

4626164

SLCo-SICIA 6/11/85
Zone C

WS8-1

After recording return
to Salt Lake City Recorder

RECORDER
314 South Main, 2nd Floor
Salt Lake City, Utah 84119

No Fee

4626164
19 MAY 88 01:46 PM
KATIE L. DIXON
RECORDER, SALT LAKE COUNTY, UTAH
SALT LAKE CITY RECORDER
REC BY: EVELYN FROGGET, DEPUTY

AVIGATION EASEMENT

WINDSOR MOBILE ESTATES, a limited partnership,

1601 South 20th East, Salt Lake City, Utah 84108

hereinafter referred to as "Grantor" hereby grants and conveys to SALT LAKE CITY CORPORATION, hereinafter referred to as "Grantee", for good and valuable consideration given by the Grantee to the Grantor in the form of Grantee's approval development of Grantor's land by memorializing an existing prescriptive common law avigation associated with the Airport activities of the Salt Lake City International Airport, the receipt and sufficiency of which are hereby acknowledged, a perpetual and assignable easement in and over the parcel of land described in Exhibit "A", attached hereto and by this reference incorporated herein, hereinafter referred to as the "Real Property", for the free and unrestricted passage of aircraft of any and all kinds now or hereafter developed for the purpose of transporting persons or property through the air, in, through, across and about the airspace over the Real Property above a flat/sloping plain 4636 feet mean sea level, as determined by U.S.G.S. datum coterminous with the boundaries of the Real Property (hereinafter referred to

2007 6030 PAGE 1572

as the "Airspace").

Grantor further agrees that the easement and rights hereby granted to the Grantee in and over the Real Property are for the purpose of insuring that the Airspace shall remain free and clear for the flight of an aircraft in landing or taking off at or otherwise using the Salt Lake City International Airport described in Exhibit "B" attached hereto, and by this reference incorporated herein, (hereinafter referred to as "Airport"). Said easement, and the rights appertaining thereto shall be for the benefit of Grantee, its successors, assigns, guests, invitees, including any and all persons, firms or corporations operating aircraft to or from the Airport. Said easement and the burden thereof, together with all things which may be alleged to be incidental to or to result from the use and enjoyment of said easement, shall constitute permanent burdens and servient tenements on the Real Property and such burdens and tenements shall run with the land and be binding upon and enforceable against all successors in right, title or interest to said Real Property and shall be unlimited as to frequency.

Grantor agrees that it, its heirs, successors and assigns shall not hereafter erect, or permit the erection or growth of any object within the Airspace. This easement grants the right of flight for the passage of aircraft in the Airspace, together with the right to cause or create, or permit or allow to be caused or created in the Airspace and within, above and adjacent

2007 6080 1573

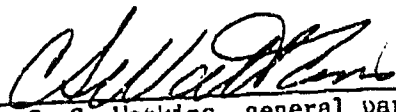
to the Real Property, such annoyances as may be inherent in, or may arise or occur from or during the operation of aircraft.

Grantor further agrees that all structures to be constructed on Grantor's Real Property described in Exhibit A shall provide and maintain applicable sound attenuation ordinance requirements to insulate occupants from noise to mitigate any adverse impacts from aircraft noise.

WITNESS the hand of Grantor this 17th day of May, 1988.

GRANTOR(S)

WINDSOR MOBILE ESTATES

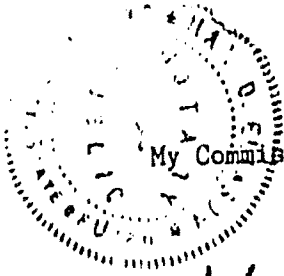

By C. S. Watkins, general partner

BOOK 6030 PAGE 167A

STATE OF UTAH)
)
County of Salt Lake) ss.

On the 17th day of May, 1988, personally appeared before me C. S. Watkins who acknowledged he is the general partner of Windsor Mobile Estates and the signer of the foregoing instrument, who duly acknowledged to me that he executed the same.

Walter D. Edwards
NOTARY PUBLIC, residing in Salt Lake County
Utah



My Commission expires:

July 13, 1991

CONSENT TO AVIGATION EASEMENT

The undersigned STILLMAN SEVEN, a Utah partnership, as the owner of an equitable or legal interest in the tract of land described on Exhibit "A" to the Avigation Easement dated May 17, 1988, executed by WINDSOR MOBILE ESTATES, a limited partnership, does hereby consent to the dedication by the WINDSOR MOBILE ESTATES of said Avigation Easement, for the benefit of the SALT LAKE CITY CORPORATION and the Salt Lake City International Airport.

