





**DEVELOPMENT APPLICATION**  
 Community Development Department  
 250 North 5th Street Grand Junction, CO 81501  
 (303) 244-1430

Receipt \_\_\_\_\_  
 Date \_\_\_\_\_  
 Rec'd By \_\_\_\_\_  
 File No. \_\_\_\_\_

We, the undersigned, being the owners of property situated in Mesa County, State of Colorado, as described herein do hereby petition this:

PETITION	PHASE	SIZE	LOCATION	ZONE	LAND USE
<input checked="" type="checkbox"/> Subdivision Plat/Plan	<input type="checkbox"/> Minor <input type="checkbox"/> Major <input checked="" type="checkbox"/> Resub	1.5 ac.	2670 Paradise Drive	RSF-5	Residential
<input type="checkbox"/> Rezone				From: To:	
<input type="checkbox"/> Planned Development	<input type="checkbox"/> ODP <input type="checkbox"/> Prelim <input type="checkbox"/> Final				
<input type="checkbox"/> Conditional Use					
<input type="checkbox"/> Zone of Annex					
<input type="checkbox"/> Text Amendment					
<input type="checkbox"/> Special Use					
<input type="checkbox"/> Vacation					<input type="checkbox"/> Right-of-Way <input type="checkbox"/> Easement

PROPERTY OWNER                       DEVELOPER                       REPRESENTATIVE

Name	Joseph D. Steinkirchner	Name	Landscape Ltd. /o Tom Logue
Address	2670 Paradise Way	Address	200 N. 6 <sup>th</sup> Street
City/State/Zip	Grand Jct. CO. 81504	City/State/Zip	Grand Jct. CO. 81501
Business Phone No.	245-3000	Business Phone No.	245-4099

NOTE: Legal property owner is owner of record on date of submittal.

We hereby acknowledge that we have familiarized ourselves with the rules and regulations with respect to the preparation of this submittal, that the foregoing information is true and complete to the best of our knowledge, and that we assume the responsibility to monitor the status of the application and the review comments. We recognize that we or our representative(s) must be present at all hearings. In the event that the petitioner is not represented, the item will be dropped from the agenda, and an additional fee charged to cover rescheduling expenses before it can again be placed on the agenda.

X Thomas A. Logue Signature of Person Completing Application                      2/16/95 Date

X Joseph D. Steinkirchner Signature of Property Owner(s) - Attach Additional Sheets if Necessary

# SUBMITTAL CHECKLIST

## RESUBDIVISION

Location: PARADISE DRIVE

Project Name: NORTH VIEW RESUB

ITEMS		DISTRIBUTION																		TOTAL REQ'D.												
DESCRIPTION	SSID REFERENCE	City Community Development	City Dev. Eng.	City Utility Eng.	City Property Agent	City Parks/Recreation	City Public Department	City Attorney	City G.J.P.C. (B sets)	City Downtown Dev. Auth.	City Planning	County Bldg. Dept.	County Surveyor	Walker Field	School Dist. #51	Irrigation District	Drainage District	Water District	Sewer District		U.S. West	Public Service	GVRP	CDOT	Corps of Engineers	Colorado Geological Survey	U.S. Postal Service	Persigo WWTF				
● Application Fee \$160	VII-1	1																														
● Submittal Checklist*	VII-3	1																														
● Review Agency Cover Sheet*	VII-3	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1		
● Application Form*	VII-1	1	1	1	1	1	1	1	8	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1		
● 11"x17" Reduction of Assessor's Map	VII-1	1	1	1	1	1	1	1	8	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1		
● Evidence of Title	VII-2	1		1		1																										
○ Appraisal of Raw Land	VII-1	1		1	1																											
● Names and Addresses	VII-2	1																														
● Legal Description	VII-2	1		1																												
○ Deeds	VII-1	1		1		1																										
○ Easements	VII-2	1	1	1	1		1													1	1	1										
○ Avigation Easement	VII-1	1		1		1							1																			
○ ROW	VII-3	1	1	1	1															1	1	1										
○ Covenants, Conditions, & Restrictions	VII-1	1	1				1																									
○ Common Space Agreements	VII-1	1	1				1																									
● County Treasurer's Tax Cert.	VII-1	1																														
○ Improvements Agreement/Guarantee*	VII-2	1	1	1			1																									
○ CDOT, 404, or Floodplain Permit	VII-3,4	1	1																													
● General Project Report	X-7	1	1	1	1	1	1	1	8	1	1	1		1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1		
○ Location Map	IX-21	1																														
○ Composite Plan	IX-10	1	2	1	1																											
○ 11"x17" Reduction Composite Plan	IX-10	1			1	1	1	8	1	1	1	1			1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1		
● Final Plat	IX-15	1	2	1	1		1					1																			7	
● 11"x17" Reduction of Final Plat	IX-15	1						8	1	1	1		1	1	1	1	1	1	1	1	1	1										
○ Cover Sheet	IX-11	1	2																													
○ Grading & Stormwater Mgmt Plan	IX-17	1	2														1							1								
○ Storm Drainage Plan and Profile	IX-30	1	2													1			1	1	1											
○ Water and Sewer Plan and Profile	IX-34	1	2	1													1	1	1	1	1									1		
○ Roadway Plan and Profile	IX-28	1	2														1															
○ Road Cross-sections	IX-27	1	2																													
○ Detail Sheet	IX-12	1	2																													
○ Landscape Plan	IX-20	2	1	1																												
○ Geotechnical Report	X-8	1	1									1													1							
○ Phase I & II Environmental Report	X-10,11	1	1																													
○ Final Drainage Report	X-5,6	1	2													1																
○ Stormwater Management Plan	X-14	1	2														1							1								
○ Sewer System Design Report	X-13	1	2	1																	1											
○ Water System Design Report	X-16	1	2	1														1														
○ Traffic Impact Study	X-15	1	2																					1								
● Site Plan - indicate existing dwell. and bldg envelopes	IX-29	1	2	1	1		1	8																							7	

