



CENTENNIAL AIRPORT
ARAPAHOE COUNTY PUBLIC AIRPORT AUTHORITY

7800 South Peoria Street, Unit G1
Englewood, Colorado 80112
main: 303.790.0598
fax: 303.790.2129
www.centennialairport.com

RESPONSES BY
MANHARD CONSULTING

AVIGATION EASEMENT
DOCUMENT ATTACHED
TO THE END OF THIS PDF.

April 13, 2020

Note 10: THIS SUBDIVISION IS SUBJECT TO THE AVIGATION AND HAZARD EASEMENT RECORDED IN BOOK 418 AT PAGE 436 OF THE RECORDS OF THE DOUGLAS COUNTY CLERK AND RECORDER.

Stacey Nerger,
Town of Parker, Colorado Community Development Department
20120 East Mainstreet
Parker, CO 80138

Re: SUB20-004; Cottonwood Highlands F7 A1 Final Plat

Dear Ms. Nerger,

Thank you for the opportunity to review the final plat. The Arapahoe County Public Airport Authority has the following comments to make on the project:

- The proposed development lies directly in line with the crosswind runway, within and adjacent to the Restricted Development Area (RDA) under the Airport's Land Use Guidelines, and will be subjected to numerous aircraft overflights and their associated effects. These effects include, but are not limited to: noise, smoke, dust, fumes and vibrations.
- It appears that an avigation easement has not been executed for the property. Or it is not displayed on the Site Plan. Please complete an avigation easement including the Airport as a party and forward a copy with book and page number to our office (see attached example).
- Any objects on the site (including cranes used during construction) that penetrate a 100:1 slope from the nearest point of the nearest runway, penetrates the FAA Part 77 airspace surface, impede signals associated with navigational equipment or any other reason the FAA deems necessary will require the filing and approval of FAA Form 7460-1. This form may take 90 days or more for approval. Please visit <https://oeaaa.faa.gov> to utilize the notice criteria tool to confirm filing requirements and to file the FAA Form 7460-1. **Please note that this is a State and Federal regulatory requirement. Any proposed objects on this site may require the filing and approval of a FAA form 7460-1.** Runway endpoint data is available from the Airport for engineering calculations. In addition, please have crane operators advise the airport prior to erecting any cranes.

Please feel free to call me if you have any questions.

Sincerely,

Rachel Keller
Noise & Planning Specialist

272305

BOOK 418 PAGE 436

AVIGATION AND HAZARD EASEMENT

CARROLL HIER
RECORDER

27.00 pd

KNOW ALL MEN BY THESE PRESENTS, that

AUG 4 9 49 AM '81

WHEREAS, CASTLEWOOD CORPORATION, LESTER A. DIXON, JR., the ESTATE OF BRUCE H. DIXON, DECEASED, JOANN DIXON MORROW, AMERICAN CONTINENTAL CORPORATION, PULTE HOME CORPORATION, FRED A. BOONE, ALBERT C. BALIKA, STEPHEN E. GEIST, STEVEN J. KORNBRUST, DUANE A. STRAWN, EDWARD B. SUTTON, and GEORGE M. UPTON, who collectively shall hereinafter be referred to as the "Grantors," all own an interest in a part of that certain tract of land in Sections 4, 5 and 9, T. 6 S., R. 66 W. of the 6th Principal Meridian, County of Douglas, State of Colorado, more particularly described in Exhibit A attached hereto.

NOW, THEREFORE, in consideration of the sum of Ten (\$10.00) Dollars and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Grantors, for themselves, their heirs, personal representatives, successors and assigns, do hereby grant, bargain, sell and convey unto Arapahoe County Public Airport Authority, its successors and assigns, hereinafter referred to as the "Grantee," for the use and benefit of the public, an easement and right of way, appurtenant to the Arapahoe County Airport, for the unobstructed passage of all aircraft, ("aircraft" being defined for the purposes of this instrument as any contrivance now known or hereafter invented, used or designed for navigation of or flight in the air) by whomsoever owned and operated in the air space above Grantors' property above a mean sea level of 5850 feet, to an infinite height, together with the right to cause in all air space above the surface of Grantors' property such noise, vibrations, fumes, dust, fuel particles, and all other effects that may be caused by the operation of aircraft landing at, or taking off from, or operating at or on said Arapahoe County Airport.

