

CLEAR ZONE AVIATION EASEMENT

THIS INDENTURE, made this day by and between DONALD R. CARROLL and SHIRLEY E. CARROLL, husband and wife, JOHN A. CARROLL and MARY KAY CARROLL, husband and wife, WILLIAM W. RAWLINGS, a single man, ANNA F. REAVIS, a widow, R. RAYMOND KRAFT and DOROTHY B. KRAFT, husband and wife, hereinafter referred to as Grantors, and THE COUNTY OF SHERIDAN, STATE OF WYOMING, hereinafter referred to as Grantee; WITNESSETH THAT:

I

The Grantors, for and in consideration of the sum of One (\$1.00) Dollar and other good and valuable consideration paid by Grantee to the Grantors, the receipt and sufficiency of which is hereby acknowledged, does hereby grant unto the Grantee, its successors and assigns, a perpetual and assignable Easement over that portion of the following described land which the Grantors own in fee simple, lying within Sheridan County, Wyoming, more particularly described as follows:

The Granville Addition to the City of Sheridan located in part of the E $\frac{1}{4}$ NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 3, Township 55 North, Range 84 West of the 6th Principal Meridian.

II

The Grantors agree that they, their heirs, successors and assigns shall not hereafter erect, or permit the erection of any structure or growth of any tree or other object within the afore-described Granville Addition on the lots described in Exhibit "A", above the maximum object height set forth therein, said Exhibit being by reference thereto made a part hereof.

III

The Grantors further agree that the Easement and rights hereby granted to the Grantee in and over that portion of the afore-described Granville Addition which lies within the area thereof described in Exhibit "A" attached hereto, shall remain free and clear of any structure, tree, or other objects which is

or would constitute an obstruction or hazard to the flight of aircraft in landing or taking off from the Sheridan County Airport; that these rights shall include, but not be limited to the following:

- (1) For the purpose and benefit of the public, the right of flight for the passage of aircraft in the airspace above the afore-described Granville Addition, together with the right to cause in said airspace, such noise and such interference of flight as may be inherent in the operation of aircraft, now known or hereafter used for navigation or of flight in air, using said airspace, taking off from, landing at, or operating on the Sheridan County Airport.
- (2) That the continuing and perpetual right to cut down to ground level and remove trees, bushes, shrubs or any other perennial growth or undergrowth extending into, or which in the future could infringe upon or extend into or above, the maximum object height of the various lots within the Granville Addition set forth in Exhibit "A".
- (3) The right to remove, raze, destroy those portions of buildings, or other structures and land infringing upon or extending into or above the maximum object height of the various lots described in Exhibit "A", together with the right to prohibit the future erection of buildings or other structures which infringe upon or extend above the maximum object height of the various lots described in Exhibit "A". Grantee, however, shall first notify the Grantors of the building or other structure which infringes upon or extends into such area, and shall give reasonable notice of the time and date that the County or its agents will come upon the premises for the purpose of removing, razing, or destroying those portions of the buildings or structures which do infringe upon or extend into such area.
- (4) The right to mark and light as obstructions to air navigation, any and all structures, trees, or other objects that may at any time project or extend above the maximum object heights on the various lots described in Exhibit "A".
- (5) The Grantee shall use existing roads wherever possible as a means of ingress and egress into the area described within Exhibit "A", and shall likewise be responsible for any damage caused by its operations over said lands.

IV

TO HAVE AND TO HOLD said Easement and all rights appertaining thereto unto the Grantee, its successors and assigns, until said

Sheridan County Airport shall be abandoned and shall cease to be used for public airport purposes.

V

IT IS UNDERSTOOD AND AGREED that these covenants and agreements shall run with the land and shall be binding upon the heirs, administrators, executors, successors and assigns of the Grantors and that for the purpose of this instrument, that portion of the above described premises which lies within the Granville Addition as set forth in Exhibit "A", shall be the servient tenement and said Sheridan County Airport shall be the dominant tenement.

IN WITNESS WHEREOF, the Grantors have hereunto set their hands and seals, this 2nd day of July, 1974.

Donald R. Carroll
Donald R. Carroll

Shirley E. Carroll
Shirley E. Carroll

John A. Carroll
John A. Carroll

Mary Kay Carroll
Mary Kay Carroll

William W. Rawlings
William W. Rawlings

Anna F. Reavis
Anna F. Reavis

R. Raymond Kraft
R. Raymond Kraft CRAFT

Dorothy B. Kraft
Dorothy B. Kraft CRAFT

STATE OF WYOMING)
: ss.
COUNTY OF SHERIDAN)

The foregoing instrument was acknowledged before me this 2nd day of July, 1974, by Donald R. Carroll and Shirley E. Carroll, husband and wife; John A. Carroll and Mary Kay Carroll, husband and wife; William W. Rawlings, a single man; Anna F. Reavis, a widow; R. Raymond Kraft and Dorothy B. Kraft, husband and wife,

WITNESS my hand and official seal.

My commission expires 2nd day of July, 1978



Notary Public

EXHIBIT "A"

The purpose of this Exhibit is to describe the various lots and blocks in the Granville Addition which are located within the approach and transitional zone of Runway 5-23 of the Sheridan County Airport, and to set forth the maximum height limitations above the ground level of said lots which will insure that any object on any of those described lots will not encroach upon the said approach or transitional zone airspace.

<u>Granville Addition</u>	<u>Maximum Object Height</u>
Block 1, Lot 1	160 feet
" 1, " 2	159 "
" 1, " 3	169 "
" 1, " 4	179 "
" 1, " 5	188 "
" 1, " 6	198 "
" 1, " 7	208 "
" 1, " 8	217 "
" 1, " 9	226 "
Block 2, Lot 1	161 feet
" 2, " 2	175 "
" 2, " 3	182 "
" 2, " 4	190 "
" 2, " 5	178 "
" 2, " 6	186 "
" 2, " 7	194 "
" 2, " 8	203 "
Block 3, Lot 1	82 feet
" 3, " 2	81 "
" 3, " 3	81 "
" 3, " 4	81 "
" 3, " 5	83 "
" 3, " 6	92 "
" 3, " 7	102 "
" 3, " 8	114 "
" 3, " 9	124 "
" 3, " 10	135 "
" 3, " 11	146 "
" 3, " 12	157 "
" 3, " 13	146 "
" 3, " 14	141 "
" 3, " 15	124 "
" 3, " 16	113 "
" 3, " 17	108 "
" 3, " 18	99 "
" 3, " 19	89 "
" 3, " 20	82 "
" 3, " 21	82 "
" 3, " 22	82 "

Block 4, Lot 1	70 feet
" 4, " 2	70 "
" 4, " 3	67 "
" 4, " 4	65 "
" 4, " 5	65 "
" 4, " 6	75 "
" 4, " 7	85 "
" 4, " 8	94 "
" 4, " 9	103 "
" 4, " 10	110 "
" 4, " 11	118 "
" 4, " 12	126 "
" 4, " 13	133 "
" 4, " 14	142 "
" 4, " 15	150 "
" 4, " 16	156 "
" 4, " 17	162 "

Said Addition being located in part of the ~~E 1/4 NW 1/4~~ Section 3,
Township 55 North, Range 84 West of the 6th Principal Meridian,
Sheridan County, Wyoming.