

SLCo-SLC#2 9/25/84  
Oquirrh Shadows #20

After recording return  
to Salt Lake City Recorder

4067244

AVIGATION EASEMENT

DIXIE SIX CORPORATION, a Utah corporation, 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 Airport II, 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 plain 4755 feet mean sea level, as determined by U.S.G.S. datum coterminous with the boundaries of the Real Property (hereinafter referred to as the "Airspace").

Grantor further agrees that the easement and rights hereby

APPROVED BY \_\_\_\_\_  
BY J. Leu  
DATE 3/28/85

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

In the event Grantee permits in excess of 400 Aircraft to be based at Salt Lake City Airport II at any time, this easement shall terminate and all rights shall revert to the fee owners of the "Real Property" at the time of termination if Grantor does not restrict the number of such aircraft to 400 or less within 30 days after written notice has been sent by Grantor or its successors in interest notifying Grantee that the number of aircraft based at Salt Lake City Airport II exceeds 400.

WITNESS the hand of Grantor this 26<sup>th</sup> day of MARCH, 198 .

GRANTOR(S)  
DIXIE SIX CORPORATION,  
a Utah corporation

By [Signature]  
Its Pres

CONSENT

The undersigned owner(s) of an equitable or legal interest in the tract of land described on Exhibit "A", does hereby consent to dedication by the owner thereof of the foregoing Avigation Easements, for the benefit of the airport. In consideration of the acceptance of this Easement by Salt Lake City Corporation, the undersigned does hereby subordinate its/their interest in and to the land included within the Avigation Easement to Salt Lake City Corporation forever.

UNIWEST SERVICE CORPORATION,  
a Utah corporation

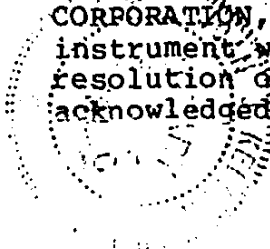
SECURITY TITLE COMPANY,  
a Utah corporation

By [Signature]  
Its Secretary

By [Signature]  
Its Pres.

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

On the 26 day of March, 1985, personally appeared before me Richard M. Walter, who being by me duly sworn, did say that he is the president of DIXIE SIX CORPORATION, a Utah corporation, and that the foregoing instrument was signed in behalf of corporation by authority of a resolution of its board of directors; and said person acknowledged to me that said corporation executed the same.

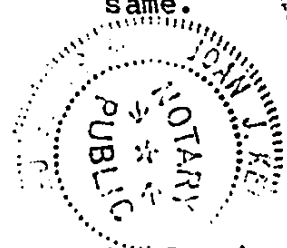
  
Paul G. Keller  
NOTARY PUBLIC, residing in  
Salt Lake County, Utah

My Commission Expires:

3-18-87

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

On the 25 day of March, 1985, personally appeared before me LaVerne Neilson, who being by me duly sworn, did say that he is the Secretary of UNIWEST SERVICE CORPORATION, a Utah corporation, and that the foregoing instrument was signed in behalf of said corporation by authority of a resolution of its board of directors; and said person acknowledged to me that said corporation executed the same.

  
Paul G. Keller  
NOTARY PUBLIC, residing in  
Salt Lake County, Utah

My Commission Expires:

3/18/87

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

On the 25<sup>th</sup> day of March, 1985, personally appeared before me Craig F. Thompson, who being by me duly sworn, did say that he is the President of SECURITY TITLE COMPANY, and that the foregoing instrument was signed in behalf of said Security Title Company by authority of a resolution of its board of directors; and said person acknowledged to me that said corporation executed the same.



L. Arakaki  
NOTARY PUBLIC, residing in  
Salt Lake County, Utah

My Commission Expires:

5-6-86  
cc102

EXHIBIT "A"  
(Oquirrh Shadows Subdivision  
Phase 20)

The following description is the Grantor's real property situated in Salt Lake County, commonly referred to as proposed Oquirrh Shadows Subdivision, Phase 20 in the vicinity of 6200 South 4900 West in Salt Lake County, Utah.

Description: (Tax Parcel No. 20-24-226-002)

BEGINNING at a point North 89°58'30" West, 546.785 feet from the Northeast corner of Section 24, Township 2 West, Range 2 West, Salt Lake Base and Meridian, and running thence South 0°01'30" West 40.00 feet; thence South 39°18'37" West 457.861 feet along the Northwesterly boundary Oquirrh Shadows No. 19; thence South 50°41'23" East 31.995 feet along the Northwesterly boundary Oquirrh Shadows No. 19; thence South 39°18'37" West 90.00 feet along the Northwesterly boundary Oquirrh Shadows No. 19; thence South 50°41'23" East 301.00 feet along the Northwesterly boundary Oquirrh Shadows No. 19; thence South 39°18'37" West 140.00 feet along the Northwesterly boundary Oquirrh Shadows No. 19; thence South 50°41'23" East 27.143 feet along the Northwesterly boundary Oquirrh Shadows No. 19; thence Southeasterly 24.202 feet along the arc of a 100 foot radius curve (center bears North 39°18'37" East) through a central angle of 13°52'00"; thence South 25°26'37" West 95.703 feet along the Northwesterly boundary Oquirrh Shadows No. 19; thence North 50°41'23" West 700.776 feet along the Northeasterly boundary Oquirrh Shadows No. 9 amended and extended; thence North 65°37'33" West 172.060 feet along the Northeasterly boundary Oquirrh Shadows No. 9 amended and extended; thence North 0°07'04" East 385.140 feet along the Easterly boundary Oquirrh Shadows No. 9 amended and extended; thence South 89°58'30" East 876.005 feet to the point of BEGINNING.

