

AFTER RECORDING, RETURN TO:



200906110057
Skagit County Auditor

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

Permit Number: BP09-0270

Property I.D. No.: P95894

Assessor Tax No.: 4551-000-042-0001

Property Owner(s): John K. & Jeanne L. Whitney

Property Legal Description: BAY HILL VILLAGE DIV 1, LOT 42

Property Address/Location: 16712 Augusta Lane, Burlington

Comp Plan/Zoning Designation: Bayview Ridge Residential (BR-R)

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.

Exhibit -C

BAYVIEW AIRPORT - PERIMETER DESCRIPTION

Those portions of Sections 33 and 34, Township 35 North, Range 3 East, W.M., and of Sections 3, 4 and 10, Township 34 North, Range 3 East, W.M., described as follows:

Beginning at the intersection of the South line of the County Road along the North line of Section 34, Township 35 North, Range 3 East, W.M., and the West line of said Section 34;
thence East, along said South line of the County Road, a distance of 208 feet;
thence South to a point 300 feet North of the South line of the North $\frac{1}{4}$ of the North $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 34;
thence East, along a line which is 300 feet North of said South line, a distance of 291 feet to the East line of the West 499 feet of the North $\frac{1}{4}$ of the North $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 34;
thence South, along the East line of said West 499 feet, a distance of 300 feet to the South line of said North $\frac{1}{4}$ of the North $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 34;
thence East, along said South line, to the East line of the Northwest $\frac{1}{4}$ of said Section 34;
thence South, along said East line, to the center of said Section 34;
thence East, along the East/West center line of said Section 34, to the East line of the West $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section 34;
thence South, along said East line, and along the East line of the West $\frac{1}{4}$ of the East $\frac{1}{4}$ of Section 3, Township 34 North, Range 3 East, W.M., to the North line of Ovenell Road;
thence West, along the North line of Ovenell Road, a distance of 100 feet;
thence Northwesterly to a point on the North line of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section 3 that is 150 feet West of the Northeast corner thereof;
thence West, along the North line of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ to the Northwest corner thereof;
thence South, along the North/South center line of said Section 3 and the North/South center line of Section 10, Township 34 North, Range 3 East, W.M., to the Southeast corner of the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 10;
thence South $0^{\circ}21'30''$ West, along the East line of the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 10, a distance of 379.7 feet to the center of Higgins Slough;
thence South $83^{\circ}45'00''$ East, along the center of said slough, a distance of 56.1 feet;
thence South $77^{\circ}49'00''$ East a distance of 171.0 feet;
thence South $54^{\circ}30'00''$ East a distance of 67.0 feet;
thence South $46^{\circ}17'30''$ East a distance of 479.0 feet to the Northerly line of the Great Northern Railway right-of-way;
thence South $73^{\circ}20'30''$ West, along said Northerly line, to the North/South center line of said Section 10;
thence Southwesterly, along Northerly right-of-way line, to the East line of the West 687.7 feet, as measured along the North line, of the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 10;



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thence North, along said East line of the West 687.7 feet, to the North line of said Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$;
 thence West, along the North line thereof, a distance of 687.7 feet to the Northwest corner thereof;
 thence North, along the West line of the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 10, to the North line thereof, which point is also the South line of Section 3, Township 34 North, Range 3 East, W.M.;
 thence West, along the South line of Sections 3 and 4 of said Township 34 North, Range 3 East, W.M., to the Southwest corner of said Section 4;
 thence North, along the West line of said Section 4, to the Southwest corner of a tract conveyed to PACCAR Inc., a Delaware corporation, by deed recorded December 21, 1979, under Auditor's File No. 7912210064, said point being South $1^{\circ}18'41''$ West a distance of 746.70 feet from the West $\frac{1}{4}$ corner of said Section 4;
 thence South $88^{\circ}37'12''$ West, a distance of 3,139.05 feet; along the South line of said PACCAR, Inc. tract, to the Southeast corner thereof;
 thence North $0^{\circ}37'03''$ East, along the East line of said PACCAR, Inc. tract, a distance of 3,159.99 feet;
 thence North $88^{\circ}39'12''$ West a distance of 120.01 feet;
 thence North $0^{\circ}37'13''$ East a distance of 320.36 feet to the North line of said Section 4;
 thence North $88^{\circ}37'12''$ West, along the North line of said Section 4, a distance of 2,601.20 feet to the Northwest corner of said Section 4;
 thence North, along the West line of Section 33, Township 35 North, Range 3 East, W.M., to the North line of the South $\frac{1}{4}$ of the North $\frac{1}{4}$ of the North $\frac{1}{4}$ of said Section 33;
 thence East, along said North line, to the East line of said Section 33;
 thence North, along said East line, to the point of beginning.

