

AFTER RECORDING, RETURN TO:

Port of Skagit County  
15400 Airport Drive  
Burlington, WA 98233



**201910040035**

10/04/2019 10:24 AM Pages: 1 of 6 Fees: \$108.50  
Skagit County Auditor

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

**Property I.D. No.:** P121434 and P121435  
**Assessor Tax No.:** 350334-4-004-0200 and 350334-4-001-0100  
**Property Owner(s):** Skagit Transit System, a Washington Municipal Corporation  
**Abbreviated Legal Description:** Ptn the E ½ of the SE ¼ of S34, T35 N, R3 E  
**Property Address/Location:** 11784 Bay Ridge Drive  
**Comp Plan/Zoning Designation:** Bayview Ridge Light Industrial

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**NOTICE**

The above referenced property ("Subject 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 are 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 Subject Property 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 traffic volumes (Exhibit "B") and forecasted future traffic volumes (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.

Additionally, the Subject Property is in Airport Compatibility Zone 2, in close proximity to the end of a runway at Skagit Regional Airport and therefore will experience the low altitude over-flight effects of aircraft landing and taking off from the airport. There is a risk that such an aircraft could accidentally crash into the Subject Property causing property damage to the Subject Property and/or injury and/or death to persons on the Subject Property from impact, fire or explosion.

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

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

#### ACKNOWLEDGEMENT AND WAIVER

I, Dale S. O'Brien, known to be the Executive Director of Skagit Transit System, a Washington municipal corporation, the owner of the referenced property, hereby acknowledge that I have read and understand the NOTICE provided above and that I waive for myself, my successors, heirs and executors and any person on or about the Subject Property or who has personal property thereon any and all claims against Skagit County and the Port of Skagit County for personal injury, death or property damage caused by aircraft impacting the Subject Property. I understand that this NOTICE ACKNOWLEDGEMENT AND WAIVER 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 to occupancy in or on the subject property. I have freely executed this ACKNOWLEDGEMENT AND WAIVER as a condition of approval for permit/subdivision/binding site plan application number \_\_\_\_\_, as required by SCC 14.16.210(5).

Dated the 30 day of September, 2019.

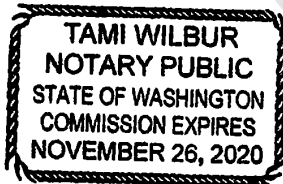
By Dale S. O'Brien  
Owner

Dale S. O'Brien  
Printed Name

STATE OF WASHINGTON )  
 ) ss  
COUNTY OF SKAGIT )

On this 30 day of September, 2019, before me, the undersigned Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Dale O'Brien to me known to be the Executive Director of Skagit Transit System, a Washington municipal corporation that executed the foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that they was duly authorized to execute the same and that the seal affixed is the corporate seal of said corporation.

WITNESS my hand and official seal hereto the day and year in this certificate first above written.



Tami Wilbur

(signature)

Tami Wilbur

(print name)

NOTARY PUBLIC in and for the State of Washington,  
residing at 516 Klose Way LaConner WA  
My appointment expires: Nov 26, 2020

