

Avigation Easement Instructions

Submit the following to City Surveyor:

- Avigation Easement completed and **signed** by grantor in front of a **notary**
- Exhibit
- Stamped legal description

Once the documents are approved, they will be sent to the Mayor for a signature.

When signed by the Mayor, the City Surveyor will bring the documents to the county to be recorded. Trips are made weekly.

When you see that it has been recorded on the county website, download the recorded easement and upload to permit.

AVIGATION EASEMENT

PARCEL NUMBER: _____
ADDRESS: _____

STATE OF: UTAH
CITY OF: CEDAR CITY

THIS DEED OF EASEMENT, made and entered into on the ____ day of _____,
20__ between _____ Grantors, and Cedar City, Grantee;

WITNESSETH;

THAT WHEREAS, Grantors own that certain lot or parcel of real property located and situated in Cedar City, Utah, which said property is more particularly described in Exhibit A attached hereto and incorporated herein by reference and which property is located within the areas of the Cedar City Regional Airport Approach Zone and is exposed to noise associated with aircraft overflight; and

WHEREAS, Grantee is a municipal corporation organized and existing under the laws of the State of Utah for the purpose of operating the Cedar City Regional Airport, located in Cedar City, Utah; and

WHEREAS, Grantee is a public body having the power of eminent domain under the laws of the State of Utah; and

WHEREAS, Grantors have applied to subdivide or develop the property for commercial purposes and as required by the Airport Approach Zone have agreed to grant to Grantee this Avigation Easement as a condition for approval to subdivide or develop the property described in Exhibit A. Grantors have agreed to convey this Avigation Easement to Grantee upon the terms and conditions herein expressed;

NOW THEREFORE, Grantors have and by these presents do hereby transfer, assign, bargain, sell, grant and convey to grantee a perpetual right and easement for the free and unobstructed flight of aircraft (being defined as any contrivance now or hereafter used for flight in the air) over and in the vicinity of the property described in Exhibit A attached hereto, including jet-powered air carrier aircraft in landing and take-off operations and other flight activities associated therewith, together with the right to cause such noise, vibrations, odors, vapors, particulates, smoke, dust or other effects as may be inherent in the operation of aircraft of all types.

This Easement shall be appurtenant to and shall run with the real property now owned and hereafter acquired and used for airport purposes by Grantee or its successors in interest. This Easement and the burden thereof shall constitute a permanent burden and tenement upon the subject property which shall be binding upon and enforceable against the Grantors, their heirs, assigns and/or successors in interest.

TO HAVE AND TO HOLD said rights and easement unto the said Grantee and its successors forever, it being agreed that the right and easement herein granted are

appurtenant to and run with all property now or hereafter acquired and used as part of the Cedar City Regional Airport Approach Zone.

And the said Grantors covenant that they are seized and possessed of all right, title and interest in and to the subject real property in fee simple and have the right to convey the same free and clear of all encumbrances, and will warrant and defend the right and easement herein granted against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, this Avigation Easement has been executed on the day and year first above written and is effective and operative as to each of the parties as herein provided.

CEDAR CITY CORPORATION (GRANTEE):

ATTEST:

Steven Nelson, Mayor

Renon Savage, City Recorder

GRANTOR:

ATTEST:

Signature of Grantor

Printed Name of Grantor

STATE OF UTAH)
 :ss.
COUNTY OF IRON)

On this _____ day of _____, 202_____, _____
personally appeared before me and duly acknowledged to me that s/he signed the above
and foregoing document.

Notary