

AFTER RECORDING, RETURN TO:



200709280137
Skagit County Auditor

9/28/2007 Page

1 of

7 2:21PM

**NOTICE AND ACKNOWLEDGEMENT
AIRPORT AND AIRCRAFT OPERATIONS AND NOISE DISCLOSURE
SKAGIT REGIONAL AIRPORT ENVIRONS**

Permit Number: BP07-0933
Property I.D. No.: P102868
Assessor Tax No.: 340302-4-002-2100
Property Owner(s): Loyd & Joan Frazier

Property Legal Description: (DR19 DK12) ACREAGE ACCOUNT, ACRES 2.50, PARCEL "B" OF BOUNDARY LINE ADJUSTMENT SURVEY RECORDED UNDER AF#200606140093 AKA LOTS 1 AND 2 OF SKAGIT COUNTY SHORT PLAT NO. 94-044, APPROVED OCTOBER 29, 1991 UNDER AUDITOR'S FILE NO. 9111040047, VOLUME 10 OF SHORT PLATS, PAGE 21, RECORDS OF SKAGIT COUNTY, WASHINGTON, BEING A PORTION OF TRACT 3 OF SKAGIT COUNTY SHORT PLAT NO. 74-80, APPROVED JUNE 19, 1980 AND RECORDED JUNE 19, 1980 UNDER AUDITOR'S FILE NO. 8006190030, IN VOLUME 4 OF SHORT PLATS, PAGE 121, BEING A PORTION OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 2, TOWNSHIP 34 NORTH, RANGE 3 EAST, W.M., EXCEPT THAT PORTION OF SAID LOT 2, SAID SKAGIT COUNTY SHORT PLAT NO. 91-044 RECORDED UNDER SKAGIT COUNTY AUDITOR'S FILE NO. 9111040047, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF LOT 1, OF SAID SKAGIT COUNTY SHORT PLAT NO. 91-044, APPROVED OCTOBER 29, 1991 UNDER SKAGIT COUNTY AUDITOR'S FILE NO. 9111040047, IN VOLUME 10 OF SHORT PLATS, PAGE 21, RECORDS OF SKAGIT COUNTY, WASHINGTON, ALSO BEING A PORTION OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 2, TOWNSHIP 34 NORTH, RANGE 3 EAST, W.M.; THENCE NORTH 28 DEGREES 16' 49" WEST ALONG THE EASTERLY LINE OF LOT 2, SAID SKAGIT COUNTY SHORT PLAT NO. 91-044 (ALSO BEING THE SOUTHWESTERLY RIGHT-OF-WAY MARGIN OF AVON-ALLEN ROAD), FOR A DISTANCE OF 41.94 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 69 DEGREES 25' 12" WEST FOR A DISTANCE OF 146.80 FEET; THENCE NORTH 28 DEGREES 16' 49" WEST FOR A DISTANCE OF 157.31 FEET; MORE OR LESS, TO THE WESTERLY LINE OF SAID LOT 2, SKAGIT COUNTY SHORT PLAT NO. 91-044; THENCE NORTH 41 DEGREES 15' 34" EAST ALONG SAID WESTERLY LINE FOR A DISTANCE OF 83.71 FEET TO A CORNER OF SAID LOT 2; THENCE SOUTH 88 DEGREES 59' 14" EAST ALONG THE NORTH LINE OF SAID LOT 2 FOR A DISTANCE OF 66.57 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 25.00 FEET, THROUGH A CENTRAL ANGLE OF 67 DEGREES 42' 42", AN ARC DISTANCE OF 29.54 FEET TO A POINT OF REVERSE CURVATURE, SAID POINT BEING ON

THE WESTERLY RIGHT-OF-WAY MARGIN OF AVON ALLEN ROAD; THENCE ALONG THE ARC OF SAID CURVE TO THE LEFT (ALSO BEING THE WESTERLY RIGHT-OF-WAY MARGIN OF AVON ALLEN ROAD) CONCAVE TO THE EAST, HAVING A RADIUS OF 482.33 FEET; THROUGH A CENTRAL ANGLE OF 7 DEGREES 00' 17" AN ARC DISTANCE OF 58.93 FEET TO A POINT OF TANGENCY, SAID POINT BEARS NORTH 28 DEGREES 16' 49" WEST FROM THE TRUE POINT OF BEGINNING; THENCE SOUTH 28 DEGREES 16' 49" EAST FOR A DISTANCE OF 90.00 FEET, MORE OR LESS, TO THE TRUE POINT OF BEGINNING.

