

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



200708240475 6 PGS
08/24/2007 1:51pm \$45.00
SNOHOMISH COUNTY, WASHINGTON

**NO EXCISE TAX
REQUIRED**

AUG 24 2007

BOB DANTINI Snohomish County Treasurer

BY BOB DANTINI

Grantor BP West Coast Products, LLC

Grantee City of Arlington

Legal (abbrev) SW 1/4 of Section 21, Township 31 North, Range 5 East, W M

Tax parcel no 310521-003-029-00

Reference no

ARLINGTON MUNICIPAL AIRPORT AVIGATION EASEMENT

WHEREAS, BP West Coast Products, 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

See Exhibit "A"

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

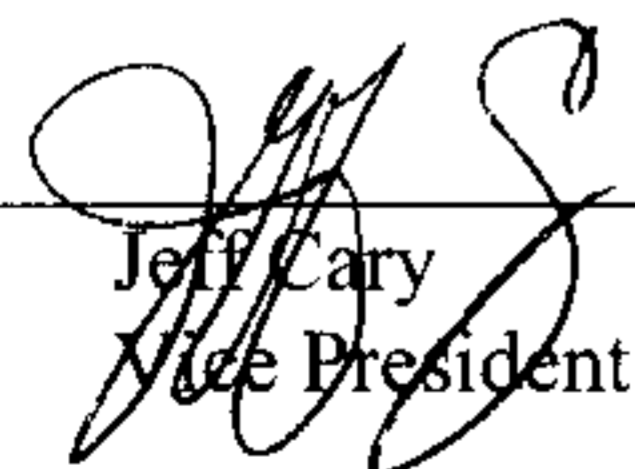
or designated for navigation of, or flight in the air) by whomsoever owned and operated in the air space to an infinite height above the surface of the Grantor's property, together with the right to cause in said air space noise, vibration and all other effects that may be caused by the operation of 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

BP WEST COAST PRODUCTS LLC
a Delaware limited liability company

By


Jeff Cary
Vice President



ACKNOWLEDGMENT

STATE OF _____)

COUNTY OF _____)

SS

The foregoing instrument was acknowledged before me by _____

_____ this _____

day of _____, 20_____

NOTARY PUBLIC in and for the
State of Washington, residing
at _____

My commission expires _____

Name _____

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

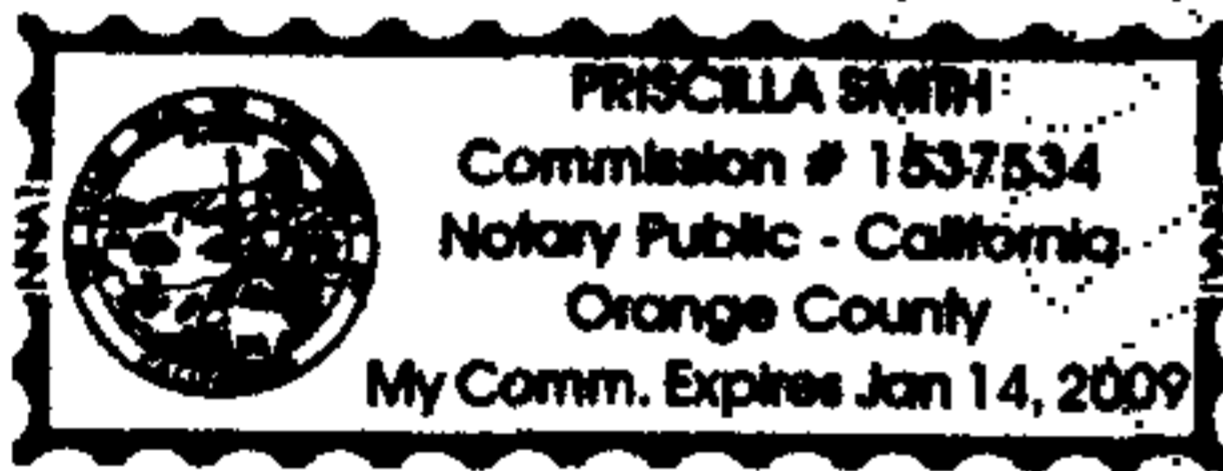
State of California

County of Orange

On September 19, 2005, before me, Priscilla Jean Smith, Notary Public
DATE Name Title Of Officer - E G, "Jane Doe Notary Public"

personally appeared Jeff M Cary
Name(s) of Signer(s)

personally known to me - ~~OR~~ ~~proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instruments~~



WITNESS my hand and official seal

Priscilla Smith
Signature of Notary

OPTIONAL

Though the data is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent reattachment of this form

INDIVIDUAL
 CORPORATE OFFICER

Vice President

PARTNER(S) LIMITED
 GENERAL

ATTORNEY-IN-FACT
 TRUSTEE(S)
 GUARDIAN/CONSERVATOR
 OTHER

SIGNER IS REPRESENTING.

NAME OF PERSON(S) OR ENTITY(IES)
BP West Coast Products LLC

Arlington Municipal Airport
Avigation Easement
TITLE OR TYPE OF DOCUMENTS

2
NUMBER OF PAGES

9/19/06
DATE OF DOCUMENTS

NONE
SIGNER(S) OTHER THAN NAMED ABOVE

EXHIBIT "A"

THE SOUTH 330 FEET OF THE WEST 226 FEET OF SECTION 21, TOWNSHIP 31 NORTH,
RANGE 5 EAST, W.M.

EXCEPT THE WEST 30 FEET CONVEYED TO SNOHOMISH COUNTY UNDER AUDITOR'S
FILE NO 191995,

EXCEPT THE EAST 10 FEET OF THE WEST 40 FEET OF THE NORTH 100 FEET OF THE
SOUTH 330 FEET CONVEYED TO SNOHOMISH COUNTY UNDER AUDITOR'S FILE NO
8101300187,

EXCEPT ANY PORTION LYING WITHIN 172ND STREET NORTHEAST,

EXCEPT THAT PORTION CONVEYED TO SNOHOMISH COUNTY BY AUDITOR'S FILE
NO 8811210220,

SITUATE IN THE **COUNTY OF SNOHOMISH**, STATE OF WASHINGTON

EXHIBIT "B"