EXCEPTING THEREFROM those portions above described which lie within the rights-of-way of the County Roads known as Ovenell Road, Farm-to-Market Road, Josh Wilson Road, Peterson Road and Higgins Airport Way.

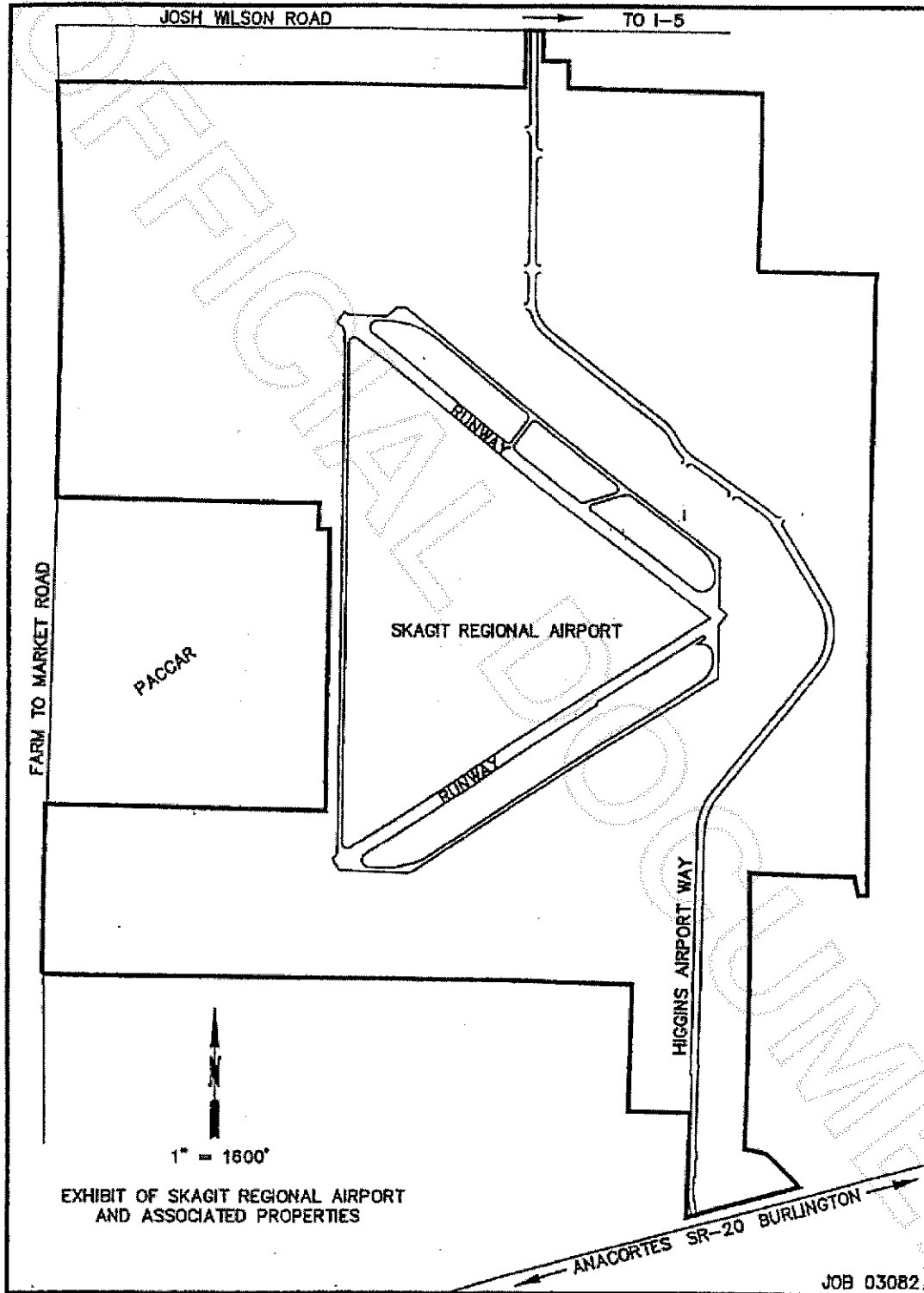
Situate in the County of Skagit, State of Washington

NOTE: A portion of the property described above has been included within a Binding Site Plan known as "SKAGIT REGIONAL AIRPORT BINDING SITE PLAN PHASE 1", as approved August 22, 1986, and recorded August 25, 1986, in Volume 7 of Short Plats, pages 111 through 120, under Auditor's File No. 8608250002, records of Skagit County, Washington; being a portion of Section 34, Township 35 North, Range 3 East, W.M.

