

SEWARD

Serial No. 63-506

CLEAR ZONE EASEMENT

WHEREAS, Women's Division of Christian Service of the Board of Missions of The Methodist Church, a Corporation of the City of New York, State of New York, GRANTOR, is the owner of certain lands in the Seward Recording District, Alaska, which lands are in close proximity to the Seward Municipal Airport, and

WHEREAS, the State of Alaska, Department of Public Works, Division of Aviation, is the owner and operator of the Seward Municipal Airport, and

WHEREAS, it is deemed necessary that that portion of the land owned by the Grantor which lies within the clear zone approach area described below be and remain free and clear of any structure, tree, or other object which is or would constitute an obstruction or hazard to the flight of aircraft in landing and taking-off at said airport, which said clear zone approach area is more particularly described as follows:

All of that part of U. S. Survey No. 149 and all of that part of Lot 1, Section 34 T. 1 N., R. 1 W., Seward Meridian which lie both West of the Alaska Railroad Right-of-Way and within Tract II as shown on the Plat of Seward Property Acquisition hereto attached and made a part of this instrument."

NOW THEREFORE:

In consideration of the public benefit to be derived from said airport, the Grantor, for itself, its heirs, successors, and assigns, does hereby covenant and agree with the Grantee, that, for the benefit of the public in its use of said airport, it will not hereafter, during the term hereof, erect, or permit the erection or growth, of any structure, tree, or other object within the herein described clear zone approach area, to a height above the clear zone approach surface for that approach area, said clear zone approach surface being an inclined plane with a slope of 40:1 or 2.5 feet vertical for each 100 feet horizontal starting 100 feet from the nearest end of the existing landing area or, if the runway is paved, 200 feet from the nearest end of the existing paved runway at an elevation equal to the highest point of the existing landing strip or paved runway and inclining upward away from the landing strip or paved runway, subject to the following conditions:

1. It is recognized that the Grantee may: (a) grant a waiver of the height restrictions in event an intended structure will not rise above the clear zone approach surface a greater distance than an existing structure; or (b) grant a waiver of the height restrictions providing the obstructing structure is painted or lighted.
2. The covenants and agreements herein are not intended to restrict the Grantor's rights to maintain and use the property and its improvements for the purposes for which it is held.
3. In any exercise of its rights of enforcement granted by this easement the Grantee agrees to give liberal interpretation to regulations pertaining to the clear zone approach surface and waivers granted thereunder to the end that any interference with the Grantor's operations be held to a minimum.

State of Alaska
SERIAL NO.

