

8291829

A2  
Form date 8/8/00

After recording, return to:  
Salt Lake City Department of Airports  
Planning and Environment  
AMF Box 22084  
Salt Lake City, Utah 84122

8291829  
07/15/2002 11:04 AM NO FEE  
Book - 8619 Pg - 7756-7764  
GARY W. OTT  
RECORDER, SALT LAKE COUNTY, UTAH  
SL CITY DEPT, OF AIRPORTS  
AMF BOX 22084  
SLC UT 84122  
BY: RDJ, DEPUTY - MA 9 P.

**AVIGATION EASEMENT**

Avigation Easement affecting county tax parcel number 21-20-301-018-0000.  
(Number)

Jordan Landing LLC  
(Exact names of all current owners)

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 of the development of Grantor's land by memorializing an existing prescriptive common law avigation easement associated with the Airport and aircraft activities in and around the Salt Lake City Airport II, the receipt and sufficiency of which is hereby acknowledged, a perpetual and assignable easement in the airspace above 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, and all other aeronautical activities therein. The airspace shall mean that space above the Real Property which is above the height limit established for the Salt Lake City Airport II by the Salt Lake City Code, which for the Real Property is that space above the flat plain 4,753 feet mean sea level, as determined by U.S.G.S. datum coterminous with the boundaries of the Real

JK 8619 PG 7756

Property (hereinafter referred to as the "Airspace").

Grantor further agrees that the easement and rights hereby granted to the grantee in the Airspace above and over the Real Property are for the purpose of insuring that the Airspace shall remain free and clear for the flight of aircraft landing at or taking off from 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. In perpetuity, 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 the same 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 the Airport 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 Grantee 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 the Airport exceeds 400.

WITNESS the hand of Grantor this 10 day of July, 2002

GRANTOR(S)

ENTITY:

Company Name: \_\_\_\_\_  
Signed by: [Signature]  
Print Name: DALE E CATTEN  
Title: PRESIDENT / CEO

INDIVIDUAL:

Print Name: \_\_\_\_\_  
Title (if any): \_\_\_\_\_

LIMITED LIABILITY COMPANY ACKNOWLEDGEMENT

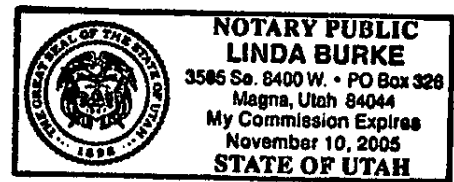
STATE OF UTAH                    )  
  : ss  
COUNTY OF SALT LAKE        )

On the 10<sup>th</sup> day of July, 2002 personally appeared before me  
D. E. Catten, who being duly sworn, did say that (s)he is a  
Officer of Cyprus Credit Union, a limited  
liability company existing under the laws of the State of Utah; and that said instrument was  
signed with proper authority by him/her on behalf of said limited liability company and said  
D. E. Catten acknowledged to me that said limited liability company  
executed the same.

Linda Burke, Magna, Utah  
NOTARY PUBLIC, residing in

My Commission Expires:

11-10-05



**EXHIBIT "A"**

The following description is the Grantor's Real Property situated in Salt Lake County, commonly referred to as

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(Name of subdivision, if applicable)

Subdivision.

DESCRIPTION: (Tax Parcel # 21-20-301-018-0000 )

**(Please attach to this Exhibit A the Tax Assessor's legal description (County printout) showing ownership, or other evidence of ownership as approved by City.)**

### OWNERSHIP CERTIFICATE

Without limitation, the undersigned hereby represent to Salt Lake City Corporation that they constitute all of the owners of the Real Property bearing Salt Lake County Tax Parcel Number 21-20-301-018-0000 as of the date set forth below, and they further represent and agree as follows:

They have full capacity to execute this Avigation Easement and make a binding conveyance thereof, and they know of no other acts in addition to the execution of this Avigation Easement necessary to make a valid and binding conveyance of the same.

They will not transfer any interest in the Real Property prior to the recording of this Avigation Easement by Salt Lake City Corporation without providing prior written notice to the City.

There is no other person or entity having any rights or interests with respect to the Real Property whose consent or conveyance may be necessary in order to make this Avigation Easement fully enforceable against the Real Property with respect to all parties.

After the recording of this Avigation Easement, they will obtain the consent or conveyance of any party with rights or interests created prior to that time which may be necessary in order to make this Avigation Easement fully enforceable against the Real Property with respect to all parties.

Date: July 10, 2002

Record Owners of Salt Lake County Tax  
Parcel Number 21-20-301-018-0000

ENTITY:

Company Name: \_\_\_\_\_  
Signed by: DE Catten  
Print Name: DALE E CATTEN  
Title: PRESIDENT / CEO

INDIVIDUAL:

Print Name: \_\_\_\_\_  
Title (if any): \_\_\_\_\_

VTDI 21-20-301-018-0000 DIST 37 SEE VTRU - NEW # TOTAL ACRES 127.01  
 JORDAN LANDING LLC PRINT U UPDATE N REAL ESTATE 15491200  
 LEGAL N BUILDINGS 0  
 TAX CLASS MOTOR VEHIC 0  
 5850 AVENIDA ENCINAS # A EDIT 1 FACTOR BYPASS TOTAL VALUE 15491200  
 CARLSBAD CA 92008  
 LOC: 3800 W 7000 S # APROX EDIT 0 BOOK 8424 PAGE 7590 DATE 11/06/2001  
 SUB: TYPE UNKN PLAT

