

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



201105260256 7 PGS
05/26/2011 11:09am \$68.00
SNOHOMISH COUNTY, WASHINGTON

**NO EXCISE TAX
REQUIRED**

MAY 24 2011

KIRKE SIEVERS, Snohomish County Treasurer

By KIRKE SIEVERS

Grantor: CFT Developments, LLC

Grantee: City of Arlington

Legal (abbrev.):

Lot 2, City of Arlington 172nd Street Plaza Boundary Line Adjustment, File No. Z-06-036-BLA, recorded under Recording No. 200610035220, being a portion of Northeast quarter of the Northwest quarter of Section 28, Township 31 North, Range 5 East, W.M., in Snohomish County, Washington

Tax Account No. 009303-000-003-02

Tax parcel no.: 009303-000-003-02

Reference no.:

ARLINGTON MUNICIPAL AIRPORT AVIGATION EASEMENT

WHEREAS, CFT Developments, LLC, a California 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 and made a part hereof

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 292' 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 knowingly permitted that causes a discharge into the air above 292' Mean Sea Level of fumes, smoke or dust which will materially adversely obstruct visibility and materially adversely affect the operation of aircraft, nor shall any use be knowingly permitted which causes any material adverse interference with navigational facilities necessary to aircraft operation if the Federal Aviation Administration ("FAA") would determine same to be an obstruction and/or hazard to air navigation pursuant to the rules and regulations of the FAA under Code of Federal Regulations ("CFR") Title 14, Chapter 1, Part 77; and (B) no development or construction on the Grantor's Property above 292' Mean Sea Level shall be knowingly permitted which will materially adversely interfere in any way with the safe operation of aircraft in the air space over the Grantor's Property described herein or at or on the Arlington Municipal Airport if the FAA would determine same to be an obstruction and/or hazard to air navigation pursuant to the rules and regulations of the FAA under CFR Title 14, Chapter 1, Part 77.

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:

CFT DEVELOPMENTS, LLC,
a California Limited Liability Company

By: Chau

Its: Manager

APPROVED AS TO FORM

By: Jay Young

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: _____

ACKNOWLEDGMENT

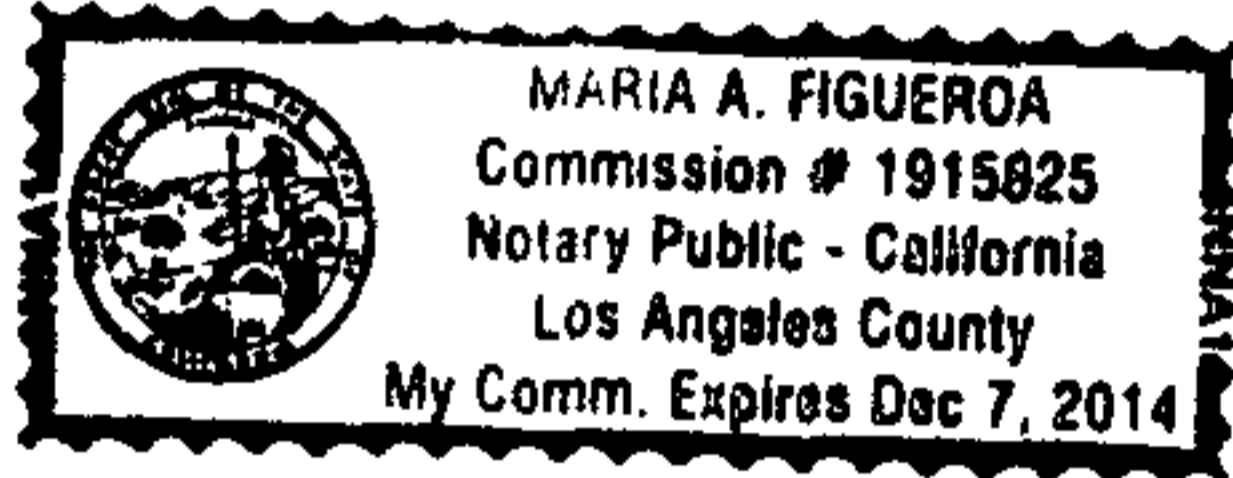
State of California
County of Los Angeles

On May 10, 2011 before me, Maria A. Figueroa, Notary Public
(insert name and title of the officer)

personally appeared Charlie (Lian Genq) Shen
who 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 instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.



