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Following Recording, Please Return To:
Vince Clayton
619 S. Bluff St., Tower 2
St. George, UT 84770

DOC # 20100021006

Notice Page 1 of 2
Russell Shirts Washington County Recorder
06/28/2010 09:18:14 AM Fee \$ 44.00
By SOUTHERN UTAH TITLE CO



**Treasure Valley Phase 2
Airport Influence Area Disclosure**

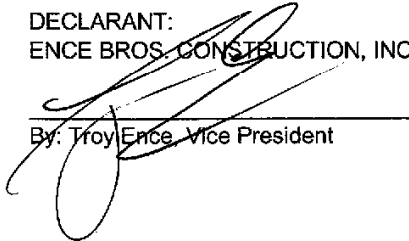
This notice is being provided by Ence Bros. Construction, Inc., the Declarant of Treasure Valley and the current land owner of Phase 2 of Treasure Valley.

All or a portion of the Treasure Valley subdivision, and Phase 2 thereof, as shown on the attached Exhibit "A", is located within the designated airport influence area of the St. George Replacement Airport, and may be subject to aircraft over flight, noise and possible impingement. Any construction more than 200 feet in height above ground level may be required to file FAA Form-7400, notice of proposed construction and/or other documentation. Other specific height restrictions may apply depending on location. No development or structure that may compromise airport navigational aids or flight operations will be allowed within the airport influence area and construction within the airport influence area will require compliance with all applicable ordinances, statutes and code regulations, and may include the granting of an aviation easement and/or similar document(s).

The Declarant and Washington City each disclaims all liability for any claims, injuries or damages arising from, caused by or due to occurrences incident to operation of the airport. Owners and tenants within the subdivision waive any and all claims against Declarant and/or Washington City for damages or injuries, whether to persons or property, arising or caused by operation of the airport. This waiver and disclaimer, constitutes and is recognized by all current and future owners and tenants of property within this subdivision as notice and acceptance of this waiver and disclaimer and all its provisions. All current and future owners of property within this subdivision agree to indemnify and hold harmless the Declarant and/or Washington City for any claims, including all attorney fees related thereto, brought by any party who suffers damage or injury, whether to person or property, arising from, caused by or due to operation of the airport. This disclaimer and waver shall be considered a condition running with all property within this subdivision and all future owners of property within this subdivision take ownership of property subject hereto.

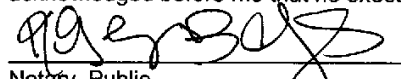
31 IN WITNESS WHEREOF, Declarant executes this Airport Influence Area Disclosure on the day of May, 2010.

DECLARANT:
ENCE BROS. CONSTRUCTION, INC.


By: Troy Ence, Vice President

STATE OF UTAH)
)ss.
COUNTY OF WASHINGTON)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Troy Ence, Vice President of Ence Bros. Construction, Inc., signed the foregoing instrument, and being authorized and empowered to do so, acknowledged before me that he executed the same voluntarily on behalf of said Corporation for its stated purpose.


Notary. Public
Residing in Washington County, Utah



W-6575-A
W-6575-B

Exhibit "A"
Treasure Valley Airport Influence Area Disclosure
(Area may be subject to change by expansion/deletion.)