ADA 1034

Dept. of Public Works
Division of Aviation

- 10 - 1. of Public War -

BOOK 36 PAGE 238
Seward Recording District

State of Alaska
Serial No. 10341
Dept. of Public Works
Div. of Aviation

SEC 37
SEC 34

LOT 1
LOT 2

TRACT 11

RESURRECTION RIVER

2161.40

LOT 2 SEC 34

J.S. SURVEY NO 149

STATE OF ALASKA
DEPARTMENT OF PUBLIC WORKS
DIVISION OF AVIATION

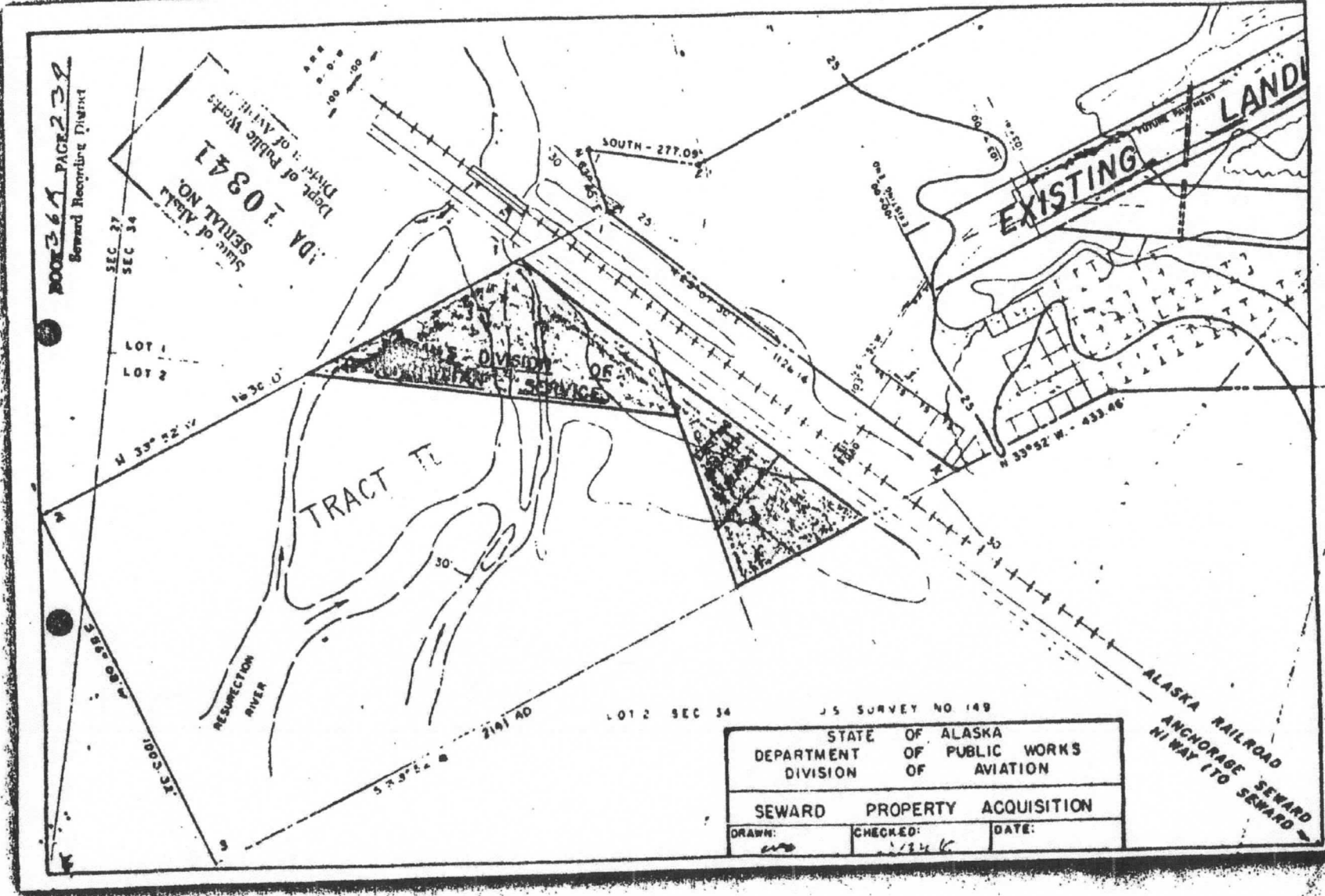
SEWARD PROPERTY ACQUISITION

DRAWN: *[Signature]* CHECKED: *[Signature]* DATE: *[Signature]*

EXISTING

LAND

ALASKA RAILROAD
ANCHORAGE SEWARD
HI WAY (TO SEWARD)



STATE OF ALASKA
DEPARTMENT OF PUBLIC WORKS
DIVISION OF AVIATION
523 Eighth Avenue
Anchorage, Alaska

CLEAR ZONE EASEMENT

ADA 10341

ADDENDUM NO. 1

In order to clarify the rights and obligations of the Grantor and Grantee and further amend the subject Clear Zone Easement between the Women's Division of Christian Service of the Board of Missions of the Methodist Church and the State of Alaska, this Addendum No. 1 is attached and made a part of said Clear Zone Easement, to wit:

1. In the event it is necessary to remove any obstruction caused by tree growth, the Grantee will assume the responsibility for such removal, and agrees to coordinate such removal with the Administrator or Manager of the Jesse Lee Home, and further agrees that such removal will be done without harmful effect to the land itself.
2. It is understood that pursuant to regulations governing height restrictions, a waiver of such restrictions in the instance of the subject land would permit a structure anywhere along the East boundary of such land 25 feet higher in elevation than the present elevation of the railroad tracks adjacent to the area under easement; and that higher structures would be permitted in the direction away from the landing strip at a ratio of 40 feet horizontal to one foot vertical.
3. Notwithstanding other terminology in the Clear Zone Easement, the duration of such grant of easement shall endure for a period of 20 years from date of such execution.

GRANTOR

Woman's Division of Christian Service of the Board of Missions
of The Methodist Church

Laura H. Lee Wilson
President

GRANTEE

State of Alaska
SERIAL NO.

Lars L. Johnson
Director, Division of Aviation

RECORDED - 1000
INDEXED - 1000

DATE Oct. 14 1963

TIME 1:00 P.M.

Required by Not. Pub. Service

Address 523 9th Ave

Anchorage

ADA 10341

Dept. of Public Works
Division of Aviation