END OF EXHIBIT C



EXHIBIT D



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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.

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, John + Jeanne Whitney, 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 BP09-0270, as required by SCC 14.16.210(6).

Dated the 4 day of June, 2009

By [Signature]
Owner

Printed Name

By Jeanne Whitney
Owner

Printed Name



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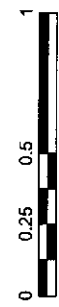
LEGEND

- ✈ Airport Environs Overlay*
- ⬢ Port of Skagit County Boundary

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

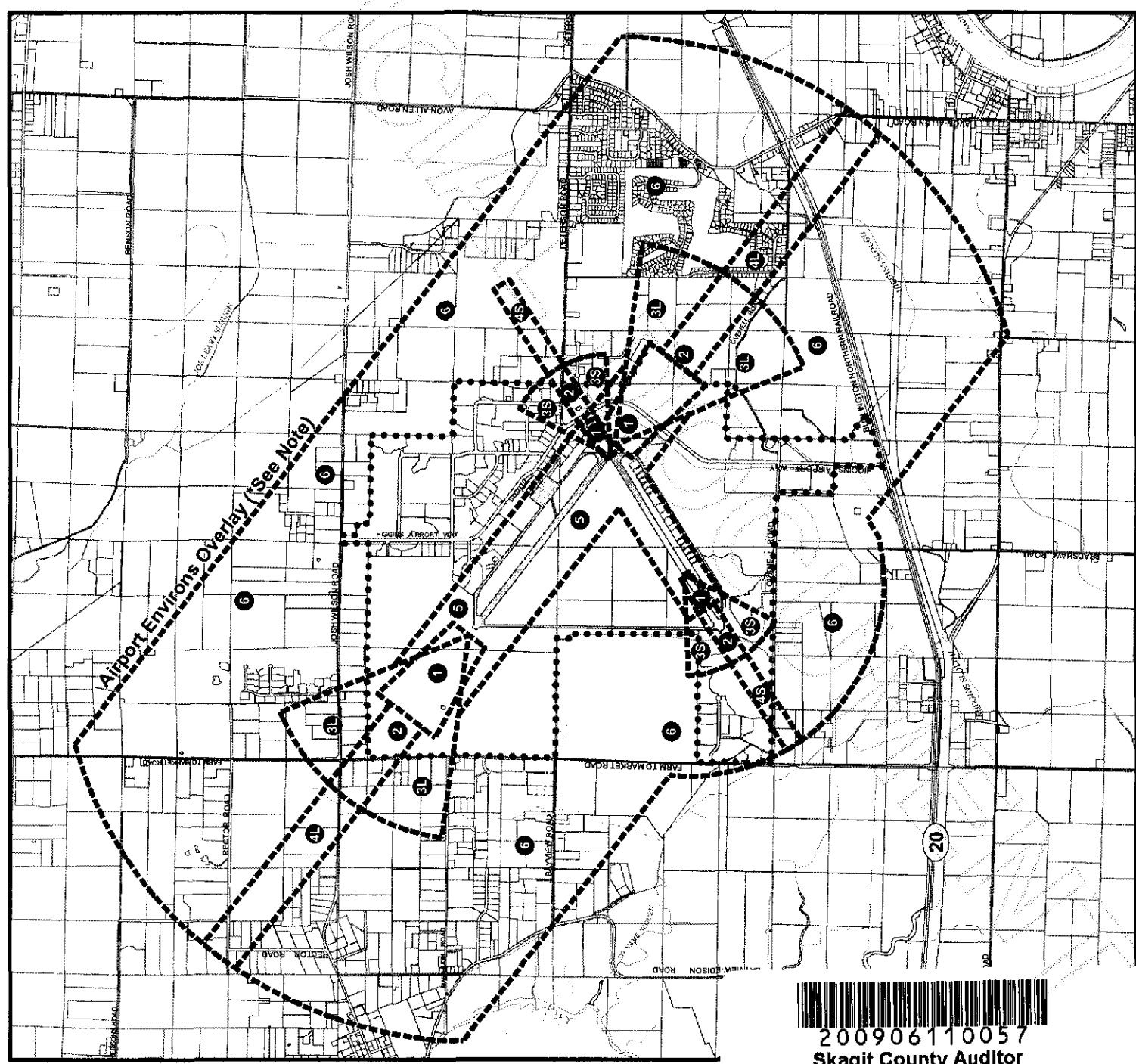


July 2007



Airport Environs Overlay (AEO)