Property Address/Location: 12792 Avon Allen Road, Burlington

Comp Plan/Zoning Designation: Rural Intermediate

NOTICE

The above referenced property is located within the Airport Environs Overlay Zone and is included in a mapped airport-impacted area in the vicinity of the Skagit Regional Airport (and depicted in Exhibits A, B & C, attached hereto). Skagit Regional Airport has been identified in the Skagit County Comprehensive Plan as an Essential Public Facility pursuant to Chapter 36.70A RCW (Washington Growth Management Act). It is the policy of Skagit County to support the continued use of Skagit Regional Airport, including its future accommodation of both increased aircraft traffic and utilization of aircraft of the class, size and category as is now or may hereafter be operationally compatible with the Skagit Regional Airport. The Port of Skagit County, which owns and operates Skagit Regional Airport, claims to have acquired through prescriptive avigation easements the right to operate Skagit Regional Airport with the attendant impacts of low flying aircraft over, near and upon those properties identified in Exhibit A attached hereto.

The Skagit Regional Airport is an aviation facility and is depicted on the maps attached as Exhibits A, B and C. The property subject to this notice will routinely experience the effects of low flying aircraft. As a result, the subject property will experience aircraft noise, exhaust fumes, vibration, glare and invasion of quiet enjoyment resulting from propeller-driven and jet aircraft. The airport noise contours for the immediate vicinity of the Skagit Regional Airport have been identified for the then existing 1994-1995 traffic volumes (Exhibit "B") and those forecast for the year 2013 (Exhibit "C"). The contours and the level of noise received by properties in the vicinity of Skagit Regional Airport will change in the future and impacts to property occupants may increase.

More specific information regarding airport operation and aircraft noise can be obtained by calling the Port of Skagit County, Skagit Regional Airport, Operations Office at (360) 757.0011.



200709280137
Skagit County Auditor

9/28/2007 Page 2 of 7 2:21PM

This notice conveys actual and constructive knowledge to any person or entity acquiring, obtaining, or holding a real property interest or right of occupancy in or on the subject property.

ACKNOWLEDGEMENT

I, Loyd FRAZIER, the owner or occupant of the referenced property hereby acknowledge that I have read and understand the NOTICE provided above. I understand that this NOTICE AND ACKNOWLEDGEMENT will be recorded with the Skagit County Auditor.

The Auditor will convey notice of its contents to all persons or entities acquiring or obtaining an interest or right of occupancy in or on the subject property. I have freely executed this ACKNOWLEDGEMENT as a condition of approval for permit/subdivision/binding site plat application number BP07-0933, as required by SCC 14.16.210(6).

Dated the 28 day of Sept., 2007

By Loyd Frazier

Owner

Loyd FRAZIER
Printed Name

By _____

Owner

Printed Name

(ACKNOWLEDGEMENT FOR INDIVIDUAL GRANTOR)

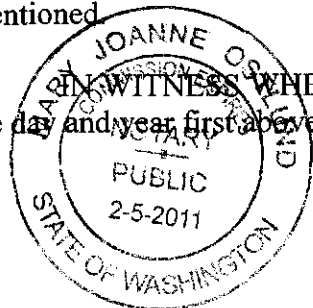
STATE OF WASHINGTON)

:SS

COUNTY OF SKAGIT)

On this 28th day of SEPTEMBER, 2007, before me, personally appeared LOYD FRAZIER, to me known to be the individual described in and who executed the within instrument and acknowledged he/she signed and sealed the same as his/her free and voluntary act and deed for the uses and purposes herein mentioned.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year first above written.



(signature)

MARY JOANNE OSTLUND



200709280137
Skagit County Auditor

(print name)

NOTARY PUBLIC in and for the State of Washington,

residing at Burlington

My appointment expires: 2-05-2011



200709280137

Skagit County Auditor

LEGEND

- ~ Future Noise Contours (2013)
- Airport Environs Overlay
- Port of Skagit County Boundary

"The term 'Day-night average sound level (DNL),' shall mean the 24-hour Average sound level, in decibels, for the period from midnight to midnight, obtained after the addition of ten decibels to sound levels for the periods between midnight and 7 a.m., and between 10 p.m. and midnight, local time.

Based on 14CFR Chapter 1-Part 150, Section 150.7, "Definitions"

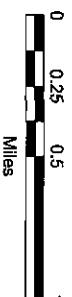


200709280137
Skagit County Auditor

9/28/2007 Page 5 of 7 2:21PM



July 2007



Skagit Regional Airport Future Noise Contours (2013)

LEGEND

- ~ Existing Noise Contours (1994) *See Note
- ~ Airport Environs Overlay
- Port of Skagit County Boundary

*The term "Day-night average sound level (DNL)," shall mean the 24-hour Average sound level, in decibels, for the period from midnight to midnight, obtained after the addition of ten decibels to sound levels for the periods between midnight and 7 a.m., and between 10 p.m. and midnight, local time.

