

AFTER RECORDING, RETURN TO:



201508260033

Skagit County Auditor \$77.00
8/26/2015 Page 1 of 6 10:57AM

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

Permit Number: BP15-0463 & BP15-0545
Property I.D. No.: P122072 & 122070
Assessor Tax No.: 8054-000-003-0000 & 8054-000-002-0000
Property Owner(s) Bayhill Ridge LLC

Property Legal Description: (1.5600 ac) BAY RIDGE BUSINESS PARK BINDING SITE PLAN, LOT 2C, ACRES 1.56 & (2.1700 ac) BAY RIDGE BUSINESS PARK BINDING SITE PLAN, LOT 2B, ACRES 2.17, LOT 2B BAYRIDGE BUSINESS PARK B.S.P. PHASE 2 LOT 2B BAYRIDGE BUSINESS PARK B.S.P. PHASE 2

Property Address/Location: 15935 & 15934 Preston Place, Burlington

Comp Plan/Zoning Designation: Bayview Ridge – Light Industrial (BR-LI)

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.

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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 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, Glenn Sakuma, 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 **BP15-0463 & BP15-0545**, as required by SCC 14.16.210(5).

Dated the 26 day of August, 2015

By Glenn Sakuma
Owner

By _____
Owner
Glenn Sakuma

Printed Name

Printed Name

(ACKNOWLEDGEMENT FOR CORPORATE GRANTOR)

STATE OF WASHINGTON)

:ss

COUNTY OF SKAGIT)

On this 26 day of August, 2015, before me personally appeared Glenn Sakuma and _____ to me known to be the President and Secretary, respectively, of the corporation that executed the within and 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 were authorized to execute said instrument and that the seal affixed is the corporate seal of said corporation.

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

Denise Bazan

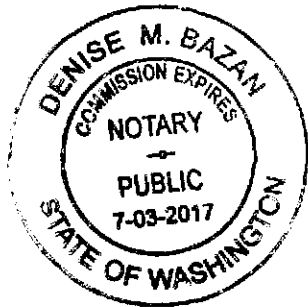
(signature)

Denise Bazan

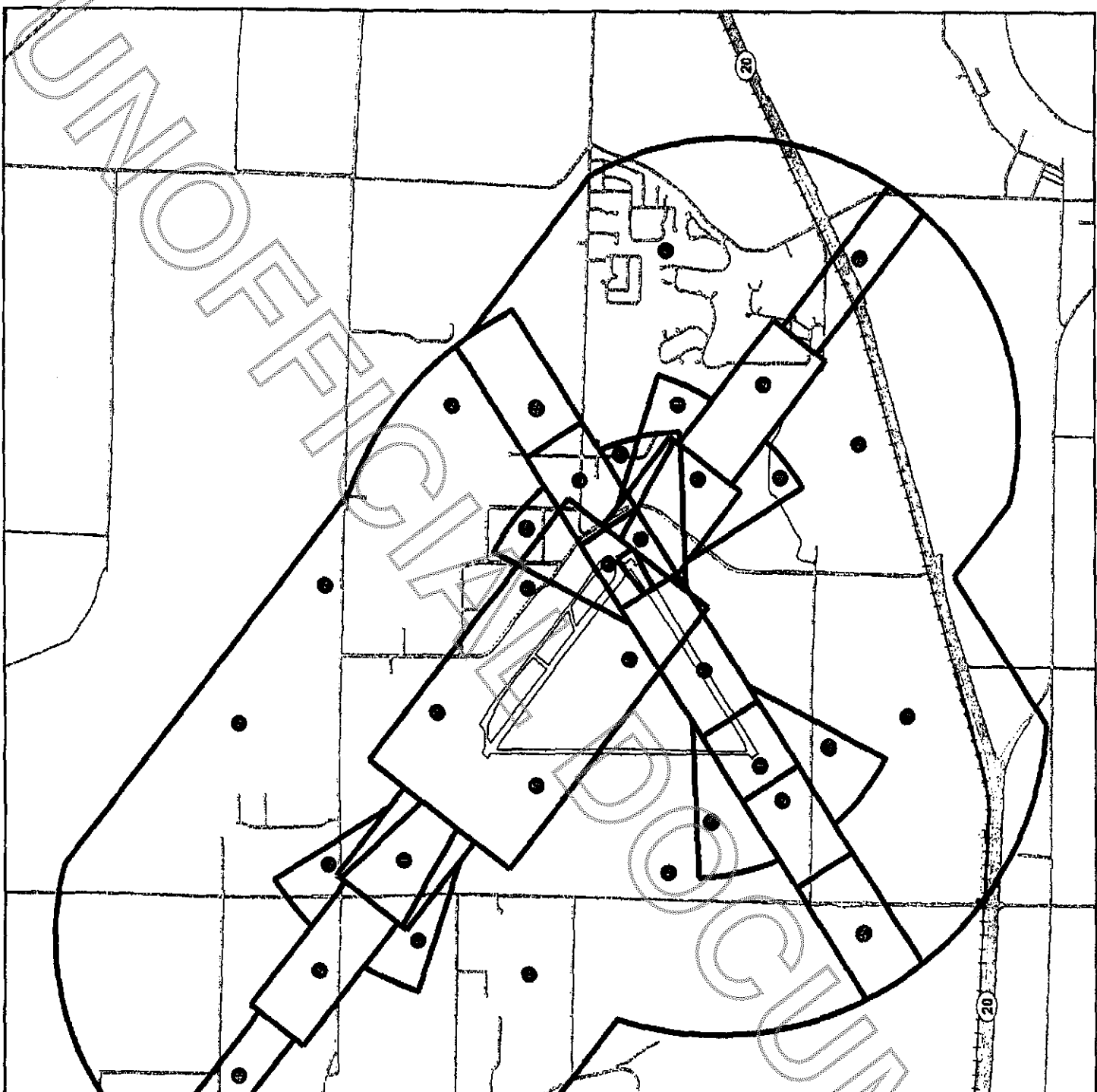
(print name)

