.

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 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.  _____

By  _____

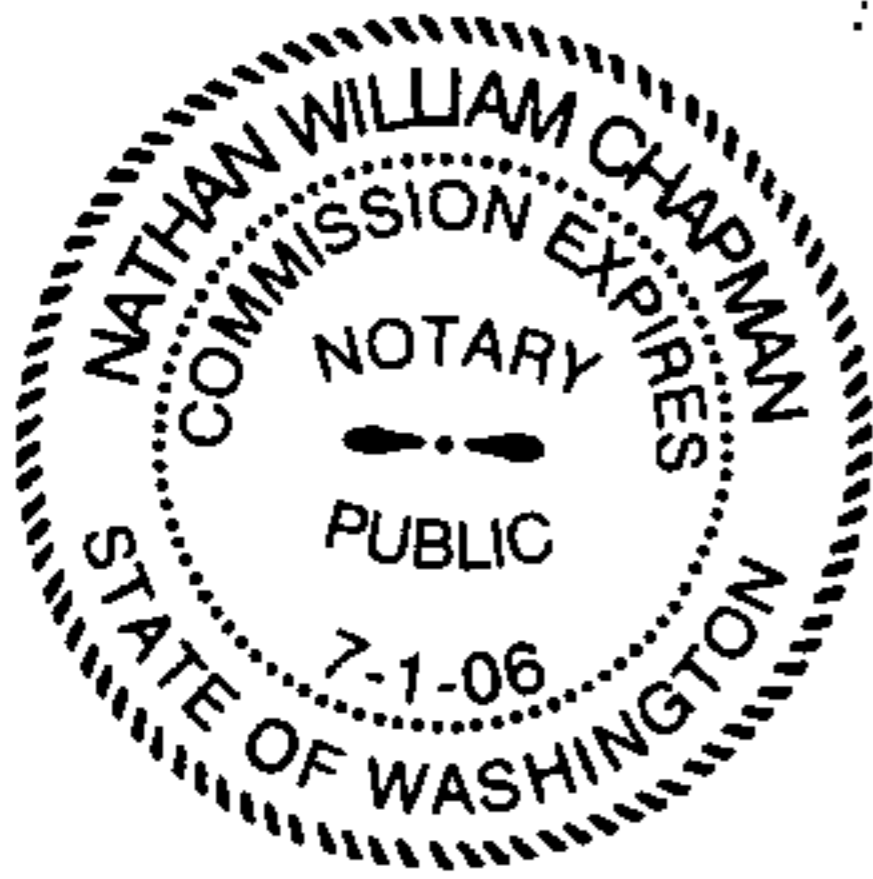
ACKNOWLEDGMENT

STATE OF WASHINGTON)
) SS
COUNTY OF SNOHOMISH)

The foregoing instrument was acknowledged before me by AL & GILTY

DABETANI this 15TH

day of MARCH, 2006



NATHAN CHAPMAN
NOTARY PUBLIC in and for the
State of Washington, residing
at MILL CREEK, WA
My commission expires 7-1-06
Name NATHAN CHAPMAN