07/08/2002 PROPERTY DESCRIPTION FOR TAXATION PURPOSES ONLY

BEG SW COR SEC 20, T 2S, R1W, SLM; N 82-25'57" W 203.58 FT;  
 N 2669.45 FT; S 82-26'24" E 546.52 FT TO 1/4 COR; S  
 82-22'26" E 353.37 FT M OR L; S 0-17'49" E 716.5 FT; S  
 28-56'30" W 95.23 FT; SE'LY ALG A 1646 FT RADIUS CURVE TO R  
 1051.52 FT M OR L; S 11-15'49" W 849.92 FT; S'LY ALG A 1734  
 FT RADIUS CURVE TO L 512.43 FT; S 5-30'06" E 327 FT; S'LY  
 ALG A 358 FT RADIUS CURVE TO R 336.12 FT; S 48-17'34" W  
 119.86 FT; S'LY ALG A 25 FT RADIUS CURVE TO L 39.27 FT; S  
 41-42'26" E 101.68 FT; SE'LY ALG A 400 FT RADIUS CURVE TO L  
 290.16 FT; S 83-16'12" E 92.01 FT; NE'LY ALG A 25 FT RADIUS  
 CURVE TO L 38.11 FT; S'LY ALG A 1483 FT RADIUS CURVE TO L  
 244.51 FT M OR L; S 0-02'41" E 329.6 FT; S 89-57'19" W  
 185.19 FT; S 0-05'45" E 56.14 FT M OR L; N 82-19'38" W 38.61  
 FT; S 7-40'22" W 227.3 FT; S 82-19'38" E 235.01 FT; N

PRESS ENTER FOR MORE LEGAL DESCRIPTION AND/OR ADDITIONAL NAMES

VTDI 21-20-301-018-0000 DIST 37 SEE VTRU - NEW # TOTAL ACRES 127.01  
 JORDAN LANDING LLC PRINT U UPDATE N REAL ESTATE 15491200  
 LEGAL N BUILDINGS 0  
 TAX CLASS MOTOR VEHIC 0  
 5850 AVENIDA ENCINAS # A EDIT 1 FACTOR BYPASS TOTAL VALUE 15491200  
 CARLSBAD CA 92008  
 LOC: 3800 W 7000 S # APROX EDIT 0 BOOK 8424 PAGE 7590 DATE 11/06/2001  
 SUB: TYPE UNKN PLAT

07/08/2002 PROPERTY DESCRIPTION FOR TAXATION PURPOSES ONLY  
 53-01'47" E 21.75 FT; S'LY ALG A 997 FT RADIUS CURVE TO R  
 349.16 FT; S 24-56'01" W 1108.22 FT; SW'LY ALG A 547 FT  
 RADIUS CURVE TO R 266.15 FT; S 52-48'41" W 368.48 FT; S  
 133.78 FT; NE'LY ALG A 1097 FT RADIUS CURVE TO L 35.48 FT; N  
 52-48'41" E 413.86 FT; NE'LY ALG A 653 FT RADIUS CURVE TO L  
 317.72 FT; N 24-56'01" E 11.78 FT M OR L; S 2-07'49" W  
 979.52 FT TO NE COR UDOT PARCEL; N 82-31'01" W 348.66 FT; S  
 7-00'12" W 598.97 FT TO N LINE 7800 S ST; N 82-31'01" W  
 106.84 FT; N 3686.01 FT M OR L; S 82-37'05" E 301.75 FT; N  
 2-17'21" W 44.31 FT; NE'LY ALG A 233 FT RADIUS CURVE TO R  
 205.7 FT; N 48-17'34" E 105.11 FT; N'LY ALG A 25 FT RADIUS  
 CURVE TO L 39.27 FT; N 41-42'36" W 144.47 FT; NW'LY ALG A  
 900 FT RADIUS CURVE TO R 771.09 FT; N 7-22'55" E 488.79 FT  
 TO BEG. 127.01 AC M OR L. (NOTE! ROTATE BEARINGS

PRESS ENTER FOR MORE LEGAL DESCRIPTION AND/OR ADDITIONAL NAMES

BK8619PG7763



VTDI 21-20-301-018-0000 DIST 37 SEE VTRU - NEW # TOTAL ACRES 127.01  
 JORDAN LANDING LLC PRINT U UPDATE N REAL ESTATE 15491200  
 LEGAL N BUILDINGS 0  
 TAX CLASS MOTOR VEHIC 0  
 5850 AVENIDA ENCINAS # A EDIT 1 FACTOR BYPASS TOTAL VALUE 15491200  
 CARLSBAD CA 92008  
 LOC: 3800 W 7000 S # APROX EDIT 0 BOOK 8424 PAGE 7590 DATE 11/06/2001  
 SUB: TYPE UNKN PLAT  
 07/08/2002 PROPERTY DESCRIPTION FOR TAXATION PURPOSES ONLY  
 COUNTER-CLOCKWISE 7-29'13" TO EQUAL SL CO ARP). 8335-0912  
 8304-5585 8398-0981 8414-7684,7690 8424-7590

PFKEYS: 1=VTNH 2=VTOF 4=VTAU 6=NEXT 7=RTRN VTAS 8=RXMU 10=RXBK 11=RXPN 12=PREV

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