

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

Grantor: RPI ARLINGTON, L.L.C.
Grantee: City of Arlington
Legal (abbrev.): Tract C and D of City of Arlington Boundary Line Adjustment File No. 2013-58; as recorded under auditor's file no. 201402215006
Tax parcel no.: 31051100304100; 31051100305400
Reference no.: PLN#338

**ARLINGTON MUNICIPAL AIRPORT
AVIGATION EASEMENT**

WHEREAS, RPI ARLINGTON, L.L.C.,
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:

Tract C and D of City of Arlington Boundary Line Adjustment File No. 2013-58; as
recorded under auditor's file no. 201402215006 and being a portion of the southeast
quarter of the southwest quarter and of the southwest quarter of the southeast quarter,
all in Section 11 Township 31 North, Range 5 East, W.M., in Snohomish County,
Washington;

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 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: _____

ACKNOWLEDGMENT

STATE OF Washington)
) SS.
COUNTY OF King)

The foregoing instrument was acknowledged before me by Marty Jouflas
this _____

day of May, 20 17.

NOTARY PUBLIC in and for the
State of Washington, residing
at King.
My commission expires: _____
Name: William Fortunato

