



APPENDIX B

Sample Avigation Easement

AVIGATION EASEMENT

WHEREAS, _____ hereinafter called the Grantor, is the owner in fee simple of that certain parcel of land situated in the County of, State of Colorado, more particularly described hereto: (legal description of property) 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 itself, its successors and assigns, does hereby grant, bargain, sell and convey unto the Jefferson County, Colorado and Rocky Mountain Metropolitan Airport, hereinafter called the Grantee, its successors and assigns, for the use and benefit of the public, an easement, appurtenant to the Rocky Mountain Metropolitan Airport, for the passage of all aircraft ("aircraft" being defined for the purposes of this instrument as any device now known or hereinafter 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 Rocky Mountain Metropolitan Airport; and Grantor hereby waives, remises and releases any right or cause of action which it now has or which it 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 Rocky Mountain Metropolitan Airport in accordance with the terms of this easement. Nothing contained in this Easement shall prohibit grantor from installing structures or otherwise using Grantors Property in any manner so long as such structures or uses do not interfere with the area above an imaginary plane over Grantor's Property, as such plane is described by Part 77 of the Federal Aviation Regulations. This Easement will run with the land and is binding upon the Grantor its successors, assigns, tenants or lessees, any and all of whom shall be given notice of the easement.

TO HAVE AND TO HOLD said easement and all rights appertaining thereto unto the Grantee, its successors and assigns, until said Rocky Mountain Metropolitan 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.

(signatures on following page)

EXECUTED this _____ day of _____, 2010.

GRANTOR:

By: _____
Name: _____
Title: _____

STATE OF COLORADO
COUNTY OF _____

This agreement was acknowledged before me this _____ day of _____, 20____ by
_____ as _____ of _____.

Notary's official signature

Commission expiration date

Sample