

When Recorded Return To:

Trinity County
Planning Department
PO Box 2819
Weaverville, CA 96093

Space Above for Recorder's Use

AVIGATION AND HAZARD EASEMENT

(California Public Utilities Code, section 21652)

In consideration of fulfillment of a condition of project approval, _____
_____ *[full name of property owner]* ("Grantor")
grants to Trinity County, its successors and assigns ("Grantee"), a perpetual and assignable
avigation easement in and over the real property situated in the County of Trinity, State of
California, more particularly identified and described as follows:

[Insert legal description of property to be covered by easement]

hereinafter called ("Parcel") and outlined on the map (Exhibit A), including a right-of-way for the
free and unrestricted passage and flight of aircraft in, through, across and about the airspace
lying above, in whole or in part, the horizontal limits of the civil airport imaginary surfaces
described in Federal Aviation Regulations Part 77.25 (14 CFR 77.25) ("Airspace").

The easement and right-of-way herein granted shall be deemed both appurtenant to and for
the direct benefit of that real property which now or hereinafter constitutes the _____
_____ *[full name of airport]*, as shown and identified in
Exhibit "B" attached hereto and made a part hereof ("Airport"), and shall further be deemed in
gross, being conveyed to the GRANTEE for the benefit of the GRANTEE and any and all
members of the general public who may use said easement or right-of-way, taking off from,
landing upon, or operating such aircraft in or about the AIRPORT, or in otherwise flying
through the AIRSPACE. For the purposes of this instrument, the PARCEL shall be the
servient easement and the AIRPORT shall be the dominant tenement. These covenants and
agreements run with the land and shall be binding upon the heirs, representatives,
administrators, executives, successors, and assigns of the GRANTOR.

The easement and right-of-way herein granted includes, but is not limited to:

1. The use of and benefit of the public, including the continuing right to fly, or cause or
permit the flight, by any and all persons, of any aircraft, of any and all kinds now or
hereafter known, in, through, across, or about any portion of the AIRSPACE.

2. The continuing right to cause or create, or permit or allow to be caused or created, within all AIRSPACE above the existing surface of the PARCEL, whether or not while directly over the PARCEL, such noise (including any noise generated outside the boundaries of said real property) vibrations, current or other effects of air, fumes, deposits of dust or other particulate matter, illumination, and fuel consumption, fear, interference with sleep and communication and any and all other effects or interference that may be alleged to incident to or caused by the operation of aircraft over or in the vicinity of the AIRPORT, as may be inherent in or may arise or occur from the operation of aircraft of any and all kinds, either now existing or to be developed in the future, for navigation of, or flight in air, or from landing at or taking off from the AIRPORT, including ground run-ups an testing of aircraft engines.
3. The right to regulate or prohibit the release into the air of any substance which would impair the visibility of or otherwise interfere with the operations of aircraft such as, but not limited to, steam, dust, and smoke.
4. The right to regulate or prohibit light emissions, either direct or indirect (reflective), which might interfere with pilot vision.
5. The right to mark and light, or cause or require to be marked or lighted, as obstructions to air navigation, any and all buildings, structures, or other improvements, and trees or other objects now upon, or that in the future may be upon, the PARCEL, and which extend into the AIRSPACE.
6. The right to prohibit or restrict electrical emissions which would interfere with aircraft communications systems or aircraft navigational equipment.
7. The right to regulate the height of structures and growth of trees in accordance with Federal Aviation Regulation (FAR) Part 77, Objects Affecting Navigable Air Space.
8. Any other use of easement from time to time as may be required by the Federal Aviation Administration, and/or any other entity, agency, or department of any State, Federal or local government, or designee thereof, authorized to impose rules and regulations for the operation of the AIRPORT.
9. The right of ingress to, passage within, and egress from the PARCEL, solely for the above stated purposes.

This grant of avigation easement shall not operate to deprive the GRANTOR, its successors or assigns, of any rights that it may otherwise have from time to time against any individual or private operator for negligent or unlawful operation of aircraft.

This easement shall be effective from this date and run with the land until such time as the AIRPORT is no longer used as an airport.

(Signatures on Page 3)

**CERTIFICATE OF ACCEPTANCE
AND CONSENT TO RECORD**
(Government Code § 27281)

This is to certify that the interest in real property conveyed by deed or grant dated _____
_____ from _____ *[name of GRANTOR]*
to the Trinity County *[GRANTEE]* is hereby accepted by the Trinity County Board of
Supervisors, and the GRANTEE consents to recordation thereof by its duly authorized officer.

Dated: _____

By _____

Name:

Title: