

Ogden City

No Fee
439393

STATE OF UTAH
COUNTY OF WEBER
FILED AND RECORDED FOR
Ogden City
NOV 27 10 25 AM '64

BOOK 791 PAGE 40

IN BOOK OF RECORDS Platted Indexed
PAGE Recorded Abstracted
RUTH EAMES OLSEN Compared Page
COUNTY RECORDER
Genevieve B. Erickson
Deputy CLEAR ZONE EASEMENT

Highway Dept. Reference
Parcel No. 15-8:167:QE
Project No. 1-15-8(6)334

WHEREAS, THE STATE ROAD COMMISSION OF UTAH, hereinafter called the Grantor, is the owner in fee of that certain tract of land situated in the County of Weber, State of Utah, more particularly described as follows:

A part of the Northeast, Northwest and Southwest quarters of Section 6 Township 5 North, Range 1 West, Salt Lake Base and Meridian.

Being more particularly described as follows, to-wit:

Beginning on the southeasterly right of way line of the Union Pacific Railroad at a point 2254.0 ft. south and 414.0 ft. west from the N¹/₄ corner of said Section 6; thence S. 38° 15' W. 102.8 ft.; thence S. 31° 03' W. 342.7 ft.; thence S. 38° 15' W. 414.0 ft.; thence S. 84° 17' E. 43 ft., more or less, to a point 270.0 ft. perpendicularly distant northwesterly from the center line of a freeway known as Project No. 15-8; thence N. 44° 39' E. 287 ft., more or less, to a point opposite Engineer Station 1020+50.0 for said project; thence Northeasterly 474 ft., more or less, along a straight line to a point 120.0 ft. perpendicularly distant northwesterly from said center line at Engineer Station 1025+00 for said project; thence N. 44° 39' E. 105.42 ft. to a point of tangency with a 2744.79 ft. radius curve to the left; thence Northeasterly 186.4 ft. along the arc of said curve; thence N. 31° 03' E. 139 ft., more or less, to a point N. 84° 17' E. from the point of beginning; thence S. 84° 17' W. 444 ft., more or less, to the point of beginning,

which tract of land is identified as Parcel 1 on Exhibit A attached hereto and made a part hereof, said tract of land being hereinafter referred to as "Parcel 1"; and

WHEREAS, the City of Ogden, hereinafter called the Grantee, is the owner and operator of the Ogden City Municipal Airport situate in the County of Weber, State of Utah, in close proximity to the said Parcel 1; and

WHEREAS, it is deemed necessary that said Parcel 1, which lies within the East clear zone approach area of the East/West runway of said airport be and remain free and clear of any structure, tree, or other object which is or would constitute an obstruction or hazard to the flight of aircraft in landing and taking off at the said Ogden City Municipal Airport, which said clear zone approach area is more particularly described as follows:

A part of the Northeast, Southeast, Northwest and Southwest quarters of Section 6, Township 5 North, Range 1 West, Salt Lake Base and Meridian.

Being more particularly described as follows, to-wit:

Beginning at a point that bears South 2180.0 and East 338.0 feet from the North Quarter Corner of said Section 6, Running thence South 900.0 feet; thence North 84° 17' West 2010.0 feet; thence North 500.0 feet; thence North 84° 17' East 2010.0 feet to the point of beginning.

NOW, THEREFORE:

PART OF
FOLLOWS 1072 SD
FOLLOWS 689 DT
FOLLOWS 1073 SD
PART OF
FOLLOWS 1071-B SD
FOLLOWS 6497

In consideration of the sum of Ten and no/100 - - - - - Dollars (\$ 10.00), paid by the Grantee to the Grantor, and of other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Grantor, for itself, its successors and assigns, does hereby covenant and agree with the Grantee, that, for the benefit of the public in its use of the airport, it will not hereafter erect, or permit the erection or growth, of any structure, tree, or other object within said Parcel 1, which lies within the East clear zone approach area of the East/West runway (which area is identified on the said Exhibit A), to a height above the clear zone approach surface for that approach area (as also identified on the said Exhibit A) said clear zone approach surface being an inclined plane with a slope of 40:1 (one foot of elevation for each 40 feet of horizontal distance) located directly above the clear zone approach area, which inclined plane has an elevation of 4425.76' (mean sea level) at its inner and lower edge along line AB as shown on Exhibit A, and an elevation of 4475.76' (mean sea level) at its outer and upper edge along line CD as shown on said Exhibit A; and