In consideration of the acceptance of this Easement by Salt Lake City Corporation, the undersigned does hereby subordinate its interest in and to the land included within said Avigation Easement to SALT LAKE CITY CORPORATION forever.

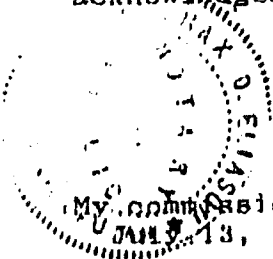
STILLMAN SEVEN,
a Utah partnership

By Lydia O. Stillman
Lydia O. Stillman,
General Partner

STATE OF UTAH)
) ss
COUNTY OF SALT LAKE)

On the 17th day of May, 1988, personally appeared before me LYDIA O. STILLMAN, who acknowledged that she is the General Partner of STILLMAN SEVEN, a Utah partnership, and the signer of the foregoing instrument as said General Partner, and duly acknowledged that she executed the same.

Wayne D. E. [Signature]
Notary Public, residing in
Salt Lake County, Utah



My commission expires:
JAN 13, 1991

BOOK 6030 PAGE 1676

EXHIBIT "A"

The following description is the Grantor's real property situated in Salt Lake County, commonly referred to as _____

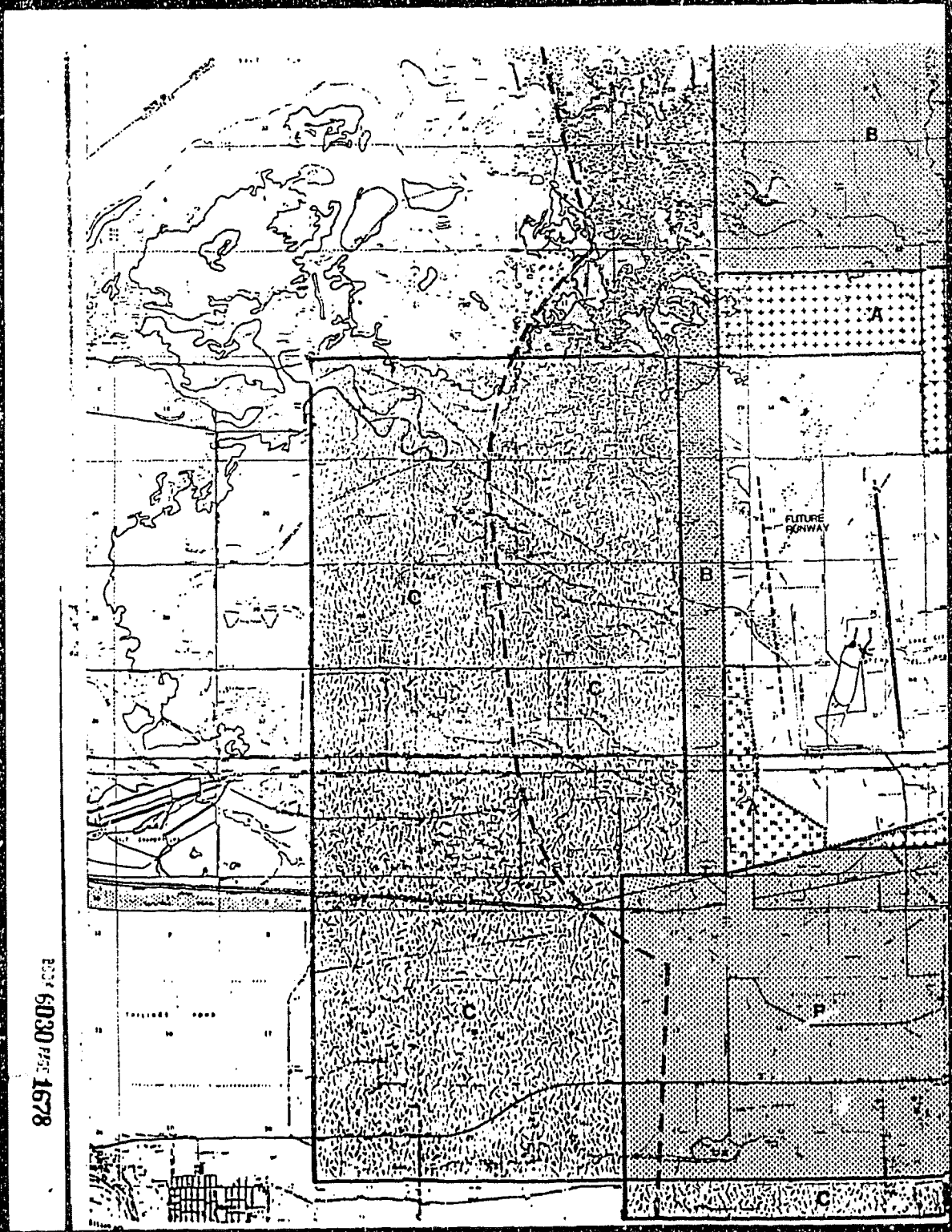
WINDSOR MOBILE ESTATES

Description: (Tax Parcel No S. 15-29-226-001 and
15-29-226-002)

Beginning at a point which is S. $0^{\circ}05'40''$ E. along the Section line 60.00 feet from the Northeast corner of Section 29, Township 1 South, Range 1 West, Salt Lake Base & Meridian, and running thence S. $0^{\circ}05'40''$ E. along said Section line 1263.69 feet; thence N. $89^{\circ}59'35''$ W. 1324.96 feet; thence N. $0^{\circ}08'01''$ W. 1322.35 feet to a point on the Section line; thence N. $89^{\circ}56'59''$ E. along said Section line 195.86 feet; thence S. $0^{\circ}06'27''$ E. 60.00 feet; thence N. $89^{\circ}56'59''$ E. 1129.99 feet to the point of beginning.

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2004 6030 PAGE 1677

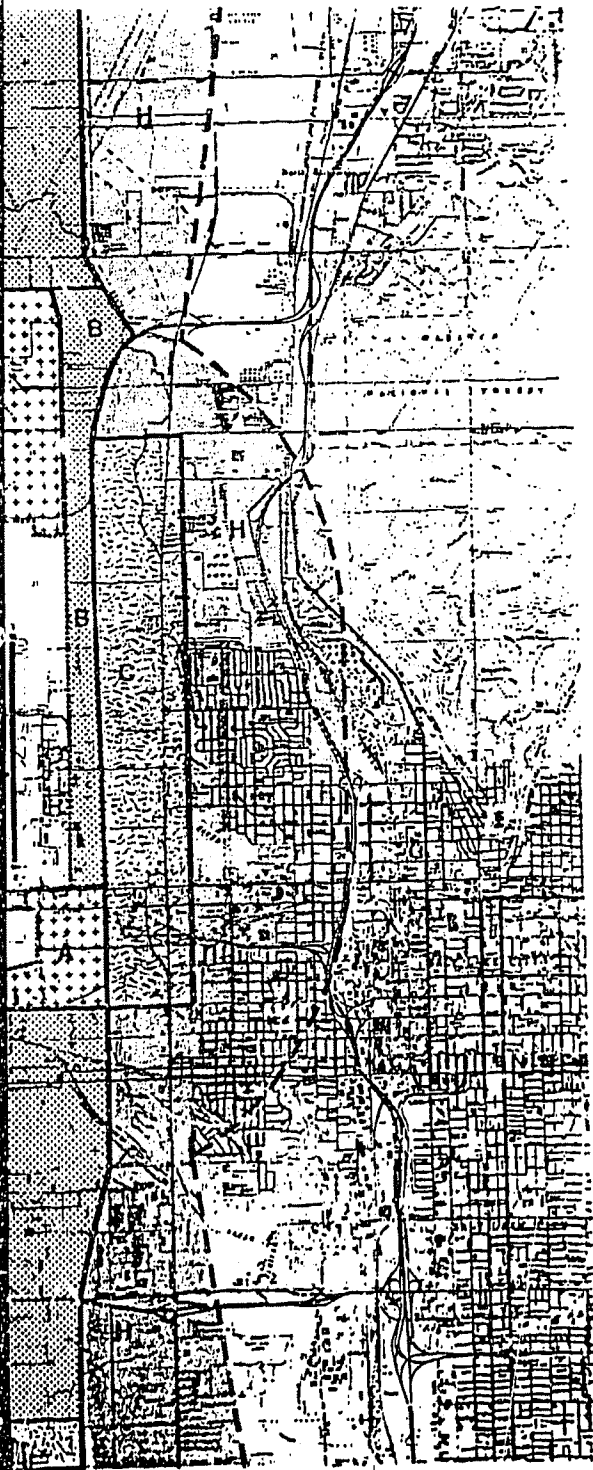


2004 6030 P55 1678





EXHIBIT B

SALT LAKE CITY
INTERNATIONAL AIRPORT

LAND USE POLICY PLAN



LEGEND

-  A VERY HIGH NOISE IMPACT
-  B HIGH NOISE IMPACT
-  C MODERATE NOISE IMPACT
-  H HEIGHT RESTRICTION

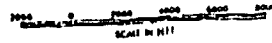


FIGURE 3-1
AIRPORT INFLUENCE ZONES

CH2MHILL

3-2

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SALT LAKE INTERNATIONAL AIRPORTBOUNDARY DESCRIPTION

Beginning at a point 806.03 feet N. $0^{\circ} 02' 38''$ E. of the South 1/4 corner of Section 33, Township 1 North, Range 1 West, Salt Lake Base and Meridian, said point being on the Northerly right-of-way line of North Temple Street, and running thence S. $89^{\circ} 58' 38''$ W. 340.71 feet along said right-of-way line; thence S. $0^{\circ} 02' 38''$ W. 805.75 feet to the South line of Section 33, thence N. $89^{\circ} 58' 33''$ E. 340.71 feet along said section line to the South 1/4 corner of Section 33 (said 1/4 corner is also the North 1/4 corner of Section 4, T.1S., R.1W.); thence S. $0^{\circ} 11' 26''$ E. 2,290.43 feet to the northerly right-of-way of the Western Pacific Railroad main line siding; thence S. $77^{\circ} 49' 01''$ W. 581.95 feet; thence S. $0^{\circ} 12' 04''$ E. 238 feet, more or less, to the 1/4 section line; thence S. $89^{\circ} 57' 09''$ W. 188 feet, more or less; thence N. $0^{\circ} 12' 04''$ W. 197 feet, more or less, to the northerly right-of-way line of the Western Pacific Railroad main line siding; thence S. $77^{\circ} 49' 01''$ W. 1,932.50 feet to the west line of said Section 4. (said line is also the east line of Section 5, T.1S., R.1W.); thence S. $77^{\circ} 49' 01''$ W. 230.26 feet to a point on a 3,852.83 foot radius curve to the left, said point also being on the northerly right-of-way line of the relocated Salt Lake Garfield and Western Railroad; thence Southwesterly 397.14 feet along said curve to a point 116 feet perpendicularly distant northwesterly to the Western Pacific Railroad main line track; thence Southwesterly and parallel to said railroad track 3,459 feet, more or less, thence S. $78^{\circ} 00' 55''$ W. 1,343

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feet, more or less, to the west line of said Section 5 (said line is also the east line of Section 6, T.1S., R.1W.); thence S. $76^{\circ} 00' 55''$ W. 238 feet, more or less, to the westerly highway right-of-way and non-access line of UDOT Project #I-80-3(5)116; thence N. $1^{\circ} 25' 59''$ W. 622 feet, more or less, along said right-of-way line to a point on a 1,527.89 foot radius curve to the left (Note: Tangent to said curve at its point of beginning bears N. $1^{\circ} 50' 34''$ W.); thence Northwesterly 769.68 feet along said curve to the north line of the NE 1/4 SE 1/4 of said Section 6; thence Northwesterly 971.37 feet along the arc of a 1,672.95 foot radius curve to the left (Note: Tangent to said curve at its point of beginning bears N. $34^{\circ} 24' 21''$ W.); thence N. $63^{\circ} 47' 38''$ W. 1,084.09 feet; thence N. $55^{\circ} 55' 36''$ W. 436.08 feet; thence West 83.57 feet to a point on a 2,894.79 foot radius curve to the left (Note: Tangent to said curve at its point of beginning bears N. $51^{\circ} 35' 12''$ W.); thence Northwesterly 246.45 feet along said curve; thence N. $57^{\circ} 07' 49''$ W. 100.52 feet; thence N. $57^{\circ} 27' 53''$ W. 328.82 feet; thence N. $57^{\circ} 47' 59''$ W. 200.79 feet to a point on a 5,759.58 foot radius curve to the left (Note: Tangent to said curve at its point of beginning bears N. $58^{\circ} 28' 02''$ W.); thence Northwesterly 640 feet, more or less, along said curve; thence North 545 feet more or less, to the north section line of said Section 6; thence North 850.50 feet; thence East 46.47 feet; thence N. $4^{\circ} 58' 32''$ W. 4,445.67 feet to the north line of Section 31, T.1N., R.1W.; thence West 1,009.82 feet along said line to the northwest corner of said Section 31; thence North 15,840 feet to the northwest corner of Section 18, T.1N., R.1W.; thence East 10,560 feet to the northeast corner of Section 17, T.1N., R.1W.; thence South 5,280 feet to the northwest corner of Section 21, T.1N., R.1W.; thence East

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2,640.0 feet; thence South 660.0 feet; thence East 1,320.0 feet; thence South 14,374.25 feet to the northerly right-of-way line of North Temple Street; thence S. 89° 58' 38" W. 1,254 feet, more or less, along said right-of-way line to the point of beginning.

Contains 6,732 acres, more or less. (Excluding the Highway R.O.W.)

BY: G. Larry Jones

CHECKED: Michael F. Widdison

ACCOUNT NO: 19-A-1

DATE: October 29, 1982 (Revised)

NOT LEGIBLE FOR MICROFILM
CO. RECORDER

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