Being the description of the proposed OQUIRRH SHADOWS SUBDIVISION plat.

NOV 5 6 44 PM '22

SALT LAKE AIRPORT #2 BOUNDARY DESCRIPTION

Parcel #1

Beginning at a point S.89°55'30" E. 1557.37 feet from the Northwest corner of Section 19, Township 2 South, Range 1 West, Salt Lake Base and Meridian, and running thence S.89°55'30" E. 1525.73 feet; thence South 33.00 feet; thence S.89°55'30" E. 758.75 feet; thence S.0°06'29" E. 2608.68 feet; thence S.89°59'40" E. 1410.75 feet; thence S.89°49'50" E. 642.60 feet; thence S.29°52'00" E. 285.10 feet, more or less; thence S. 10°47'00" E. 505.50 feet; thence S.19°47'00" E. 628.13 feet; thence S.89°49'40" E. 957.87 feet; thence S.0°17'02" W. 1320.00 feet; thence S.89°49'40" E. 420.00 feet; thence South 33.00 feet; thence S.89°49'40" E. 240.00 feet; thence S.0°17'02" W. 2621.40 feet; thence N.89°55'08" W. 1476.20 feet; thence S.17°40'00" W. 1084 feet; thence S.5°27'00" E. 960.70 feet; thence S.89°29'00" W. 347.74 feet; thence S.0°52'30" E. 600.00 feet; thence S.89°29'00" W. 746.80 feet; thence North 350.00 feet; thence West 350.00 feet; thence South 353.15 feet; thence S.89°29'00" W. 54.40 feet; thence S.86°59'57" W. 350.00 feet; thence N.89°58'00" W. 3147.49 feet; thence N.10°48'00" W. 224.11 feet to the point of curvature; thence along the arc of a 2814.93 foot radius curve to the right 810.64 feet; thence N.5°42'00" E. 2128.50 feet to a point of curvature; thence along the arc of a 3487.87 foot radius curve to the left 1552.31 feet; thence N. 19°48'00" W. 648.80 feet, more or less; thence S.89°55'10" E. 212.90 feet, more or less; thence N.23°59'00" W. 111.00 feet, more or less; thence N.22°36'00" W. 2006.50 feet; thence N.7°56'00" W. 696.30 feet; thence S.89°55'40" E. 1245.35 feet; thence North 2608.75 feet; thence S.89°55'30" E. 40.54 feet; thence North 33.00 feet to the point of beginning. Contains 1200.93 acres, more or less.

EXHIBIT B

Salt Lake Airport #2 boundary description commencing

Parcel #2

Commencing at a point along the centerline of 7800 South Street, said point being the Northeast corner of the Northwest 1/4, Northeast 1/4 of Section 31, Township 2 South, Range 1 West, Salt Lake Meridian; thence North  $89^{\circ}59'50''$  West 316.224 feet along the Section Line; thence South  $1^{\circ}04'53''$  East 238 feet, more or less to the North right-of-way line of the existing Bingham Highway, (Utah State Department of Highways Project No. S-6); thence Northeasterly 334 feet, more or less, along said North Line and along the arc of a 3,894.8 foot radius curve to the right, to the intersection of said North Line and the East boundary line of said grantor's land; thence North  $0^{\circ}04'02''$  East 120 feet, more or less, along said East boundary line to the point of beginning, containing 1.24 acres, more or less.

Parcel #3

Commencing at a point which is 961.301 feet West and 216.167 feet South from the Northeast corner of Section 31, Township 2 South, Range 1 West, Salt Lake Meridian; thence South  $82^{\circ}30'00''$  West 361 feet, more or less, to the intersection of the West Boundary line of said grantor's land and the South right-of-way line of the existing Bingham Highway (Utah State Department of Highways Project No. S-6); thence Northeasterly 358 feet, more or less, along said South Line and along the arc of a 3,759.8 foot radius curve to the right, (whose tangent bears North  $71^{\circ}03'29''$  East at said property intersection); thence South  $13^{\circ}55'08''$  East 55 feet, more or less, to the point of beginning, containing 0.25 acres, more or less.  
Total Airport Property 1202.42 acres, more or less.

By: L. Jones  
Checked: M. Widdison  
Date: February 3, 1981  
Account: 19-A-C



Parcel #4

Beginning at the Southeast corner of the Northwest quarter of the Northeast quarter of Section 31, Township 2 South, Range 1 West, Salt Lake Base and Meridian; running thence West 245.21 feet; thence N. 1°47'22" W. 931.41 feet to a point on the arc of a curve to the right; thence Easterly along the arc of said curve (which is the southerly right-of-way line of the Bingham Highway) 283.03 feet, more or less; thence N. 82°30'00" E. 333.84 feet; thence S. 13°12'38" E. 933.70 feet; thence West 35.56 feet; thence S. 0°17'40" W. 545.15 feet; thence West 513.25 feet; thence N. 0°17'40" E. 371.74 feet to the point of beginning. Containing 21.5 acres, more or less.

Total airport property 1,223.92 acres, more or less.

By: L. Jones  
Checked: M. Widdison  
Date: June 21, 1983  
Account: 19-A-C

*no fee*

MAR 29 2 26 PM '85  
REC'D OF  
*Paul R. Kelly City Corp*  
DEP. R. BROWN  
PATRICIA R. BROWN  
SALT LAKE COUNTY, UTAH

*Jan 31*