Exhibit A



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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"



July 2007



Feet

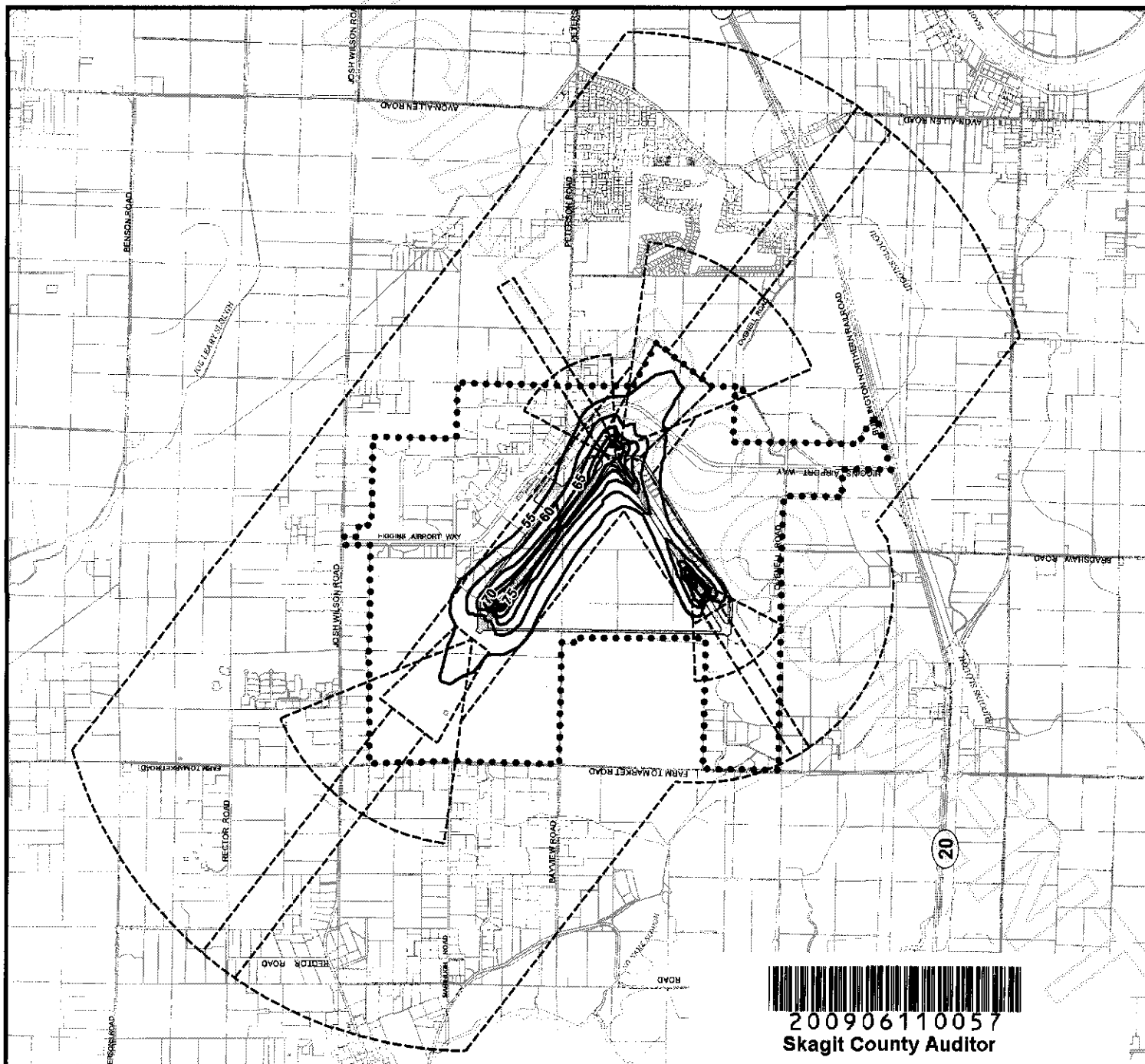


Miles



Skagit Regional Airport Existing Noise Contours (1994)

