

6384986

A. Recording, return to:
Salt Lake City Airport Authority
Finance & Administration
AMF Box 22084
Salt Lake City, Utah 84122

6384986
06/17/96 4:34 PM**NO FEE**
NANCY WORKMAN
RECORDER, SALT LAKE COUNTY, UTAH
SL CITY AIRPORT AUTHORITY
REC BY: B GRAY DEPUTY - WI

AVIGATION EASEMENT

Avigation Easement affecting county tax parcel number 20-25-100-020.

THOMSON INVESTMENT CO., 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 Revised Ordinances of Salt Lake City, which for the Real Property is that space

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above the flat plain 4799 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 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 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 the Airport exceeds 400.

WITNESS the hand of Grantor this 22 day of April, 1996.

GRANTOR(S)

THOMSON INVESTMENT CO.

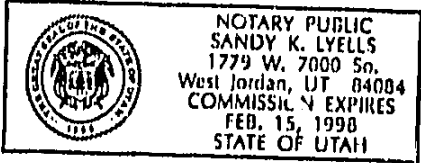
Signed by: Cecilia Thomson
Print Name: CECILIA THOMSON
Title: General Partner

ATTEST:

Print Name: _____
Title (if any): _____

STATE OF UTAH)
)
) : ss.
)
COUNTY OF SALT LAKE)

On the 22 day of April, 1996, personally appeared before me Cecilia Thomson and _____, who being by me duly sworn, deposed and said that they are general partner and _____ respectfully of THOMSON INVESTMENT CO., a Utah Limited Partnership, duly acknowledged to me that the foregoing instrument was signed in behalf of said partnership by authority therein vested, and said partners acknowledged to me that said partnership executed the same.



Sandy K Lyells
NOTARY PUBLIC residing in
Salt Lake County, Utah

My commission expires:
Feb 15, 1998

EXHIBIT "A"

The following description is the Grantor's Real Property situated in Salt Lake County, commonly referred to as Shadow Mountain West
(Name of subdivision, if applicable)
Subdivision.

DESCRIPTION: (Tax Parcel #20-25-100-020)

VTDI 20-25-100-020-0000	DIST 37L			TOTAL ACRES	68.50
THOMSON INVESTMENT CO		PRINT	UPDATE	REAL ESTATE	8560
			LEGAL	BUILDINGS	0
X THOMSON, C S		TAX CLASS 08		MOTOR VEHIC	0
1525 E KENSINGTON AVE	EDIT 1	FACTOR BYPASS		TOTAL VALUE	8560
SALT LAKE CITY UT	041052803	GROWTH PCF 0			
LOC: 5275 W 7000 S		EDIT #	BOOK 5883	PAGE 0185	DATE 03/05/87
SUB:				TYPE UNKN	PLAT

PROPERTY DESCRIPTION
THE E 1/2 OF NW 1/4 OF SEC 25, T 23, R 2W, S L M. EXCEPT BEG AT N 1/4 COR OF SD SEC 25; S 0-18' E 693 FT; S 89-46'42" W 660 FT; N 0-18' W 693 FT; N 89-46'42" E 660 FT; TO BEG. LESS STREET 68.5 AC M OR L. 5883-188

(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.)

EXHIBIT "B"

16.08.030 Salt Lake City Airport II—
Master plan—Boundaries
described.

The exterior boundaries of Salt Lake City Airport II are particularly described as follows:

Beginning N 7°22'49" E 50.00 feet from the Southeast corner of Section 30, Township 2 South, Range 1 West, Salt Lake Base & Meridian, said point of beginning being Station 92 + 36.66 North 13 + 24.99 East of the Airport Grid System (AGS); thence N 82°41'31" W 169.62 feet; thence N 7°26'20" E 16.21 feet to the fence corner; thence N 7°26'20" E 337.93 feet to the fence corner; thence N 82°32'45" W 349.48 feet to the fence corner; thence S 7°35'58" W 337.67 feet to the fence corner; thence S 7°35'58" W 17.36 feet; thence N 82°41'31" W 54.60 feet to a point 75 feet left of Engineer's Station 501 + 87.6 UDOT Project #S-6 of the New Bingham Highway Project; thence westerly 115.03 feet along the arc of a 3894.8 foot radius curve to the left (chord bears N 89°54'31" W 115.03 feet) to a point 75 feet left of Engineer's Station 500 + 74.8 of said Project #S-6; thence N 82°28'48" W 1951.86 feet to a point N 7°22'59" E 33.0 feet from the South quarter corner of said Section 30; thence N 82°28'35" W 363.48 feet; thence N 0°06'30" E 5335.05 feet; thence N 7°29'40" E 5253.51 feet; thence S 82°25'19" E 2258.43 feet; thence S 7°22'56" W 2609.21 feet; thence S 82°26'24" E 864.23 feet; thence South 2669.45 feet; thence S 82°25'57" E 203.58 feet to the Northeast corner of said Section 30; thence S 7°22'55" W 2659.16 feet to the quarter corner; thence S 7°22'49" W 2609.11 feet to the point of beginning and containing 32,168,993 sq. ft. (738.4985 acres); and

