



200809190155 5 PGS
09/19/2008 10:44am \$46.00
SNOHOMISH COUNTY, WASHINGTON

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

**NO EXCISE TAX
REQUIRED**

SEP 19 2008

KIRKE SIEVERS, Snohomish County Treasurer

By KIRKE SIEVERS

Grantor: Razo, LLC

Grantee: City of Arlington

Legal (abbrev.): PORTION LOTS 5 AND 6, HIGHWAY HOME SITES

Tax parcel no.: 00472500000501

**ARLINGTON MUNICIPAL AIRPORT
AVIGATION EASEMENT**

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.

CHICAGO 46-
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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.

WHEREAS, RAZO, LLC, A Washington Limited Liability Company,
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 Attached Hereto

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: *Michael Cobb*

ACKNOWLEDGMENT

STATE OF Washington)
) SS.
COUNTY OF Snohomish)

The foregoing instrument was acknowledged before me by _____

Michael W. Ashton this 16th
day of September, 2008.

Notary Public
State of Washington
DAWNIELLE R. SHEA
MY COMMISSION EXPIRES
July 13, 2011

Dawnielle R. Shea
NOTARY PUBLIC in and for the
State of Washington, residing
at Snohomish
My commission expires: 7/13/11
Name: Dawnielle R. Shea

EXHIBIT A

NEW PARCEL 3 OF CITY OF ARLINGTON BOUNDARY LINE ADJUSTMENT #Z-06-054-BLA RECORDED UNDER AUDITOR'S FILE NUMBER 200707105219, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOT 5, HIGHWAY HOME SITES, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 11 OF PLATS, PAGE 93, RECORDS OF SNOHOMISH COUNTY WASHINGTON; EXCEPT THAT PORTION CONVEYED TO THE CITY OF ARLINGTON, DEED RECORDED UNDER AUDITOR'S FILE NUMBER 200705010793; AND

ALSO EXCEPT THE EAST 10 FEET THEREOF; AND

ALSO EXCEPT THE EAST 178 FEET OF THE SOUTH 160 FEET OF THE REMAINDER; AND

ALSO EXCEPT THAT PORTION THEREOF DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE EAST 618.06 FEET OF TRACT 4 OF SAID PLAT;

THENCE NORTH, ALONG THE NORTH EXTENSION OF THE WEST LINE THEREOF, A DISTANCE OF 4.60 FEET TO AN EXISTING WIRE AND POST FENCE LINE THAT IS IN FAIR CONDITION;

THENCE EAST, ALONG SAID WIRE AND POST FENCE LINE, A DISTANCE OF 256 FEET, MORE OR LESS, TO A POINT OF INTERSECTION WITH THE NORTH EXTENSION OF THE EAST LINE OF THE WEST 256.00 FEET OF SAID EAST 618.06 FEET;

THENCE SOUTH, ALONG THE EXTENSION OF THE EAST LINE THEREOF, A DISTANCE OF 5.5 FEET, MORE OR LESS, TO THE NORTHEAST CORNER OF THE SAID WEST 256.00 FEET OF THE EAST 618.06 FEET;

THENCE WEST, ALONG THE NORTH LINE OF SAID TRACT 4, A DISTANCE OF 256.18 FEET TO THE POINT OF BEGINNING;