NOTES: 1) An asterisk in the item description column indicates that a form is supplied by the City.  
 2) Required submittal items and distribution are indicated by filled in circles., some of which may be filled in during the pre-application conference. Additional items or copies may be subsequently requested in the review process.  
 3) Each submitted item must be labeled, named, or otherwise identified as described above in the description column.

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**LANDesign Limited**

200 North 6th. Street, Grand Junction, CO 81501  
(303) 245-4099

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February 16, 1995

City of Grand Junction  
Community Development Dept.  
350 North 5th. Street  
Grand Junction, CO 81501

RE: STEINKIRCHNER SUBDIVISION, Final Plat

Dear Staff:

Accompanying is a Final Plat and Plan submittal for Steinkirchner Subdivision, which is a resubdivision of three existing lots within North View Subdivision.

The replatted lots are presently known as lots one through three of North View Subdivision, and are located along the north side of Paradise Drive, east of 26 1/2 Road in the Paradise Hills Subdivision area. Steinkirchner Subdivision contains 1.5 acres and is also located in part of the SE 1/4 of Section 26, Township One North, Range One West of the Ute Meridian.

The primary purpose of this request is to increase the lot area for lot one towards the east. This would allow for the construction of a building addition to the existing home located on lot one.

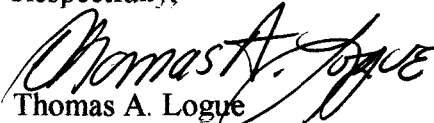
In addition to the existing home on the property, the site is occupied by two out buildings which are planned to be removed in the future. The City of Grand Junction has designated the subject property and surrounding area as a RSF-5 land use zone. The predominate use in the area surrounding Steinkirchner Subdivision is the Paradise Hills Subdivision which is a fully developed single family Subdivision.

Access to Steinkirchner Subdivision is gained from Paradise Drive, an improved local street.

Sewer and water mains are located within the right-of-way for Paradise Drive. Underground electric, gas, and irrigation lines are located within the road right-of-way or are adjacent to the property boundary.

Once again, this request is only for the reconfiguration of three existing lots and does not include a increase in density. We will be available to discuss the request further with you at any time.

