

Received at 9:15 o'clock 6 M. FEB 3 1972

Reception No. 860618 HARRIET BEALS

FEB 3 1972

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WHEREAS, Cimarron Corp., hereinafter called the Grantor, is the owner in fee simple of that certain parcel of land situated in the County of El Paso, State of Colorado, to wit: see attached legal description

hereinafter called "Grantor's Property", and outlined on the attached map

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 Grantor, for himself, his heirs, administrators, executors, successors and assigns, does hereby grant, bargain, sell and convey unto the ~~City of Colorado Springs~~ 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 Grantor's property to an infinite height above said Grantor's 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 Grantor hereby waives, remises and releases any right or cause of action which he now has or which he 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 operation 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

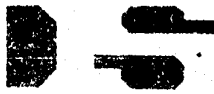
DAVID R. SELLON & ASSOCIATES INC. LAND DEVELOPMENT CONSULTANTS 597-0735

LEGAL DESCRIPTION

A tract of land in the E1/2 of Section 6, T14S, R65W of the 6th PM. situated in El Paso County, Colorado, and described as follows: Beginning at the point of intersection of the north line of Omaha Blvd. with the west line of the said E1/2 of Section 6, thence northerly on said west line to the southerly R/W line of the C.R.I. & P.R.R., thence southeasterly along said R/W line to the northeast corner of Cimarron Westridge Filing No. 3, thence southerly along the east line of said Filing No. 3 to the south line of Palmer Park Blvd., thence easterly on said south line to the west line of Hathaway Drive, thence southerly and southwesterly on said west line to the north line of Omaha Blvd., thence westerly on said north line to the point of beginning.

Plus the west half of Section 6 T14S, R65W of the 6th PM. situated in El Paso County, Colorado that lies south of the Chicago, Rock Island & Pacific Railroad.

Plus the southeast 1/4 of the southeast 1/4 of Section 1, T14S, R66W of the 6th PM. in El Paso County, Colorado.



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run with the land.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal this
tenth day of January 1972, A.D.

By Robert R. Jardon
JARDON & KNIGHT

State of Colorado,)
) ss.
County of El Paso)

B.H. Smartt
CIMARRON CORPORATION

The foregoing instrument was acknowledged before me this 10TH
day of January 1972, A.D. , by ROBERT R. JARDON AND B.H. SMARTT.
My Commission expires MARCH 4, 1975.

Phyllis Fisher
Notary Public.

