



200706180774 5 PGS  
06/18/2007 2:37pm \$36.00  
SNOHOMISH COUNTY, WASHINGTON

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

**NO EXCISE TAX  
REQUIRED**

**JUN 18 2007**

BOB DANTINI, Snohomish County Treasurer

By BOB DANTINI

Grantor:

Grantee:

City of Arlington

Legal (abbrev.): PTN OF SW OF SW 14-31-5

Tax parcel no.: 3105 0400 3028 00

Reference no.:

**ARLINGTON MUNICIPAL AIRPORT  
AVIGATION EASEMENT**

WHEREAS, EMJ, LLC

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 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 of type or category of aircraft using the Arlington Municipal Airport, City of Arlington, State of Washington.

OWNER:

By: Betty Chley, Sec/Treasurer  
 EMJ, LLC

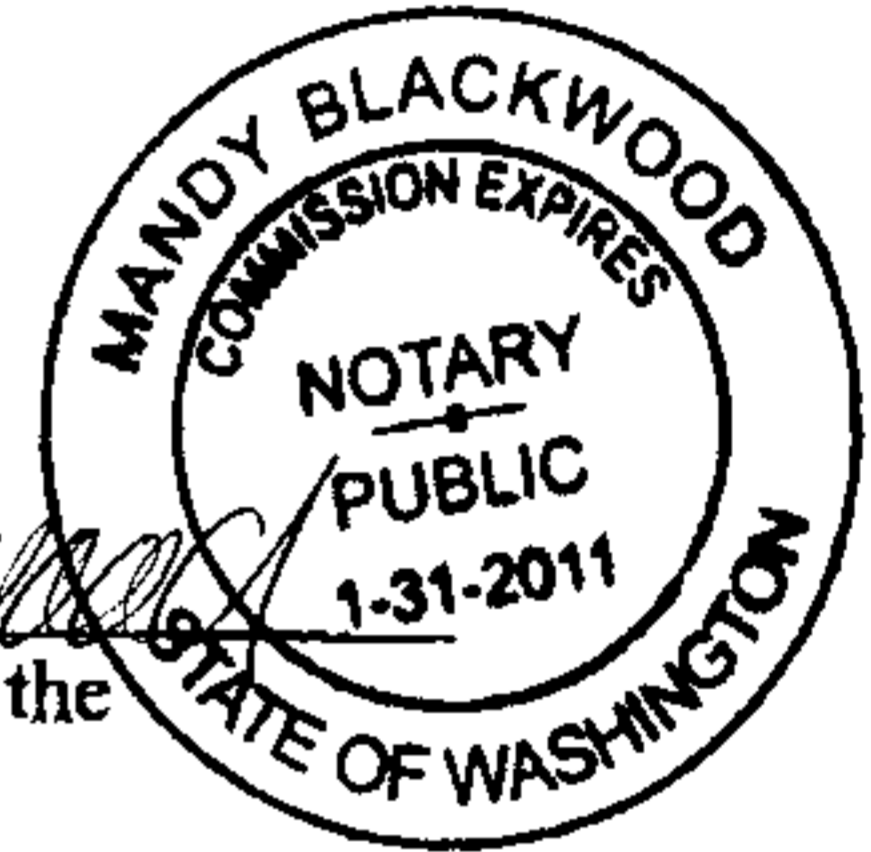
ACKNOWLEDGMENT

STATE OF Washington )  
COUNTY OF Snohomish ) SS.

The foregoing instrument was acknowledged before me by Betty Hanley  
this 15th

day of June, 2007

Mandy Blackwood  
NOTARY PUBLIC in and for the  
State of Washington, residing  
at Arlington, WA  
My commission expires: 1/31/11  
Name: Mandy Blackwood



**EXHIBIT A**

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THAT PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 31 NORTH, RANGE 5 EAST, W.M., IN SNOHOMISH COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST SECTION CORNER OF SAID SECTION 14; THENCE NORTH  $00^{\circ}36'32''$  WEST, ALONG THE WEST LINE OF SAID SECTION 14, A DISTANCE OF 28.76 FEET; THENCE NORTH  $89^{\circ}23'28''$  EAST, A DISTANCE OF 40.00 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY OF 67TH AVENUE NE; THENCE NORTH  $00^{\circ}36'32''$  WEST, ALONG THE EASTERLY RIGHT OF WAY OF 67TH AVENUE NE, A DISTANCE OF 564.85 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH  $00^{\circ}36'32''$  WEST, ALONG THE EASTERLY RIGHT OF WAY OF 67TH AVENUE NE, A DISTANCE OF 433.91 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT, WHOSE RADIUS CENTER BEARS NORTH  $89^{\circ}23'28''$  EAST, A DISTANCE OF 35.00 FEET; THENCE ALONG THE ARC OF SAID CURVE, A DISTANCE OF 56.06 FEET THROUGH A CENTRAL ANGLE OF  $91^{\circ}45'51''$ ; THENCE SOUTH  $88^{\circ}50'41''$  EAST, A DISTANCE OF 431.31 FEET; THENCE SOUTH  $00^{\circ}36'32''$  EAST, A DISTANCE OF 470.00 FEET TO A POINT THAT BEARS SOUTH  $88^{\circ}50'41''$  EAST FROM THE TRUE POINT OF BEGINNING; THENCE NORTH  $88^{\circ}50'41''$  WEST, A DISTANCE OF 467.41 FEET TO THE TRUE POINT OF BEGINNING;

EXCEPT THAT PORTION THEREOF CONVEYED TO THE CITY OF ARLINGTON BY DEED(S) RECORDED UNDER RECORDING NO(S). 200110110218 AND 9806300848;

ALSO KNOWN AS A PORTION OF LOT 2 OF THAT RECORD OF SURVEY AS FILED IN VOLUME 9 OF SURVEYS, PAGE 275, UNDER RECORDING NO. 7905290175, RECORDS OF SAID COUNTY; EXCEPT THAT PORTION THEREOF CONVEYED TO THE CITY OF ARLINGTON BY DEED RECORDED UNDER RECORDING NO(S). 9806300848 AND 200110110218.

Address 6720 191st PI NE  
Arlington, WA 98223

