



201801250057

Skagit County Auditor

\$51.00

1/25/2018 Page

1 of

8 10:13AM

## Name &amp; Return Address:

USA Federal Aviation Administration

1601 Lind Ave SW

Renton, WA 98057

**Washington State Recorder's Cover Sheet** (RCW 65.04) Please print legibly or type information.

Document Title(s)	<b>Deed of Release</b>	GUARDIAN NORTHWEST TITLE CO. 114914
Grantor(s)	United States of America	
____ Additional Names on Page ____ of Document		
Grantee(s)	Port of Skagit County	
____ Additional Names on Page ____ of Document		
<b>Legal Description</b> (Abbreviated: i.e., lot, block & subdivision name or number OR section/township/range and quarter/quarter section) Skagit Regional Airport BSP Phase 2 Div 5, 7, and a portion of Div 4 & 6 Complete Legal Description on Page ____ of Document		
Auditor's Reference Number(s)		
Assessor's Property Tax Parcel/Account Number(s) <b>P126298...see attached</b>		
<b>Non Standard Fee \$50.00</b> By signing below, you agree to pay the \$50.00 non standard fee. I am requesting an emergency non standard recording for an additional fee as provided in RCW 36.18.010. I understand that the recording processing requirements may cover up or otherwise obscure some part of the text of the original document.  <b>Signature of Party Requesting Non Standard Recording</b> NOTE: Do not sign above or pay additional \$50.00 fee if document meets margin/formatting requirements.  The Auditor/Recorder will rely on the information provided on this cover sheet. Staff will not read the document to verify the accuracy or completeness of the indexing information provided herein.		

## DEED OF RELEASE

WHEREAS, the United States of America, acting by and through the General Services Administrator, under and pursuant to the powers and authority contained in the Federal Property and Administrative Services Act of 1949 (Public Law 152, 81<sup>st</sup> Congress; 63 Stat. 377), and the provisions of the Surplus Property Act of 1944 (Public Law 457, 78<sup>th</sup> Congress; 58 Stat. 765), as amended, by instrument entitled "Quitclaim Deed" dated February 15, 1958, did remise, release, and forever quitclaim to Skagit County, Washington, its successors and assigns, all rights, title and interest of the United States of America in and to certain property currently known as Skagit Regional Airport, subject to certain conditions, reservations, exceptions and restrictions; and

WHEREAS, Skagit County did by an instrument entitled Quitclaim Deed, dated February 3, 1965, remise, release and forever quitclaim to the Port of Anacortes and the Port of Skagit County, Washington, as Grantees, their successors and assigns, all right, title and interest of Skagit County in and to certain property currently known as the Skagit Regional Airport, for and in consideration of the assumption by the Port of Anacortes and the Port of Skagit County of all the obligations, reservations, restrictions, and conditions contained in the Quitclaim Deed set forth above from the United States of America, and subject to certain conditions, reservations, exceptions and restrictions; and

WHEREAS, the Port of Anacortes, Washington, did by an instrument entitled Quitclaim Deed, dated June 17, 1975, remise, release and forever quitclaim to the Port of Skagit County, Washington (Grantee), its successors and assigns, all rights, title and interest of the Port of Anacortes in and to certain property currently known as the Skagit Regional Airport for and in consideration of the assumption by the Port of Skagit County, Washington, of all the obligations, reservations, restrictions and conditions contained in the Quitclaim Deed set forth above from the United States of America; and

WHEREAS, a private party prospective purchaser, PACCAR, Inc., has expressed to the Port of Skagit County an interest in purchasing that portion of the Skagit Regional Airport property described on Exhibit A and depicted on Exhibit B, hereinafter referred to as ("the Property"); and

WHEREAS, the Port of Skagit County Commissioners, following a duly noticed and conducted public hearing held on April 19, 2017, did by Resolution No. 17-14 dated April 19, 2017, declare the Property surplus to the needs of the Port of Skagit and authorize conveyance of the Property to PACCAR, Inc; and

SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

2018276  
JAN 24 2018

Amount Paid \$0  
Skagit Co. Treasurer  
By *man* Deputy

WHEREAS, the Seattle Airports District Office of the Federal Aviation Administration issued a Finding of No Significant Impact for release of the Property at Skagit Regional Airport from the federal deed restrictions contained in the Quitclaim Deed dated February 15, 1958 from the United States of America to Skagit County for the purposes of selling the Property for economic development; and

WHEREAS, the Port of Skagit County has requested the United States of America to release the hereinafter described property from the conditions, reservations, exceptions and restrictions of said instrument for the purpose of selling the property to PACCAR, Inc. (Grantee) for economic development; and

WHEREAS, the Administrator of the Federal Aviation Administration, under and pursuant to the powers and authority contained in Public Law 311 (63 Stat. 700) is authorized to grant a release from any of the terms, conditions, reservations and restrictions contained in, and to convey, quitclaim or release any right or interest reserved to the United States of America by any instrument of disposal under which surplus airport property was conveyed to a non-Federal public agency pursuant to Section 13 of the Surplus Property Act of 1944 (58 Stat. 765); and

WHEREAS, the said Administrator has determined that the land described hereinafter is no longer needed for the purpose for which it was made subject to the terms, conditions, reservations and restrictions of the said surplus airport property instrument of transfer and that said land can be released without adversely affecting the aeronautical use of the said airport; and

NOW, THEREFORE, in consideration of the above-expressed recitals and of the benefits to accrue to the United States and to civil aviation and in further consideration of the terms and provisions hereinafter set forth, the United States of America, upon inclusion of provisions as follows by the Port of Skagit County in any subsequent Instrument of Transfer conveying title to the hereinafter described real property:

1. This is hereby reserved to the Port of Skagit County, its successors and assigns, for the use and benefit of the public, a right of flight for the passage of aircraft in the airspace above the surface of the premises herein conveyed. This public right of flight shall include the right to cause in said airspace any noise inherent in the operation of any aircraft used for navigation or flight through the said airspace or landing at, taking off from, or operation on the Skagit Regional Airport;
2. The erection of any structure (buildings, poles, or other man-made objects) or growth of natural objects that would constitute an obstruction to air navigation, as determined by 14 CFR Part 77 (or

subsequent regulations), are prohibited. Height of objects shall not exceed 50 feet or the height of the 14 CFR Part 77 surface on any given industrial development lot. The Grantee (or its transferees, successors, or assigns) will maintain natural objects below these heights, and will mark or light objects as necessary and as directed by the Port of Skagit County. The Port of Skagit County reserves unto itself, the right to enter the property to cut, or lower any object, natural or otherwise, of a height in excess of 14 CFR Part 77 surfaces relating to the airport;

3. A notice consistent with the requirements of 14 CFR Part 77 (FAA Form 7460-1) must be filed prior to constructing any facility, structure, or other item on the property;
4. Uses of the property that create interference between aircraft and communication facilities serving the airport are prohibited. Uses of the property which make it difficult for pilots to distinguish between airport lights and others, impair visibility in the vicinity of the airport, or endanger the landing, take off, or maneuvering of aircraft are prohibited. The Grantee (or its transferees, successors, or assigns) will remove any such uses immediately as directed by the Port of Skagit County;
5. The property will not be used to create a potential for attracting birds or other wildlife that may pose a hazard in accordance with current FAA guidance. The Grantee (or its transferees, successors, or assigns) will remove any identified attractants immediately as directed by the Port of Skagit County;

hereby releases, upon the condition that the Port of Skagit County will use all proceeds from the sale exclusively for developing, improving, operating, or maintaining the Skagit Regional Airport as depicted on an approved Airport Layout Plan, the said real Property from the conditions, reservations, and restrictions as contained in the above mentioned Quitclaim Deed from the United States of America to Skagit County dated February 15, 1958, which real Property is more particularly described on Exhibit "A" and depicted on Exhibit "B" attached hereto.