Grantors do hereby waive, remise and release any right or cause of action which they may now have or which they may have in the future against Grantee, its successors and assigns, with respect to Grantors' property due to such noise, vibrations, fumes, dust, fuel particles, and all other effects that may be caused or may have been caused by the operation of aircraft landing at, or taking off from, or operating at or on said Arapahoe County Airport. Nothing stated in the foregoing waiver, grant and release shall release any person from liability for damages or divest the Grantors, their heirs, personal representatives, successors and assigns from any right or cause of action for damages to any person or property resulting from the unlawful or negligent operation of any aircraft at any altitude over and across Grantors' property.

The easement and right-of-way hereby granted includes the continuing right in the Grantee to prevent the erection or growth upon Grantors' property of any building, structure, tree or other object extending into the air space above a mean sea level of 5850 feet, and to remove from said air space, or at the sole option of the Grantee, as an alternative, to mark and light as obstructions to air navigation, any such building, structure, tree or other object now upon, or which in the future may be upon Grantors' property, together with the right of reasonable ingress to, egress from, and passage over Grantors' property for the above purposes.

TO HAVE AND TO HOLD said easement and right-of-way, and all rights appertaining thereto unto the Grantee, its successors and assigns, until Arapahoe County Public Airport Authority shall cease to use said Arapahoe County Airport for public airport purposes.

AND for the consideration hereinabove set forth, the Grantors, for themselves, their heirs, personal representatives, successors and assigns, do hereby agree that for and during the life of said easement and right-of-way, they will

[Signature]
LESTER A. DIXON, JR.

STATE OF Colorado)
City and) ss.
COUNTY OF Denver)

The foregoing instrument was acknowledged before me
this 20th day of July, 1981 by LESTER A. DIXON, JR.

Witness my hand and official seal.



[Signature]
Louise Champion
Notary Public

My commission expires: Sept. 2, 1983.

THE ESTATE OF BRUCE H. DIXON,
DECEASED, Douglas County Court
No. 80 PR 29

By _____
LESLIE ERSKINE DIXON,
Personal Representative

STATE OF COLORADO)
) ss.
COUNTY OF)

The foregoing instrument was acknowledged before me
this ___ day of _____, 1981 by LESLIE ERSKINE DIXON,
as personal representative of the ESTATE OF BRUCE H. DIXON,
DECEASED.

Witness my hand and official seal.

(SEAL)

Notary Public

My commission expires: _____.

JOANN DIXON MORROW

STATE OF _____)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me
this ___ day of _____, 1981 by JOANN DIXON MORROW.

Witness my hand and official seal.

(SEAL)

Notary Public

My commission expires: _____.

