

AFTER RECORDING, RETURN TO:

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200908130080

Skagit County Auditor

8/13/2009 Page 1 of 6 2:58PM

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

**Permit Number:** BP09-0419  
**Property I.D. No.:** P95860  
**Assessor Tax No.:** 4551-000-021-0000  
**Property Owner(s):** Thomas M Henry & Linda M Henry  
**Property Legal Description:** Bay Hill Village Div 1 Lot 21  
**Property Address/Location:** 12199 Bayhill Drive, 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.

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, Thomas M Henry or Linda M Henry, the owner or occupant of the referenced property, hereby acknowledges 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 BP09-0419, as required by SCC 14.16.210(6).

Dated the 13<sup>TH</sup> day of August, 2009.

By Thomas M Henry

Owner

Thomas M. Henry  
Printed Name

By Linda M. Henry

Owner

Linda M. HENRY  
Printed Name



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Skagit County Auditor

(ACKNOWLEDGEMENT FOR INDIVIDUAL GRANTOR)

STATE OF WASHINGTON)

COUNTY OF Skagit :SS

On this 13<sup>th</sup> day of August, 2009, before me, personally appeared Thomas + Linda Henry, 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.

Megan Johnson  
(Signature)  
Megan Johnson  
(Printed name)

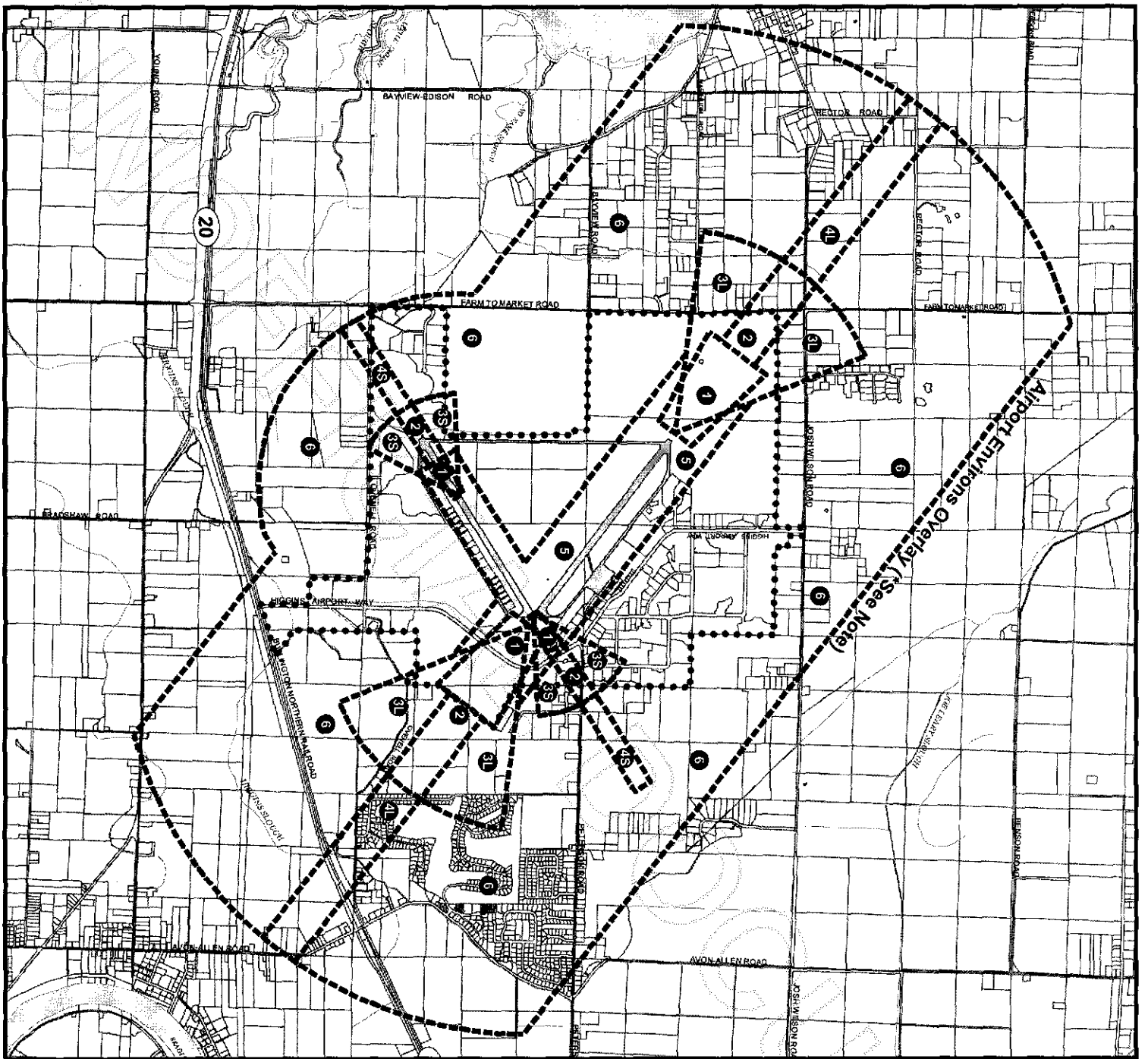
NOTARY PUBLIC in and for the State of Washington,

