13979

AVIGATION AND NOISE EASEMENT

INDENTURE made this lot day of lecember, 1970, between Housing Authority of the City of Lincoln, Nebraska, a public body corporate and politic, hereinafter called "Housing Authority" and Airport Authority of the City of Lincoln, a public body corporate and politic, hereinafter called "Airport Authority":

WHEREAS, Housing Authority is the contract purchaser of a parcel of land and 1,000 housing units described as:

Arnold Heights Addition to the City of Lincoln as shown on a plat thereof accepted by the City of Lincoln by Ordinance No. 10010, adopted July 6, 1970, and

WHEREAS, Airport Authority, as an agency of the City of Lincoln, Nebraska, is the owner and operator of a public airport known as Lincoln Municipal Airport situated on land adjacent to the above described property, and

WHEREAS, for over ten years the traffic pattern for aircraft using Lincoln Municipal Airport has been over the parcel of land described above, and

WHEREAS, Housing Authority has agreed, in consideration of One-Dollars (\$1.00) and other valuable consideration, receipt of which is hereby acknowledged, to grant Airport Authority an avigation easement for right of flight and consequent aircraft noise over the above described premises,

NOW THIS INDENTURE, WITNESSETH:

That Housing Authority, in pursuance of said agreement and for the recited consideration, hereby grants unto Airport Authority, its successors and assigns, an avigation easement over the described premises, including the right of flight of piston and jet aircraft over the premises down to an altitude of 1,698 feet mean sea level or

500 feet above the airport elevation, and the right to make noise arising from the ground and flight operations of civil and military jet and propellor aircraft to, from and upon Lincoln Municipal Airport.

TO HAVE AND TO HOLD said avigation and noise easement hereby granted unto the Airport Authority, its successors and assigns as appurtenant to the said Lincoln Municipal Airport and every part thereof.

IN WITNESS WHEREOF, the Housing Authority has caused the signatures of its Chairman and Secretary and Its corporate seal to be affixed this O day of

HOUSING AUTHORITY OF THE CITY OF LINCOLN, NEBRASKA

STATE OF NEBRASKA

LANCASTER COUNTY

On this 10th day of December, 1970, before me, the undersigned, a Notary Public, in and for said County personally came Kenneth City of Lincoln, Nebraska, to me personally known to be the Chairman and the identical person whose name is affixed to the above instrument, and acknowledged the execution thereof to be his voluntary act and deed as such officer and the voluntary act and deed of said Housing Authority of the City of Lincoln, Nebraska, and that the Corporate seal of the said Housing Authority of the City of Lincoln, Nebraska, was thereto affixed by its authority.

WITNESS my hand and Notarial Seal at Lincoln in said county the day and year last above written.

My Commission Expires: 5/22

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EHET HAN NUMERICAL LADEX. FILED FOR RECORD AS:

James + Carter 911 & Anderson Rely

INST. NO. VO. 13979

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