Signature Maria A. Figueroa (Seal)

EXHIBIT A

The land referred to is situated in the County of Snohomish, City of Arlington, State of Washington, and is described as follows:

Parcel A:

That portion of the Northeast quarter of the Northwest quarter of Section 28, Township 31 North, Range 5 East, W.M., described as follows:

Beginning at the Northwest corner of COMMERCIAL PLAT OF TUCSON, according to the plat thereof recorded under Recording No. 200111215014, records of Snohomish County, Washington;
THENCE South 87 34'19" East, along the Southerly Right-of-Way margin of 172nd Street Northeast, 322.80 feet to the True Point of Beginning and the beginning of a curve concave to Southeast from whence its center point bears South 02 25'41" West, 25.00 feet in distance;
THENCE Southwesterly, along the arc of said curve, 39.71 feet, through a central angle of 91 00'58";
THENCE South 01 24'43" West, 134.37 feet;
THENCE South 45 00'00" East, 32.60 feet;
THENCE South 87 34'19" East, 223.14 feet;
THENCE North 02 25'41" East, 181.84 feet to said Southerly Right-of-Way margin;
THENCE North 87 34'19" West, along said Southerly Right-of-Way margin, 224.54 feet to the True Point of Beginning;

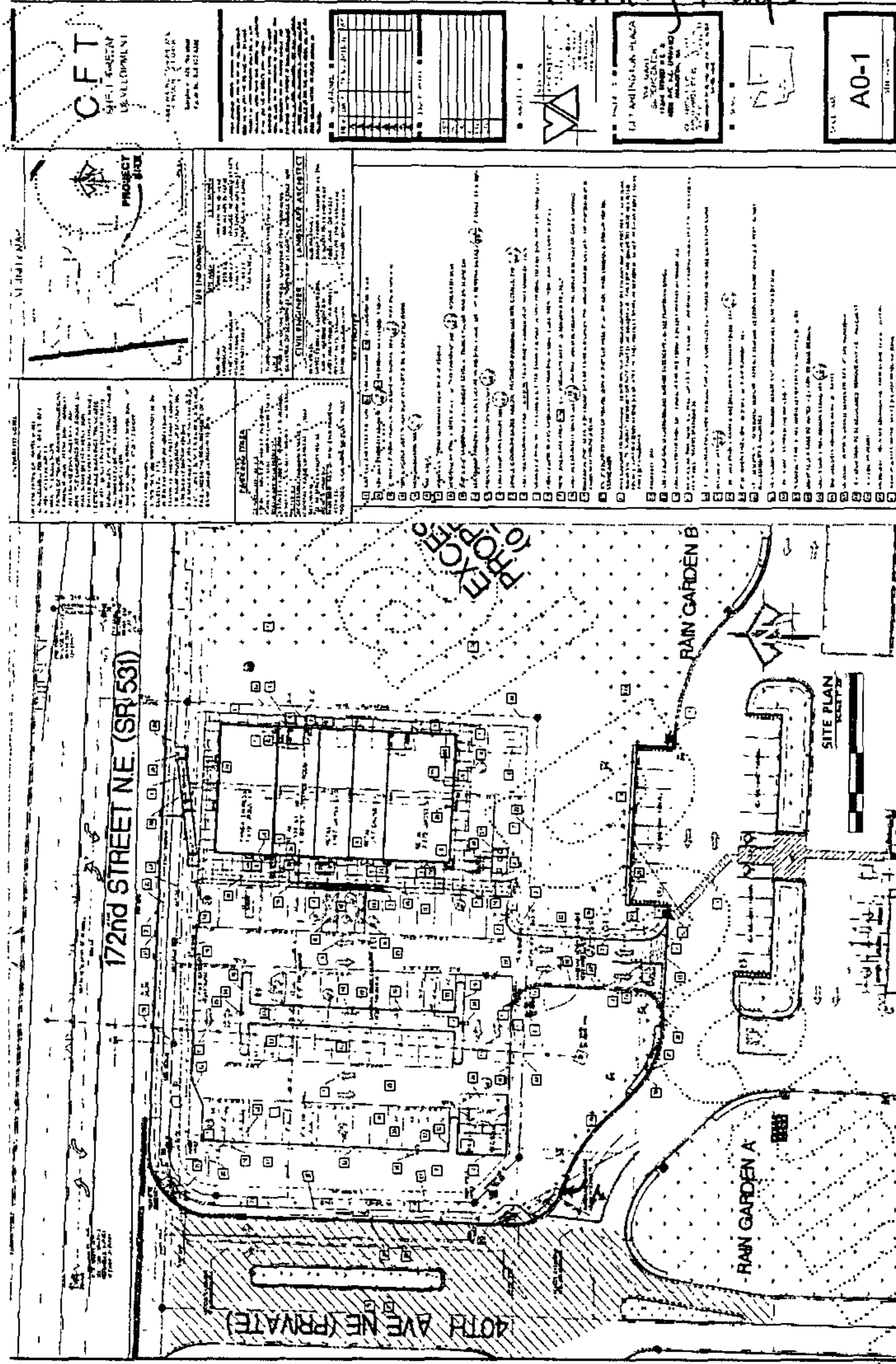
(Also known as Lot 2, City of Arlington 172nd Street Plaza Boundary Line Adjustment, File No. Z-06-036-BLA, recorded under Recording No. 200610035220; records of Snohomish County, Washington).

Parcel B:

An easement for ingress and egress recorded under Recording No. 200608300206.

SITUATE in the County of Snohomish, State of Washington.

Vicinity Map



SPUR