NOTARY PUBLIC in and for the State of Washington, residing at

Mount Vernon, WA
My appointment expires: 7-3-17



UNRECORDED ORIGINAL DOCUMENT





**Exh A Airport
Environs Overlay**

~ Airport Compatibility Zones

November 17, 2014

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Miles



UNOFFICIAL DOCUMENT

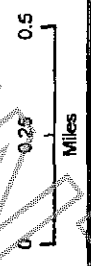


**Airport Environs Overlay
Exh B Existing Noise Contours**

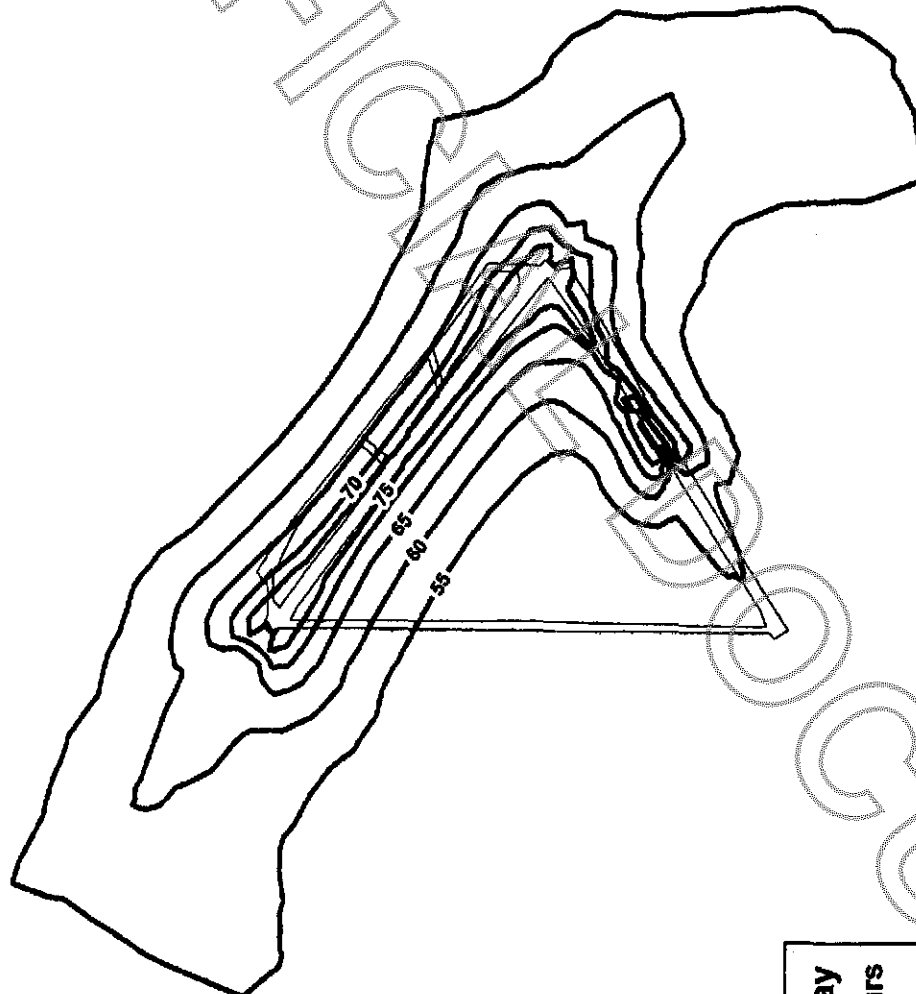
Existing Noise Contours



November 17, 2014



UNOFFICIAL COMMENT



Airport Environs Overlay
Exh C Future Noise Contours

Future Noise Contours

November 17, 2014

0 0.25 0.5 Miles