Beginning N 7°22'59" E 64.55 feet from the South quarter corner of Section 30, Township 2 South, Range 1 West, Salt Lake Base & Meridian (said point of beginning is at Station 95 + 96.68 North 12 + 91.09 West of the AGS); thence N 82°28'36" W 359.59 feet; thence N 0°01'21" E 1764.92 feet; thence N 89°58'05" E 840.41 feet; thence S 0°00'32" E 706.79 feet; thence S 44°52'57"

W 13.79 feet; thence S 44°50'31" E 264.06 feet; thence S 0°08'23" E 996.32 feet; thence N 82°28'36" W 669.38 feet to beginning and containing 1,721,428 sq. ft. (39.5185 acres); and

Beginning at a point on the West line of 4560 West Street which bears N 82°28'35" W 425.83 feet and N 0°06'30" E 818.46 feet from the South quarter corner of Section 30, Township 2 South, Range 1 West, Salt Lake Base & Meridian. Said point of beginning at Station 104 + 06.88 North 17 + 20.00 West of the Airport Grid System (AGS); thence N 0°06'30" E 1001.84 feet; thence N 89°58'03" W 759.90 feet to the East railroad right-of-way line; thence S 13°13'51" W 636.78 feet; thence southerly 387.22 feet along the arc of a 2814.93 foot radius curve to the left (chord bears S 9°17'24" W 386.92 feet); thence S 89°58'03" E 966.21 feet to the point of beginning and containing 874,825 sq. ft. (20.0832 acres); and

Beginning N 07°22'49" E 50.00 feet from the Southwest Corner of Section 29 Township 2 South, Range 1 West, Salt Lake Base & Meridian (said point being Station 92 + 36.66 N 13 + 24.99 E of the Airport Grid System); thence N 07°22'49" E 2609.11 feet to the quarter corner; thence N 07°22'55" E 1088.46 feet; thence South 3729.33 feet to the North line of 7800 South Street; thence N 82°31'01" W 479.09 feet to beginning and containing 885,771 sq. ft. (20.335 acres) more or less; and

Beginning S 07°49'41" W 33.00 feet from the Northeast corner of the Northwest quarter of the Northeast quarter of Section 31, Township 2 South, Range 1 West, Salt Lake Base & Meridian (said point of beginning being Station 93 + 27.17 North 0 + 05.10 East of the AGS); thence N 82°28'48" W 800.19 feet; thence S 07°50'00" W 443.06 feet to a point 75 feet left of Engineers Station 485 + 72.58 of UDOT Project S-6 (Bingham Highway) at a point N 66°14'50" E 63.18, chord bearing and distance from the right-of-way marker; thence northeasterly 882.15 feet along the arc of a 3894.8 foot radius curve to the right (chord bears N 73°12'03" E 880.28); thence N 07°49'41" E 80.53 to beginning and containing 194,834 sq. ft. (4.4728 acres); and

Beginning N 82°22'23" W 33.00 feet from the East quarter corner of Section 31, Township 2

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South, Range 1 West, Salt Lake Base & Meridian, being at Station 66 + 05.89 North 9 + 30.71 E of the Airport Grid System; thence N 82°22'23" W 2508.27 feet to the center of said section; thence N 07°50'05" E 1302.46 feet to the one-sixteenth corner; thence S 82°25'36" E 564.78 feet to an existing iron pin; thence N 07°48'43" E 695.61 feet to an existing iron pin 60 feet right of Engineer's Station 485 + 42.3 of UDOT Project S-6 of the New Bingham Highway at a point N 66°01'13" E 31.20 feet, chord bearing and distance from the right-of-way marker; thence northeasterly 1169.89 feet along the arc of a 3759.80 foot radius curve to the right (chord bears N 75°10'20" E 1165.175 feet), to a point 60 feet right of Engineer's Station 497 + 30.84 of said highway project (said point also bears S 5°42'11" E 3.06 feet from an existing aluminum cap); thence S 05°42'11" E 982.52 feet to an existing aluminum cap; thence N 82°51'18" W 35.70 feet to an existing iron pin; thence S 07°47'49" W 545.17 to an existing iron pin; thence S 82°35'11" E 587.07 feet to an existing rebar with cap #8069; thence S 07°39'32" W 103.02 feet to the point of intersection of the existing fence projected West; thence S 82°08'10" E 186.31 feet; thence S 07°49'16" W 840.51 feet to the point of beginning and containing 4,268,958 sq. ft. (98.0018 acres).

Total airport property 920.9098 acres. (Ord. 56-94 § 1, 1994; prior code § 2-17-3)

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 20-25-100-020 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: 4-22-96

Record Owners of Salt Lake County Tax
Parcel Number 20-25-100-020

THOMSON INVESTMENT CO.

Signed by: Cecilia Thomson
Print Name: CECILIA THOMSON
Title: General Partner

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