The Grantor, for itself, its successors, and assigns, for the said consideration, does hereby grant and convey to the Grantee, its agents, servants, and employees, a continuing right and easement to take any action necessary to prevent the erection or growth of any structure, tree, or other object into the air space above that part of said approach surface which is directly over Parcel 1 and to remove from such air space, or mark and light as obstructions to air navigation, any and all structures, trees, or other objects that may at any time project or extend above the said approach surface, together with the right of ingress to, egress from, and passage over the land of the Grantor within the said clear zone approach area for such purposes;

TO HAVE AND TO HOLD said easement and all rights appertaining thereto unto the Grantee, its successors and assigns, until said Ogden City Municipal Airport shall be abandoned and shall cease to be used for public airport purposes.

IT IS UNDERSTOOD AND AGREED that these covenants and agreements shall be binding upon the successors and assigns of the Grantor, that these covenants and agreements shall run with the land, and that for the purposes of this instrument, the said Parcel 1 shall be the servient tenement and the said Ogden City Municipal Airport shall be the dominant tenement.

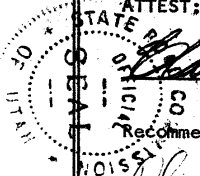
IN WITNESS WHEREOF, the Grantor has hereunto set its hand and seal this 23rd day of November, 1964.

THE STATE ROAD COMMISSION OF UTAH

BY [Signature]
Director

GRANTOR

ATTEST:



[Signature]
Secretary

Recommended for approval

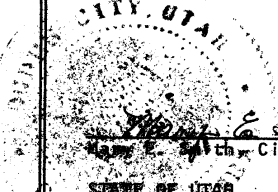
Approved as to Form:

[Signature]
Clarence Williams, Administrator
Right of Way Division

A. Pratt Kesler, Attorney General

By [Signature]
Assistant Attorney General

ATTEST:



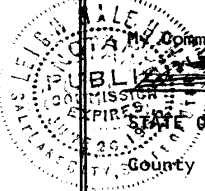
[Signature]
Mary E. Smith, City Recorder

OGDEN CITY, A Municipal Corporation

By [Signature]
Samuel B. Hood, City Manager

STATE OF UTAH)
County of _____) SS.

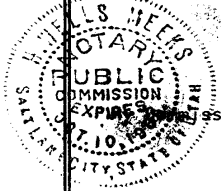
On the 24th day of November, 1964, personally appeared before me C. Taylor Burtin and who being by me duly sworn did say that the said C. Taylor Burtin is the Director of Highways, State Road COMMISSION OF UTAH and that the foregoing instrument was signed in behalf of said Commission by authority of its Director, and said _____ and _____ acknowledged to me that said Commission executed the same.



My Commission Expires: June 26, 1965
STATE OF UTAH)
County of Weber) SS.

[Signature]
NOTARY PUBLIC
Residing at Salt Lake City, Utah

On the 7th day of October, 1964, personally appeared before me Samuel B. Hood and Mary E. Smith, who being by me duly and severally sworn did say that they are the City Manager and City Recorder, respectively, of Ogden City, the municipal corporation which executed the foregoing instrument and that said instrument was signed in behalf of said corporation by authority of a resolution of its City Council, and said Samuel B. Hood and Mary E. Smith acknowledged to me that said corporation executed the same.



My Commission Expires: 10-10-65

[Signature]
NOTARY PUBLIC
Residing at _____

ASST CITY ENGINEER
MAY - 1964

EXHIBIT "A"

OGDEN CITY ENGR. DEPT.
PLAN & PROFILE OF THE EAST
CLEAR ZONE OF E-W RUN HWY
OGDEN MUNICIPAL AIRPORT
SCALE HORIZ = 1" = 300'
VERT = 1" = 30'

