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After recording return  
to Salt Lake City Recorder  
ROOM 311 CITY AND COUNTY BUILDING

No Fee W 85-1

MAR 8 11 59 AM '85  
SALT LAKE COUNTY, UTAH  
NOTICE TO RECORD  
SALT LAKE COUNTY, UTAH  
REBECCA GRAY  
REBECCA GRAY  
HEAD OF  
SALT LAKE CITY Recorder

AVIGATION EASEMENT

DENNIS C. BANGERTER and JACKIE C. BNAGERTER, 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 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 property through the air, in, through, across and about the airspace over the Real Property above a flat/~~sloping~~<sup>sloping</sup> plain 4,358 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 granted to the Grantee in and over the Real Property are for the

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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, (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.

WITNESS the hand of Grantor this 4th day

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Exhibit A - Description by metes and bounds of the land over  
which the avigation easement is to be applied.

Exhibit B - Description of the Salt Lake City International  
Airport

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EXHIBIT "A"

Beginning at a point West 1043.76 feet and South 273.02 feet from the Northeast corner of the Southeast Quarter of Section 9, Township 1 North, Range 1 West, Salt Lake Base and Meridian, running thence South 176.99 feet; thence S. 88°42'43" W. 244.65 feet to the East line of 2450 West Street; thence N. 0°19'47" E. 180.00 feet along said East line of 2450 West Street; thence N. 89°24'47" E. 243.57 feet to the point of beginning. Contains 1.000 acre.

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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EXHIBIT B

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 #1-80-3(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

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.  $89^{\circ} 58' 38''$  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)