By its acceptance of this Deed of Release the Port of Skagit covenants and agrees for itself, its successors and assigns to comply with and observe all the limitations set forth herein, expressly limited to the above described property.

IN WITNESS WHEREOF the United States of America has caused this Instrument of Release to be executed as of the 14 day of Dec 2017.

UNITED STATES OF AMERICA

The Administrator of the Federal Aviation Administration

By

Joelle Briggs  
Joelle Briggs, Manager

Seattle Airports District Office

STATE OF WASHINGTON)

ss

COUNTY OF KING)

On this 14<sup>th</sup> day of DEC, 2017, before me, BOBBETTE G. NUGENT Notary Public in and for the above captioned County and State, personally appeared Joelle Briggs, known to me to be the Manager of the Federal Aviation Administration's Seattle Airports District Office, and known to me to be the person whose name is subscribed to the within instrument and acknowledged that she executed the same on behalf of the Administrator of the Federal Aviation Administration and the United States of America.

WITNESS my hand and official seal.



Bobbette G. Nugent

Notary Public for State of Washington

My Commission Expires: 8/19/2020

**EXHIBIT "A"**  
**Legal Description of Released Real Property**  
**at**  
**Skagit Regional Airport**

**PARCEL "A":**

All of "SKAGIT REGIONAL AIRPORT BINDING SITE PLAN, PHASE 2, DIV. 5," also known as PL 04-0672 recorded May 30, 2007, as Auditor's File No. 200705300029.

TOGETHER WITH the following described portion of intended Divisions 4 and 6 of the Master Plan Skagit Regional Airport Binding Site Plan, Phase II as per Map recorded as Auditor's File No. 200101220162:

BEGINNING AT THE SOUTHEAST CORNER OF TRACT H OF SKAGIT REGIONAL AIRPORT BINDING SITE PLAN, PHASE 2, DIV. 5 ACCORDING TO THE MAP THEREOF RECORDED UNDER AUDITOR'S FILE NUMBER 200705300029, RECORDS OF SKAGIT COUNTY, WASHINGTON;

THENCE NORTH 5°59'53" WEST ALONG EAST LINE OF SAID TRACT H FOR A DISTANCE OF 88.28 FEET;

THENCE NORTH 74°10'23" EAST ALONG SAID EAST LINE FOR A DISTANCE OF 65.20 FEET;

THENCE NORTH 54°47'19" EAST ALONG SAID EAST LINE FOR A DISTANCE OF 40.51 FEET;

THENCE NORTH 43°56'31" EAST ALONG SAID EAST LINE FOR A DISTANCE OF 107.94 FEET;

THENCE NORTH 24°02'32" EAST ALONG SAID EAST LINE FOR A DISTANCE OF 67.54 FEET;

THENCE NORTH 15°50'42" EAST ALONG SAID EAST LINE FOR A DISTANCE OF 56.15 FEET;

THENCE NORTH 9°44'09" WEST ALONG SAID EAST LINE FOR A DISTANCE OF 76.37 FEET;

THENCE NORTH 31°28'44" EAST ALONG SAID EAST LINE FOR A DISTANCE OF 65.38 FEET;

THENCE NORTH 84°43'02" EAST ALONG SAID EAST LINE FOR A DISTANCE OF 22.75 FEET;

THENCE NORTH 75°36'23" EAST ALONG SAID EAST LINE FOR A DISTANCE OF 28.06 FEET;

THENCE NORTH 60°25'24" EAST ALONG SAID EAST LINE FOR A DISTANCE OF 23.41 FEET;

THENCE NORTH 54°59'11" EAST ALONG SAID EAST LINE FOR A DISTANCE OF 26.15 FEET;

THENCE NORTH 44°58'25" EAST ALONG SAID EAST LINE FOR A DISTANCE OF 26.14 FEET;

THENCE NORTH 35°00'16" EAST ALONG SAID EAST LINE FOR A DISTANCE OF 26.14 FEET;