EXHIBIT A
TO
NAVIGATION AND HAZARD EASEMENT

LEGAL DESCRIPTION

A TRACT OF LAND LOCATED IN SECTIONS 4, 5, AND 9, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 5, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE N88°15'40"E AND ALONG THE NORTH LINE OF SAID SECTION 4 A DISTANCE OF 241.68 FEET TO THE SOUTHEAST CORNER OF SECTION 32, TOWNSHIP 5 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN; THENCE N88°16'26"E AND ALONG THE NORTH LINE OF SAID SECTION 4 A DISTANCE OF 255.97 FEET TO A POINT ON THE WEST BANK OF CHERRY CREEK; THENCE S41°11'57"W AND ALONG THE WEST BANK OF CHERRY CREEK A DISTANCE OF 380.00 FEET; THENCE S19°11'57"W A DISTANCE OF 628.00 FEET; THENCE S26°13'57"W A DISTANCE OF 61.00 FEET TO A POINT ON THE EAST LINE OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 5; THENCE S00°51'03"E AND ALONG THE EAST LINE OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 5 A DISTANCE OF 389.88 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 5; THENCE N87°57'09"E A DISTANCE OF 2667.29 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 4, ALSO BEING A POINT ON THE WEST LINE OF A PARCEL OF LAND DESCRIBED IN BOOK 304 AT PAGE 694; THENCE S01°08'14"E AND ALONG THE NORTH-SOUTH CENTERLINE OF SAID SECTION 4, ALSO BEING THE WEST LINE OF THE ABOVE DESCRIBED PARCEL A DISTANCE OF 37.80 FEET; THENCE N88°08'39"E AND ALONG THE SOUTH LINE OF THE ABOVE DESCRIBED PARCEL A DISTANCE OF 273.16 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF COLORADO STATE HIGHWAY NO. 83; THENCE SOUTHEASTERLY AND ALONG THE SAID WEST RIGHT-OF-WAY LINE THE FOLLOWING 5 COURSES:

- 1) S29°30'57"E A DISTANCE OF 238.73 FEET.
- 2) N60°29'03"E A DISTANCE OF 15.00 FEET.
- 3) S29°30'57"E A DISTANCE OF 1029.29 FEET TO A POINT OF CURVE.
- 4) ALONG THE ARC OF A CURVE RIGHT HAVING A DELTA OF 03°48'02", A RADIUS OF 5680.00 FEET, A DISTANCE OF 376.77 FEET TO A POINT OF TANGENT.
- 5) S25°42'55"E A DISTANCE OF 1505.94 FEET;

THENCE S87°41'22"W AND ALONG A LINE 240.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF THE SOUTH ONE-HALF OF THE SOUTH ONE-HALF OF SAID SECTION 4 A DISTANCE OF 4105.09 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF THE COLORADO AND SOUTHERN RAILROAD; THENCE S28°50'26"E AND ALONG SAID WEST RIGHT-OF-WAY LINE A DISTANCE OF 4181.85 FEET TO A POINT ON THE EAST-WEST CENTERLINE OF SAID SECTION 9; THENCE S87°44'42"W AND ALONG SAID EAST-WEST CENTERLINE A DISTANCE OF 2163.90 FEET TO THE WEST ONE-QUARTER CORNER OF SAID SECTION 9; THENCE N02°08'40"W AND ALONG THE WEST LINE OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 9 A DISTANCE OF 2651.58 FEET TO THE NORTHWEST CORNER OF SAID SECTION 9; THENCE S87°49'16"W AND ALONG THE SOUTH LINE OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 5 A DISTANCE OF 2605.67 FEET TO THE SOUTH ONE-QUARTER CORNER OF SAID SECTION 5; THENCE S87°50'09"W AND ALONG THE SOUTH LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 5 A DISTANCE OF 2650.46 FEET; THENCE N01°27'22"W AND ALONG THE WEST LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 5 A DISTANCE OF 2681.24 FEET TO THE WEST ONE-QUARTER CORNER OF SAID SECTION 5; THENCE N88°06'07"E AND ALONG THE NORTH LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 5 A DISTANCE OF 2637.34 FEET TO THE CENTER ONE-QUARTER CORNER OF SAID SECTION 5; THENCE N01°44'06"W AND ALONG THE WEST LINE OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 5 A DISTANCE OF 2644.27 FEET TO THE NORTH ONE-QUARTER CORNER OF SAID SECTION 5 WHICH IS 1.23 FEET NORTH OF A 1 1/2" STEEL PIPE; THENCE N88°19'56"E AND ALONG THE NORTH LINE OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 5 A DISTANCE OF 260.31 FEET TO THE SOUTH ONE-QUARTER CORNER OF SAID SECTION 32; THENCE N88°15'40"E AND ALONG THE NORTH LINE OF SAID SECTION 5 A DISTANCE OF 2426.97 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 837.178 ACRES.