

Received at 8:46 o'clock W, M. MAY 29 1973

BOOK 2590 PL. 122

Reception No. 985825 HARRIET DEALS
AVIGATION EASEMENT

WHEREAS, the undersigned, hereinafter called the Grantor, is the owner in fee simple of those certain parcels of land situated in the County of El Paso, State of Colorado, to wit:

CIMARRON-SOUTH FILING NO. 1, Plat Book 42, Page 52.

hereinafter called "Grantor's 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 Grantor, for himself, his heirs, administrators, executors, successors and assigns, does 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 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.

