



DEPARTMENT OF THE AIR FORCE
10TH CIVIL ENGINEER SQUADRON
USAF ACADEMY COLORADO

Avigation Easement Instructions

The United States Air Force Academy (USAFA) is requesting the developer/landowner to file an avigation easement for the land associated with this proposed development. The avigation easement will help ensure that the USAFA airmanship training program and mission is protected from future developments that may encroach on airspace. Please follow the instructions below to easily record an avigation easement.

- Please complete the attached avigation easement
 - In order to document the location of the recorded avigation easement, please include the following information in Exhibit A: the property's legal description, vicinity map, property address, and parcel number
- The avigation easement must then be notarized and recorded with the EL Paso County Clerk and Recorder's office: <https://clerkandrecorder.elpasoco.com/>
- After the avigation easement has been recorded with El Paso County Clerk and Recorder's office, it is recommended that a note is made on the final plat that an avigation easement has been filed using the verbiage below.
 - PROPERTY WITHIN THIS SUBDIVISION IS SUBJECT TO AN AVIGATION EASEMENT TO THE UNITED STATES AIR FORCE ACADEMY AS RECORDED UNDER RECEPTION NO. _____ IN THE OFFICE OF CLERK AND RECORDER OF EL PASO COUNTY, COLORADO.
- Once recorded, please forward a copy of the avigation easement to the project planner and to USAFA Community Planning (see email below)

USAFA appreciates your efforts in helping us maintain our mission and associated programs. If you have any questions, please contact our Community Planner, Ms. Sabrina Untal, 10 CES/CENPP, at (719) 333-8367 or via email at sabrina.untal.ctr@us.af.mil and 10ces.cenp.usafadevreviewgrp@us.af.mil.

AVIGATION EASEMENT

(Air Force Academy / _____)

IN CONSIDERATION of good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged,

_____ (“Grantor”), for itself, its successors and assigns, conveys an Avigation Easement to the **UNITED STATES AIR FORCE ACADEMY** (“Grantee”). The Avigation Easement is over the real property in El Paso County, Colorado, owned by Grantor and described on **Exhibit A** attached hereto (the “Property”). This easement shall include, but is not limited to:

- a. For the use and benefit of the Grantee and the representatives, agents and invitees, the easement and continuing right to fly, or cause or permit the flight by any and all persons of any and all aircraft now known or hereafter invented, used, or designated for navigation of or flight in the air, in, through, across or about any portion of the navigable airspace; as defined by the Federal Aviation Administration (FAA) and/or Federal law;
- b. The right to cause or create, or permit or allow to be caused or created in the Airspace, such noise, dust, turbulence, vibration, illumination, air currents, fumes, exhaust, smoke, and all other effects as may be inherent in the proper operation of aircraft;

Grantor waives and releases any right or cause of action that it now has or that it may have in the future, against the Grantee, its successors and assigns, due to noise and other effects by the operation of such aircraft.

TO HAVE AND TO HOLD this Avigation Easement and all rights pertaining thereto to the Grantee, its successors and assigns, until the United States Air Force Academy shall cease to be used for training purposes, or all airports on the United States Air Force Academy shall cease to be actively used. This avigation easement shall run with the land.

IN WITNESS WHEREOF, Grantor has executed and delivered this instrument as of _____, 20__.

ENTITY _____

BY _____

Print name

AS _____

STATE OF _____)

) SS.

COUNTY OF _____)

The foregoing instrument was acknowledged and executed before me this ____ day of _____, 20__ by _____ as _____ of _____.

Witness my hand and seal.

My commission expires: _____

Notary Public

CONSENT TO AVIGATION EASEMENT

_____, a _____, is the holder and beneficiary of a deed of trust encumbering the Property and is executing this document to acknowledge its content to the granting of this avigation easement.

ENTITY _____

BY _____

Print name

AS _____

STATE OF _____)

) SS.

COUNTY OF _____)

The foregoing instrument was acknowledged and executed before me this ____ day of _____, 20__ by _____ as _____ of _____.

Witness my hand and seal.

My commission expires: _____

Notary Public

Noise Notice Instructions

The United States Air Force Academy (USAFA) is requesting that the developer/landowner file a noise notice for the land associated with this proposed development. The noise notice will help ensure that the future occupants/owners fully understand that the development may be impacted by noise from activities at USAFA. Instructions to establish a noise notice are as follows:

- Copy the noise notice statement below onto an official document from the project. This can include the final plat, or development plan.
 - “This property may be impacted by noise and/or similar sensory effects caused by, but not limited to, the normal daily activities from the United States Air Force Academy’s Airmanship Program, combat training, and special events. These activities include, but are not limited to, fixed and rotary wing aircraft, live weapons fire training at the firing range, simulated explosives, controlled hunting during hunting seasons, and other activities that may produce noise, vibrations, dust, smoke and all other effects that may be produced by such activities and experienced beyond the Installation’s boundaries. This notice shall remain in effect until the Air Force Academy shall cease to be used for flight, and military training purposes and special events, or until all airfields on the Air Force Academy shall cease to be actively used and special events are permanently discontinued. This notice shall run in perpetuity with the land.”
- Once recorded, please forward a copy of the noise notice to the project planner and to USAFA Community Planning (see email below)

USAFA appreciates your efforts in helping us maintain our mission and associated programs. If you have any questions, please contact our Community Planner, Ms. Sabrina Untal, 10 CES/CENPP, at (719) 333-8367 or via email at sabrina.untal.ctr@us.af.mil and 10ces.cenp.usafadevreviewgrp@us.af.mil.