Residing at Sedro Woolley

My appointment expires: March 4, 2012



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Skagit County Auditor



# LEGEND

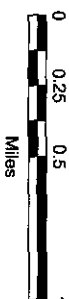
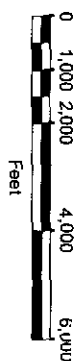
- Airport Environs Overlay\*
- Port of Skagit County Boundary

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

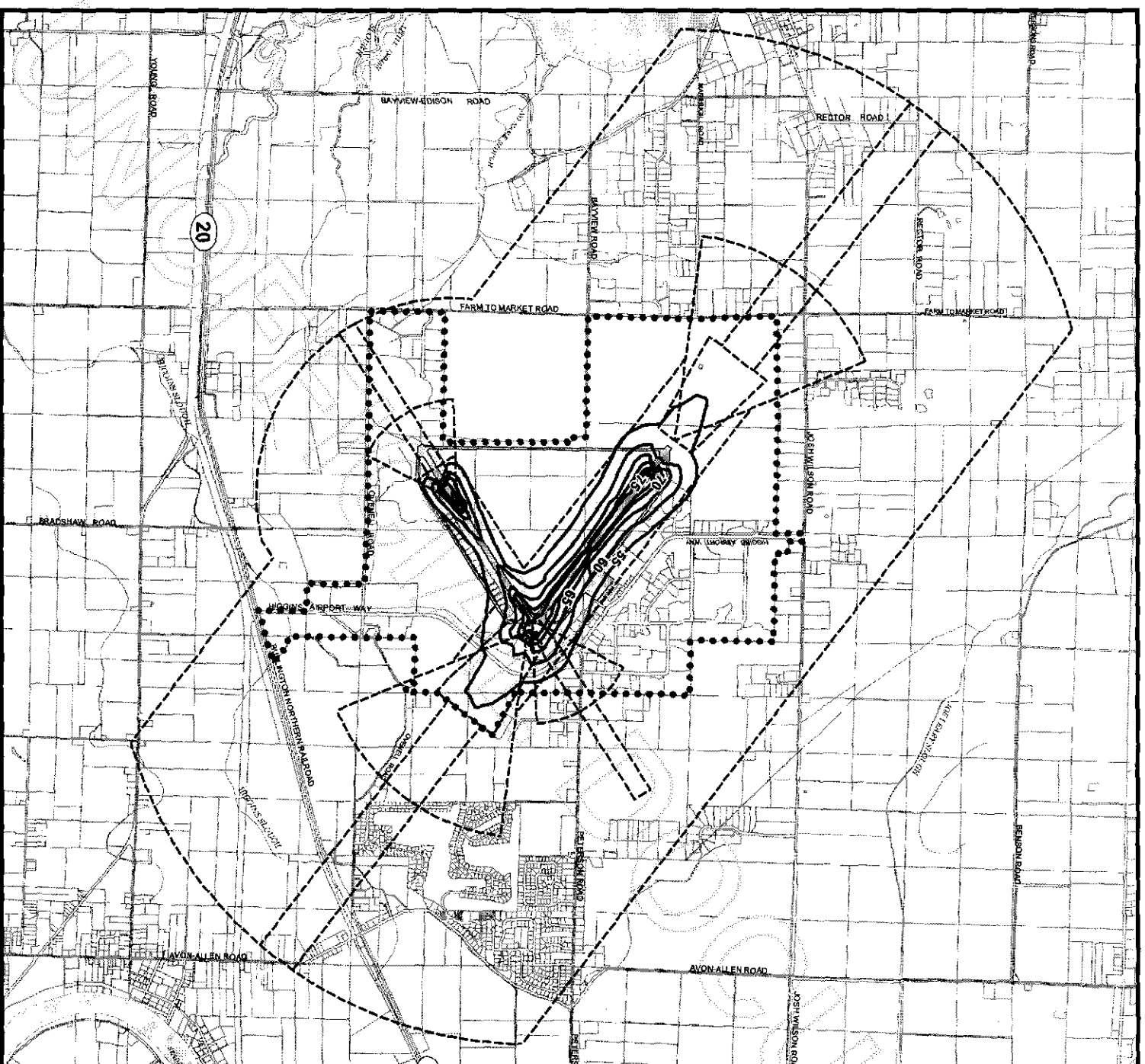


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July 2007



Airport Environs Overlay  
(AEO)

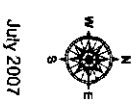


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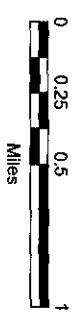
- Existing Noise Contours (1994) \*See Note
- ~ Airport Environs Overlay
- Port of Skagit County Boundary

\*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

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

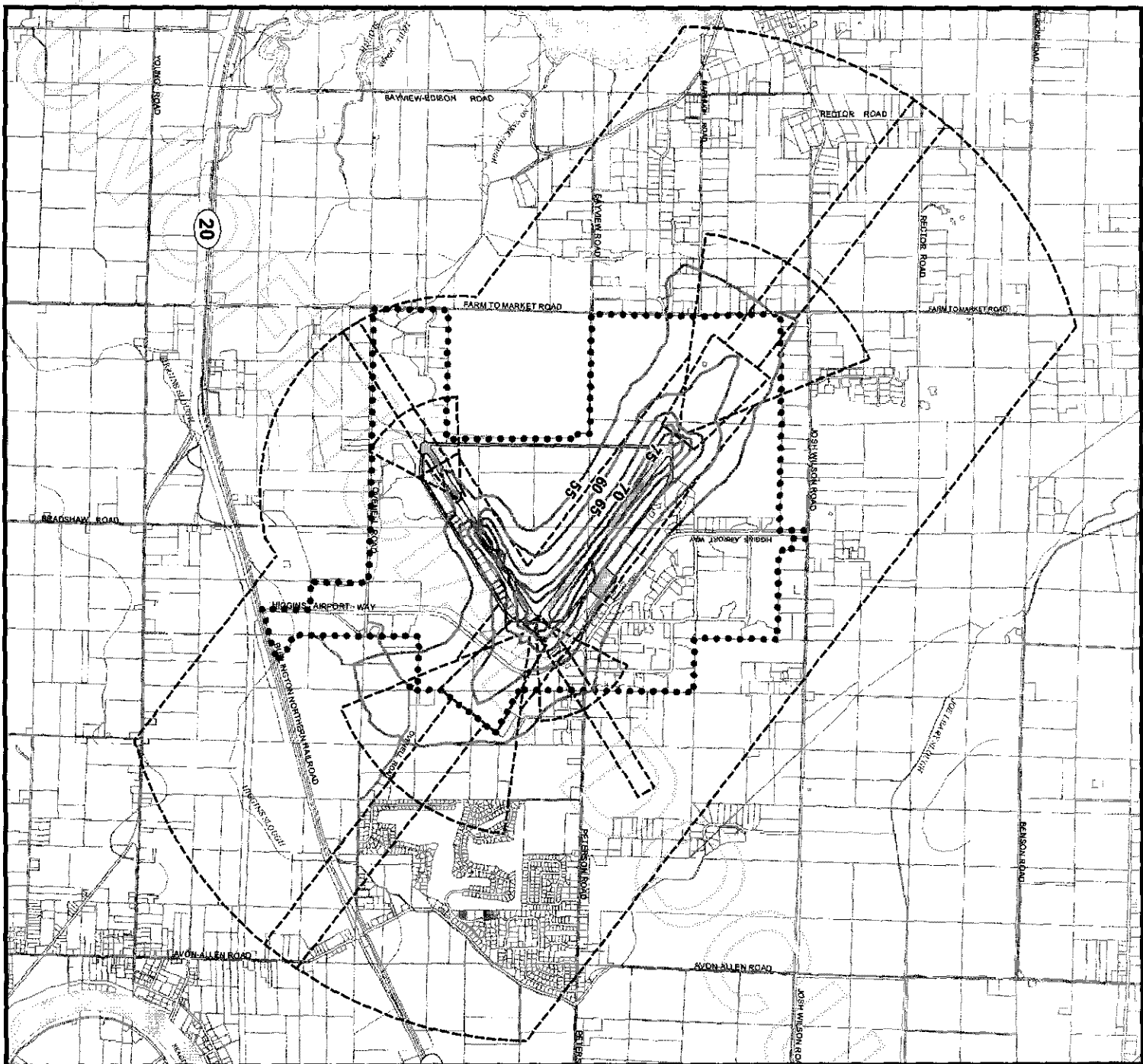


July 2007



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Skagit Regional Airport  
Existing Noise Contours (1994)



# 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



0 1,000 2,000 4,000  
Feet

0 0.25 0.5  
Miles



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Skagit Regional Airport  
Future Noise Contours (2013)