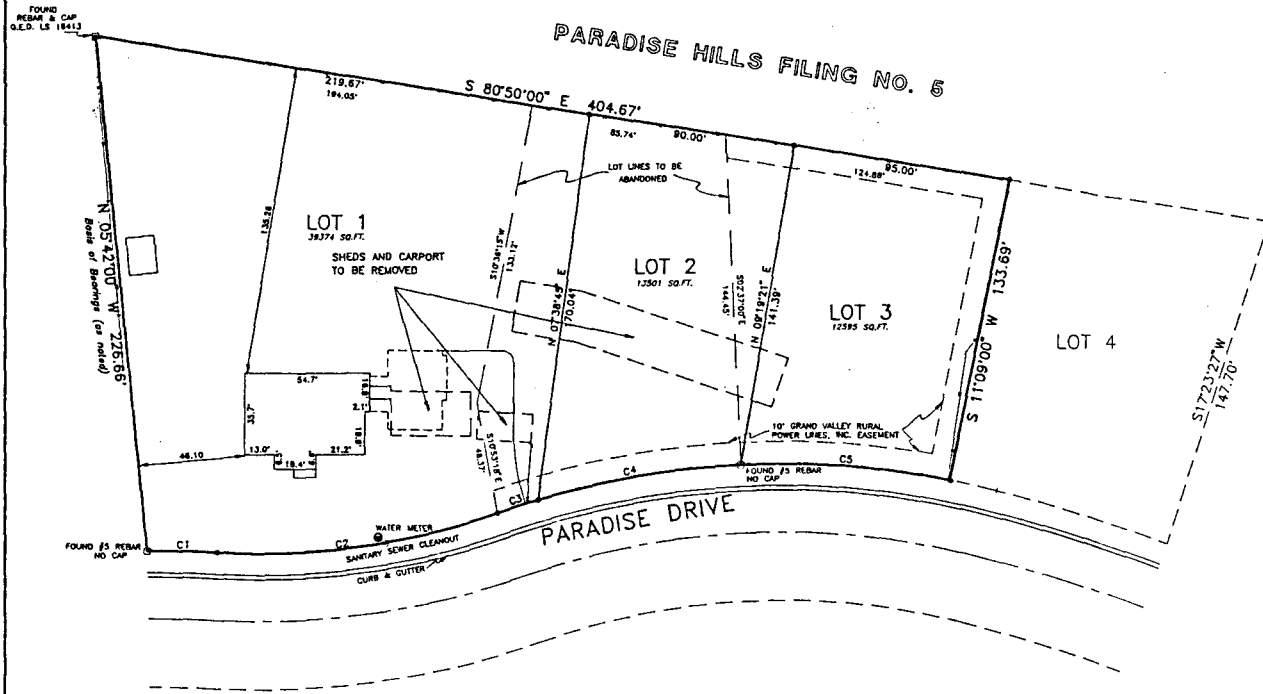
Respectfully,

  
Thomas A. Logue

xc: Joe Steinkirchner

# STEINKIRCHNER SUBDIVISION

## SITE PLAN



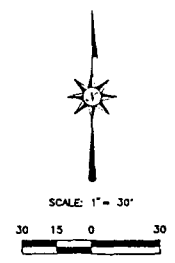
CURVE TABLE						
CURVE	DELTA ANGLE	RADIUS	LENGTH	TANGENT	CHORD BEARING	CHORD
C1	124.12°	380.00	19.01	15.01	S 89°27'52" E	30.00
C2	22.30°	380.00	125.87	13.85	S 87°27'50" E	125.88
C3	0°47'11"	380.00	19.14	15.57	N 80°47'00" E	19.14
C4	14°47'00"	380.00	89.76	23.99	N 80°47'00" E	89.76
C5	14°48'00"	380.00	81.31	25.88	S 80°27'58" E	81.00

AREA SUMMARY	
LOT 1	39,374 SF
LOT 2	13,501 SF
LOT 3	12,595 SF
TOTAL	65,470 SF

PARADISE HILLS FILING NO. 3

**LEGEND**

- ◆ MESA COUNTY OR BLM SURVEY MARKER
- CALCULATED POSITION (NOT SET)
- SET ALUMINUM CAP ON No. 5 REBAR, PLS 18835 IN CONCRETE
- (M) RECORD MEASUREMENT
- FOUND REBAR, AS NOTED



NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER THE FIRST RECORDING DATE HEREIN. IN NO EVENT SHALL ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE CONSIDERED VOID FROM THE DATE OF RECORDING SAID INSTRUMENT.