Exhibit B



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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"



July 2007



Feet

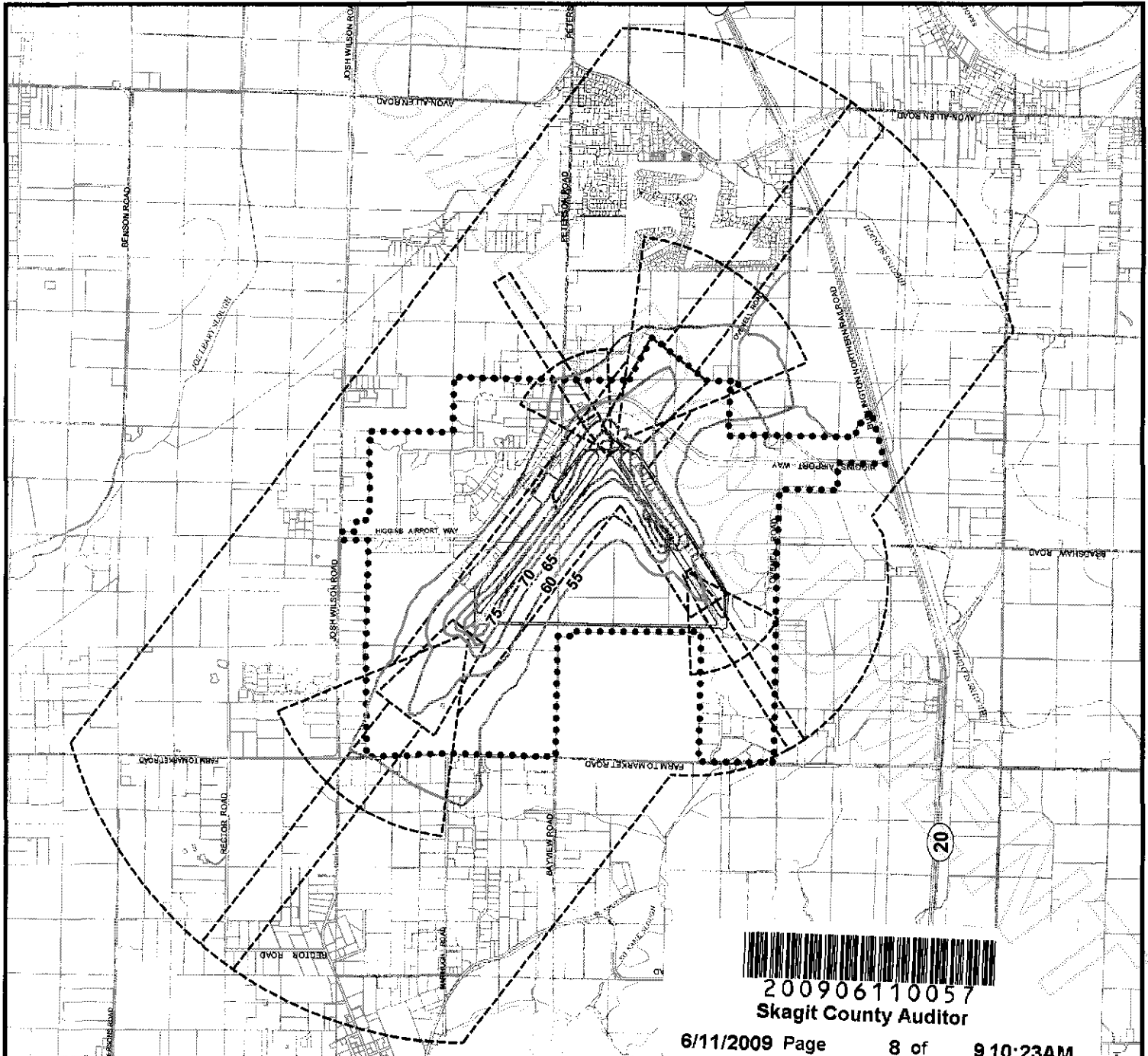


Miles



Skagit Regional Airport Future Noise Contours (2013)

Exhibit C



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(ACKNOWLEDGEMENT FOR INDIVIDUAL GRANTOR)

STATE OF WASHINGTON)

COUNTY OF SKAGIT)SS

On this 4th day of JUNE, 20 09, before me, personally appeared JOHN + TERRANA WHITNEY, to me known to be the individual S 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)

(print name)

NOTARY PUBLIC in and for the State of Washington,

residing at

My appointment expires:



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