

No Fee

PAUL J. STAMON
REGISTRAR
SALT LAKE COUNTY,
UTAH

AUG 15 9 30 AM '85

S.L. City Corp

REQ OF DEP

Rebecca Gray
REBECCA GRAY

4124221

AVIGATION EASEMENT

BENEFICIAL DEVELOPMENT COMPANY, EARHART DEVELOPMENT, a limited partnership by GOLDER DEVELOPMENT CORPORATION, a general Partner, DIVERSIFIED PROPERTIES COMPANY, a partnership, BARA INDUSTRIAL PARK, SABAH M. MAHMOUD, an individual, BENEFICIAL DEVELOPMENT COMPANY, beneficiary, SECURITY TITLE COMPANY, a trustee, ASSOCIATED TITLE COMPANY, a trustee, hereinafter referred to as "Grantors" 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 Grantors in the form of Grantee's approval of development of Grantor's land by memorializing an existing prespective common law avigation associated with the existing airport acitivities 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 perperty through the air, in, through, across and about the airspace over the Real Property above a flat plain 4376 feet abcve 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").

Room 311

56814 1717

ADMITTED BY DATE 8/11/85

Grantors further agree 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, (hereafter referred to as "Airport"). Said easement, and the rights appertaining thereto shall be for the benefit of Grantee, its successors, assigns, guests, invitee, including any and all persons, firms or corporations operating aircraft to or from the Airport. Said easement and 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 of 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.

Grantors agree that it, its heirs, successors and assigns shall not hereinafter 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.

WITNESS the hand of the Grantors as follows:

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**EARHART DEVELOPMENT, A LIMITED PARTNERSHIP BY GOLDER
DEVELOPMENT CORP., GENERAL PARTNER**

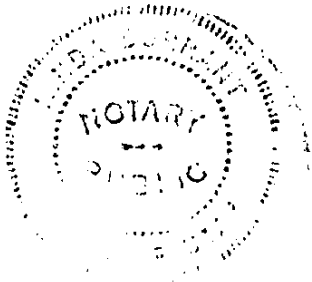
By: *William E. Fallon*
William E. Fallon, President

State of Utah)
) ss.
County of Salt Lake)

On this 28th day of DECEMBER A.D., 1984, personally
appeared before me William E. Fallon, who, being duly sworn did say that
he is president of Golder Development Corporation, General Partner of
Earhart Development LTD., and that the foregoing instrument was signed
in behalf of said partnership and said William E. Fallon acknowledged to
me that said partnership executed the same.

Linda D. Dunsen
Notary Public

Sept. 6, 1988
My Commission Expires



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DIVERSIFIED PROPERTIES COMPANY (A PARTNERSHIP)

By: *John O'Meara*
John O'Meara

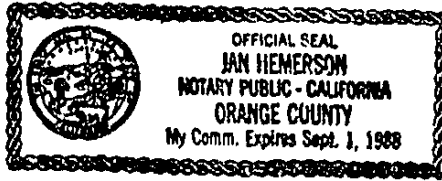
By: *Ranney E. Draper*
Ranney E. Draper

State of California)
) ss.
County of Orange)

On this 27TH day of DECEMBER A.D., 1984, before me, the undersigned, a notary public in and for said County and State, personally appeared John O'Meara and Ranney E. Draper known to me (or proven to me on the basis of satisfactory evidence) to be all of the partners of the partnership that executed the foregoing instrument and acknowledged to me that such partnership executed the same.

Jan Hemerson
Notary Public

9-1-88
My Commission Expires



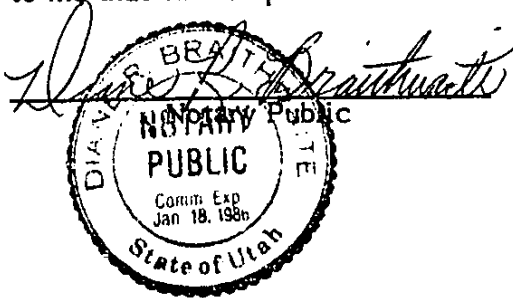
BOOK 56819 1721

SECURITY TITLE COMPANY (TRUSTEE)

By: *Robert J. Taylor* By: *Charles G. Miller*
Robert J. Taylor, ~~Vice~~-President Charles G. Miller, Secretary

State of Utah)
County of Salt Lake) ss.

On this 26th day of October A.D., 1984 personally appeared before me Robert J. Taylor and Charles G. Miller who being duly sworn did say that they are ^{vice} president and secretary respectively of Security Title Company and that the foregoing instrument was signed in behalf of said corporation by authority of a resolution of its Board of Directors and said Robert J. Taylor and Charles G. Miller acknowledged to me that said corporation executed the same.



1-18-86
Commission Expires

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EXHIBIT "A"

BONNEVILLE CENTER PLAT A

A Parcel of Land located in Section 35, Township 1 North, Range 2 West, Salt Lake Base and Meridian, being more particularly described as follows:

BEGINNING at a point which lies 2790.36 feet South and 112.32 feet West of the Northeast corner of said Section 35. Said point being on the West right-of-way line of 5600 West Street and running thence along said right-of-way line South $0^{\circ}02'12''$ West 680.03 feet; thence South $2^{\circ}33'10''$ West 337.13 feet to a point on the North line of a 50.00 foot wide Little Goggin Drain Easement; thence along said Easement line North $43^{\circ}28'12''$ West 288.11 feet; thence North $45^{\circ}30'00''$ West 928.03 feet; thence North $44^{\circ}41'05''$ West 460.59 feet; thence South $89^{\circ}58'45''$ West 1412.42 feet; thence North $0^{\circ}01'15''$ West 736.13 feet to a point on the South Right-of-Way line of Amelia Earhart Drive; thence following said Right-of-Way line North $89^{\circ}58'45''$ East 855.05 feet to the point of tangency on a 910.00 foot radius curve (central angle = $44^{\circ}59'01''$); thence Southeasterly 714.45 feet along the arc of said curve to the right; thence South $41^{\circ}54'50''$ East 183.53 feet to a point on a 30.00 foot radius curve (central = angle $90^{\circ}00'$) radial bears North $44^{\circ}57'46''$ East; thence 47.12 feet along the arc of said curve to the right; thence South $45^{\circ}02'14''$ East 66.00 feet to a point on a 30.00 foot radius curve (central angle = $90^{\circ}00'$) radial bears North $45^{\circ}02'14''$ West; thence Easterly 47.12 feet along the arc of said curve to the right; thence South $45^{\circ}02'14''$ East 296.91 feet to the point of tangency on a 700.00 foot radius curve (central angle = $24^{\circ}21'02''$); thence Southeasterly 297.50 feet along the arc of said curve to the left to the point of reverse curvature with a 30.00 foot radius curve (central angle = $85^{\circ}02'57''$); thence Southerly 44.53 feet along the arc of said curve to the right; thence South $74^{\circ}20'19''$ East 66.00 feet to a point on a 30.00 foot radius curve (central angle = $85^{\circ}02'57''$) radial bears North $74^{\circ}20'19''$ West; thence Easterly 44.53 feet along the arc of said curve to the right to the point of reverse curvature with a 700.00 foot radius curve (central angle = $10^{\circ}44'36''$) thence Easterly 131.25 feet along the arc of said curve to the left; thence North $89^{\circ}58'02''$ East 196.84 feet to the point of BEGINNING.

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SALT LAKE INTERNATIONAL AIRPORT

BOUNDARY 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. $78^{\circ} 00' 55''$ 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)

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