THENCE NORTH 24°49'36" EAST ALONG SAID EAST LINE FOR A DISTANCE OF 27.00 FEET;

THENCE NORTH 19°39'57" EAST ALONG SAID EAST LINE FOR A DISTANCE OF 88.96 FEET;

THENCE SOUTH 1°56'33" WEST FOR A DISTANCE OF 93.51 FEET;

THENCE SOUTH 2°23'50" WEST FOR A DISTANCE OF 199.41 FEET;

THENCE SOUTH 1°00'30" WEST FOR A DISTANCE OF 348.90 FEET TO THE NORTH MARGIN OF OVENELL ROAD;

THENCE NORTH 89°20'53" WEST ALONG SAID NORTH MARGIN FOR A DISTANCE OF 350.00 FEET;

THENCE NORTH 89°08'13" WEST ALONG SAID NORTH MARGIN FOR A DISTANCE OF 24.30 FEET TO THE TRUE POINT OF BEGINNING.

(continued on next page)

EXCEPT THAT PORTION OF TRACT H OF SKAGIT REGIONAL AIRPORT BINDING SITE PLAN, PHASE 2, DIV. 5 ACCORDING TO THE MAP THEREOF RECORDED UNDER AUDITOR'S FILE NUMBER 200705300029, RECORDS OF SKAGIT COUNTY, WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID TRACT H;

THENCE NORTH  $88^{\circ}37'42''$  WEST ALONG THE NORTH LINE OF SAID TRACT H FOR A DISTANCE OF 183.50 FEET;

THENCE SOUTH  $28^{\circ}57'38''$  WEST FOR A DISTANCE OF 713.59 FEET;

THENCE SOUTH  $26^{\circ}38'53''$  EAST FOR A DISTANCE OF 241.85 FEET;

THENCE SOUTH  $58^{\circ}00'29''$  EAST FOR A DISTANCE OF 118.07 FEET;

THENCE SOUTH  $28^{\circ}23'06''$  EAST FOR A DISTANCE OF 118.30 FEET;

THENCE SOUTH  $1^{\circ}56'33''$  WEST FOR A DISTANCE OF 210.26 FEET TO A POINT ON THE EAST LINE OF SAID TRACT H;

THENCE NORTH  $19^{\circ}39'57''$  EAST ALONG SAID EAST LINE FOR A DISTANCE OF 275.04 FEET TO A POINT ON AN ARC OF A TANGENTIAL CURVE TO THE LEFT HAVING A RADIUS OF 149.49 FEET;

THENCE NORTHERLY ALONG SAID EAST LINE AND ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF  $77^{\circ}36'55''$  FOR A DISTANCE OF 202.51 FEET;

THENCE NORTH  $27^{\circ}51'11''$  EAST ALONG SAID EAST LINE FOR A DISTANCE OF 294.37 FEET;

THENCE SOUTH  $56^{\circ}58'12''$  EAST ALONG SAID EAST LINE FOR A DISTANCE OF 45.87 FEET;

THENCE NORTH  $57^{\circ}29'53''$  EAST ALONG SAID EAST LINE FOR A DISTANCE OF 69.16 FEET;

THENCE NORTH  $0^{\circ}39'38''$  EAST FOR A DISTANCE OF 504.49 FEET TO THE TRUE POINT OF BEGINNING.

**PARCEL "B":**

All of "SKAGIT REGIONAL AIRPORT BINDING SITE PLAN, PHASE 2, DIV. 7," also known as PL 04-0673 recorded May 30, 2007, as Auditor's File No. 200705300031.

Situate in Skagit County, State of Washington.

P126298 ; P126297 ; P126290 ; P126289 ; P126295  
P126292 ; P126291 ; P126293 ; P126531 ; P126296  
P126303 ; P126300 ; P126302 ; P126301 ; P126532  
P126299 ; P126304 ; P126294 ; P118865 ; P118866

EXHIBIT "B"  
Depiction of Released Real Property  
at  
Skagit Regional Airport