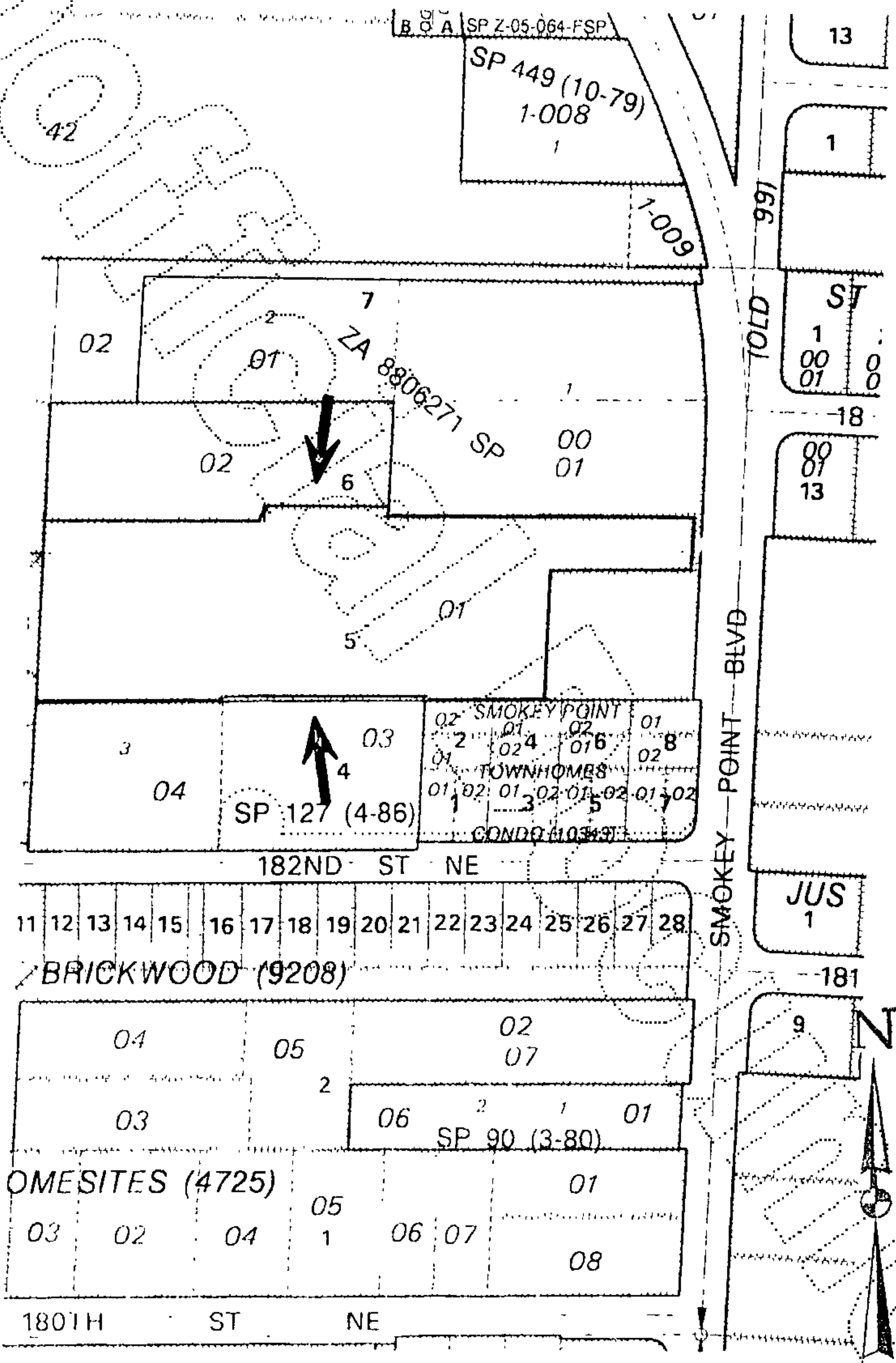
TOGETHER WITH THE SOUTH 42 FEET OF LOT 1 OF SNOHOMISH COUNTY SHORT PLAT #ZA8806271, RECORDED UNDER AUDITOR'S FILE NUMBER 8812210070, SAID SHORT PLAT BEING A PORTION OF LOTS 6 AND 7 OF HIGHWAY HOME SITES, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 11 OF PLATS, PAGE 93, RECORDS OF SNOHOMISH COUNTY WASHINGTON; EXCEPT THE EAST 20 FEET THEREOF.

ALSO TOGETHER WITH THE SOUTH 55.50 FEET OF LOT 1 OF SNOHOMISH COUNTY SHORT PLAT #SP-214(5-79), RECORDED UNDER AUDITOR'S FILE NUMBER 7905230248, SAID SHORT PLAT BEING A PORTION OF LOTS 6 AND 7 OF HIGHWAY HOME SITES, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 11 OF PLATS, PAGE 93, RECORDS OF SNOHOMISH COUNTY WASHINGTON; EXCEPT THE NORTH 15.50 FEET OF THE WEST 273.50 FEET THEREOF;

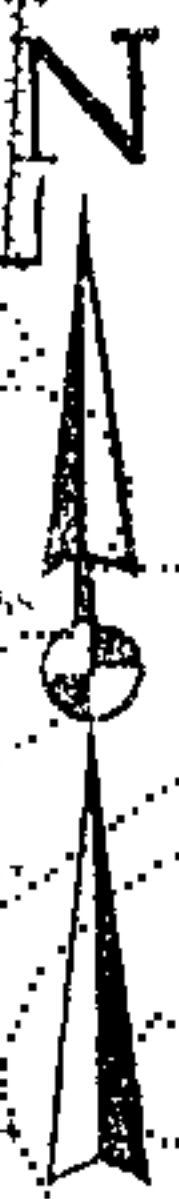
TOGETHER WITH A NON-EXCLUSIVE EASEMENT FOR INGRESS, EGRESS AND UTILITIES OVER THE NORTH 30 FEET OF THE SOUTH 72 FEET OF SAID LOT 6; EXCEPT THE EAST 20 FEET THEREOF; AND EXCEPT THE WEST 273.50 FEET THEREOF.

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON

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