Based on 14CFR Chapter 1, Part 150, Section 150.7, "Definitions"

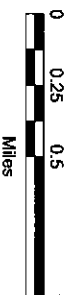
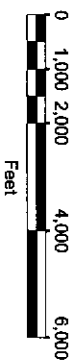


200709280137
Skagit County Auditor

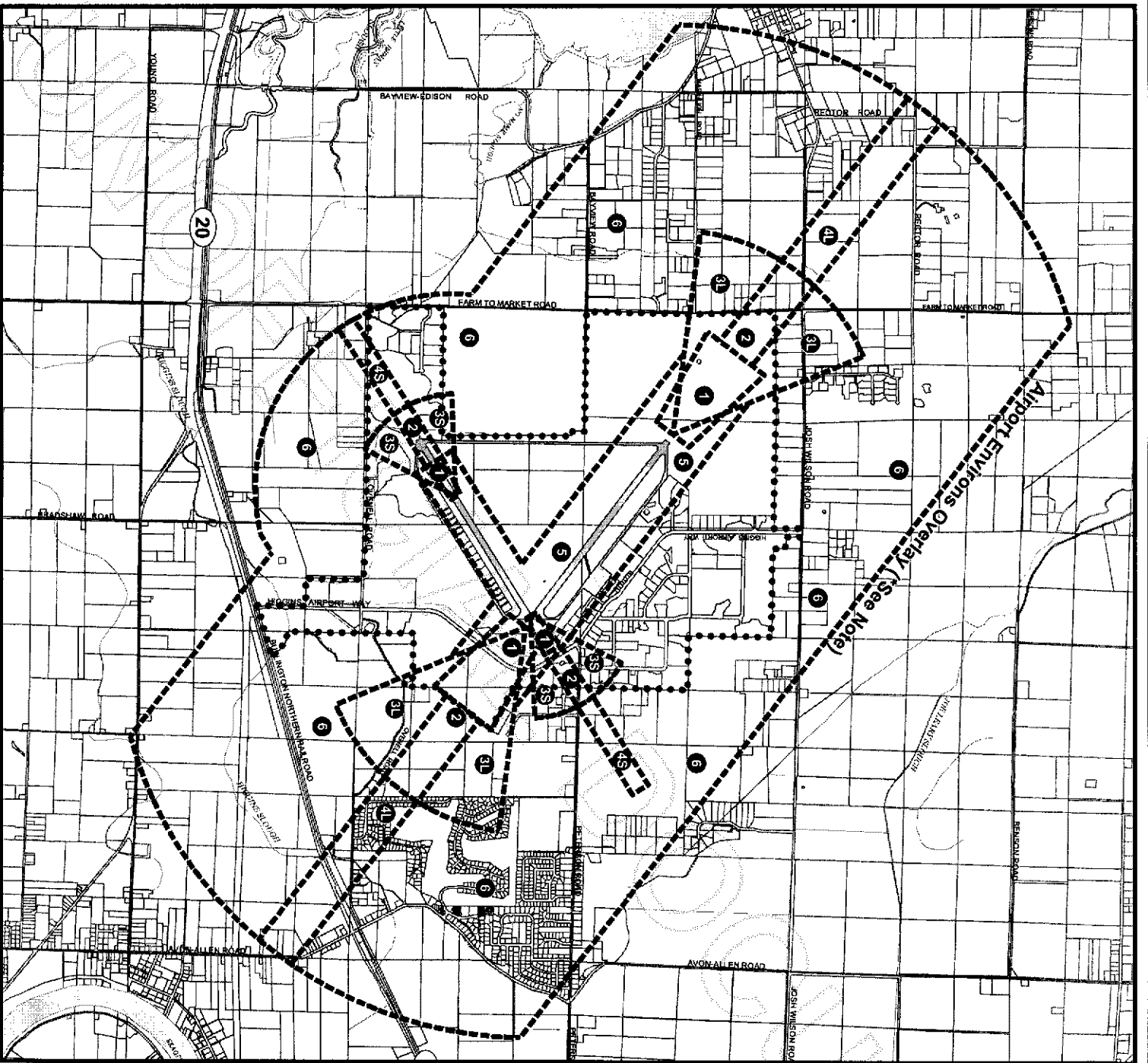
9/28/2007 Page 6 of 7 2:21PM



July 2007



Skagit Regional Airport
Existing Noise Contours (1994)



LEGEND

- Airport Environs Overlay*
- Port of Skagit County Boundary

*Safety zone restrictions are listed in Skagit County Code 14.16.210 (9)

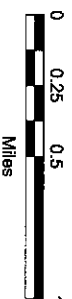


200709280137
Skagit County Auditor

9/28/2007 Page 7 of 7 2:21PM



July 2007



Airport Environs Overlay
(AEO)