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1983 AUG 17 PM 1:44 BOOK 3768 PAGE 1499

ARDIS W. SCHMITT
AVIGATION EASEMENT El Paso County Clerk & Recorder

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WHEREAS, JDK Construction, Inc. / Kenneth C. Aldrich
hereinafter called the Grantors, are the owners in fee simple of that certain tract of
land situated in El Paso County, Colorado, to wit:

SEE EXHIBIT A

hereinafter called Grantors' Property.

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the Grantors, for themselves, their heirs, administrators, executors, successors and assigns, do hereby grant, bargain, sell and convey unto the City of Colorado Springs, hereinafter called the Grantee, its successors and assigns, for the use and benefit of the public, an easement and right-of-way, appurtenant to the City of Colorado Springs Airport, for the passage of all aircraft ("aircraft" being defined for the purposes of this instrument as any device now known or hereafter invented, used or designed for navigation of or flight in the air) by whomsoever owned and operated, in the airspace above the surface of Grantors' property to an infinite height above said Grantors' property, together with the right to cause in said airspace such noise, vibration, and all other effects that may be caused by the operation of aircraft landing at or taking off from or operating at or on said City of Colorado Springs Airport; and Grantors hereby waive, remise and release any right or cause of action which they now have or which they may have in the future against Grantee, its successors and assigns, due to such noise, vibration and other effects that may be caused by the operation of aircraft landing at, taking off from, or operating at or on said City of Colorado Springs Airport.

TO HAVE AND TO HOLD said easement and right-of-way and all rights appertaining thereto unto the Grantee, its successors and assigns, until said City of Colorado Springs Airport shall be abandoned and shall cease to be used for public airport purposes, it being understood and agreed that these covenants and agreements shall run with the land.

IN WITNESS WHEREOF, the Grantors have hereunto set their hands and seals this 10 day of MAY, 1983, A.D.

J. D. K. Construction, Inc.
CORPORATION NAME

Kenneth C. Aldrich, an individual
By James G. Felt, Attorney
in Fact

John D. Kelly
Signature

Kenneth C. Aldrich by James G. Felt
Attorney in Fact
Signature

Title

Owner
Title

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EXHIBIT A

LEGAL DESCRIPTION:

That portion of the Southwest quarter of the Southwest quarter of Section 1 and that portion of the Southeast quarter of the Southeast quarter of Section 2, all in Township 15 South, Range 66 West of the 6th P.M., El Paso County, Colorado, more particularly described as follows: Commencing at the Southwest corner of said Section 1; thence S 88°55'06" E (all bearings used in this description are relative to the South line of said Section 1, which was assumed to be S 88°55'06" E) on the South line of said Section 1, 50.04 feet to a point on the Easterly line of that tract of land described in Book 3318 at Page 399 of the records of said El Paso County, said point also being the point of beginning; thence continue S 88°55'06" E on the South line of said Section 1, 490.51 feet to a point on the Westerly line of that tract of land described in Book 1875 at Page 434 of said records; thence N 00°03'52" E on said Westerly line, 396.77 feet to a point on the Southwesterly right-of-way line of Bradley Road as described in Book 602 at Page 431 of said records; thence Northwesterly on said right-of-way line for the following two (2) courses; (1) thence N 40°32'08" W, 139.44 feet; (2) thence N 47°28'08" W, 440.39 feet to a point on the Easterly line of that tract of land described in Book 2376 at Page 84 of said records; thence Southerly and Westerly on the Easterly and Southerly lines of said tract of land for the following two (2) courses; (1) thence S 30°11'16" W, 104.05 feet; (2) thence N 89°56'08" W, 172.00 feet to a point on the Easterly right-of-way line of Main Street as described in Book 1782 at Page 600 of said records; thence S 00°03'52" W on said Easterly right-of-way line, 30.00 feet to a point on the Northerly line of that tract of land described in Book 2341 at Page 687 of said records; thence S 89°56'08" E on said Northerly line, 172.00 feet to the Northeast corner of said tract of land; thence S 00°03'52" W on a line being 172.00 feet Easterly of and parallel with the Easterly right-of-way line of Main Street, 521.04 feet to a point on the Southerly line of that tract of land described in Book 3100 at Page 518 of said records; thence N 89°24'17" W on said Southerly line, 22.02 feet to a point on the aforementioned Easterly line of that tract of land described in said Book 3318 at Page 399; thence S 00°17'26" W on said Easterly line, 150.43 feet to the point of beginning.