

Port of Seattle/Noise Remedy
1410 South 200th Street
Seattle, Washington 98198

AVIGATION EASEMENT

12-

Instruments contained herein
Power of Attorney

Parcel No. S-8383
W.O. No. G2325
Tax Parcel: 004100-0432-09

1. This easement is conveyed from **Robert P. Dobosh and Shelly Arebalo-Dobosh** (hereafter "Grantor") to the Port of Seattle, a Washington State municipal corporation (hereafter "the Port").

2. Grantor is the owner of land and improvements thereto located at **15049 32nd Pl S** in the City of SeaTac, County of King, State of Washington, and described as follows:

Lot 8, EXCEPT the north 150 feet; AND EXCEPT the south 100 feet and Lot 9: EXCEPT the north 150 feet; AND EXCEPT the south 100 feet; AND EXCEPT the west 57.6 feet; all in Block 3, 1st Addition to Adams Homes, according to the plat thereof recorded in Volume 12 of Plats, page 50, in King County, Washington (hereafter "Premises").

3. The Port is the proprietor of the Seattle-Tacoma International Airport.

4. Grantor, Grantor's heirs, executors, administrators, successors, and assigns, in consideration of the Port's agreement to assist with certain modifications and installations on the Premises for noise-impact reduction purposes, and as required under R.C.W. 53.54.030(3), conveys and warrants to the Port, its successors and assigns, a permanent and non-exclusive easement for the free and unobstructed use and passage of all types of aircraft (as hereinafter defined) through the airspace over or in the vicinity of the Premises, with such use and passage to be unlimited as to frequency, type of aircraft, and proximity. Said easement shall be appurtenant to and for the benefit of the real property now commonly known as Seattle-Tacoma International Airport ("Airport"), including any additions thereto wherever located, hereafter made by the Port or its successors and assigns and for the benefit of the Port, its successors, assigns, guests and invitees, including any and all persons, firms, or corporations operating aircraft to or from the Airport. As further provided in Paragraph 5, said easement and burden, together with the Easement level for average yearly noise exposure at the parcel (as defined in Paragraph 5) and noise associated conditions, which may be alleged to be incident to or to result from flights of aircraft over or in the vicinity of the Premises or in landing at or taking off from the Airport, shall constitute permanent burdens on the Premises. The burdens and conditions described within this easement shall run with the land and be binding upon and enforceable against all successors in right, title, or interest to said real property. Grantor furthermore waives all damages and claims for damages caused or alleged to be caused by or incidental to such activities.

5. The Easement Level for average yearly noise exposure as that term is used in Paragraph 4 shall be determined by reference to the Port's 1991 FAA accepted noise contour map showing noise contours at intervals of one decibel day/night level (DNL). The base level for this parcel is the yearly average noise exposure at the more severe of the two contour lines that lie on either side of the property and is 67 DNL. The Easement Level shall not be deemed to be exceeded unless anyone so claiming establishes that the yearly average noise exposure as defined herein has increased by more than 1.5 DNL above the base level. Absent such a showing, the

EXCISE TAX NOT RECD
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2018

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