**SURVEYOR'S CERTIFICATION**

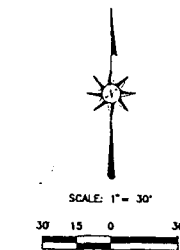
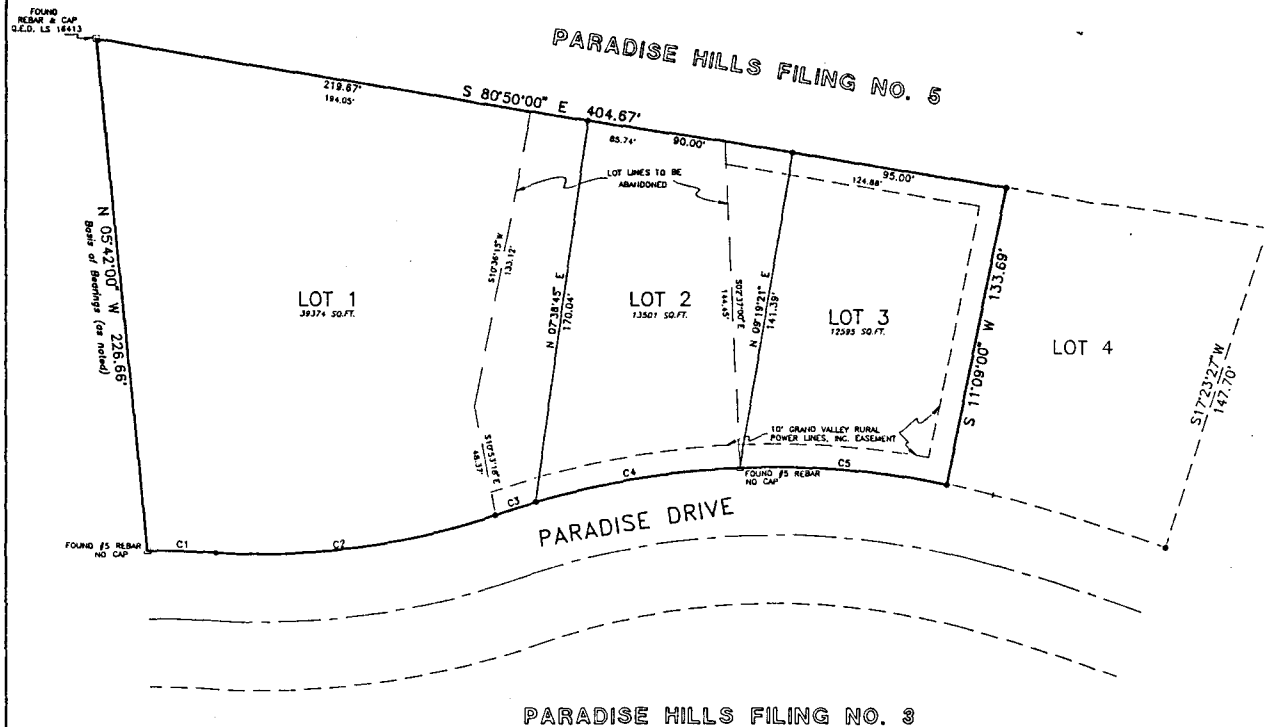
I, DENNIS W. JOHNSON, DO HEREBY CERTIFY THAT THE ACCOMPANYING PLAT OF STEINKIRCHNER SUBDIVISION, A SUBDIVISION OF A PART OF THE CITY OF GRAND JUNCTION, COLORADO HAS BEEN PREPARED UNDER MY DIRECT SUPERVISION AND REPRESENTS A FIELD SURVEY OF SAID PLAT CONFORMING TO THE REQUIREMENTS FOR SUBDIVISION PLATS SPECIFIED IN THE CITY OF GRAND JUNCTION DEVELOPMENT CODE AND THE APPLICABLE LAWS OF THE STATE OF COLORADO.

Date certified \_\_\_\_\_

	<b>STEINKIRCHNER SUBDIVISION</b>	
	SITE PLAN	
	MESA COUNTY, COLORADO	
Professional Surveying Services P.O. BOX 4508, Grand Jct., CO 81502 303-241-3841		
SUR. BY: JP/LD	DRAWN BY: RSK	
JOB NO. 94106	SHEET 1 OF 1	

# STEINKIRCHNER SUBDIVISION

A REPLAT OF LOTS 1, 2 and 3  
NORTH VIEW SUBDIVISION



CURVE	DELTA ANGLE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	CHORD
C1	0°43'12"	180.00'	30.01'	13.01'	S 88°47'54" E	30.00'	
C2	2°14'01"	170.00'	115.87'	43.66'	N 87°12'30" E	124.88'	
C3	0°23'17"	180.00'	19.14'	8.97'	N 89°22'24" E	19.14'	
C4	1°42'01"	180.00'	89.75'	43.09'	N 80°47'00" E	89.55'	
C5	1°16'04"	80.00'	81.31'	43.88'	S 45°53'59" E	81.09'	

AREA SUMMARY	
LOT 1	39,374 SF
LOT 2	13,501 SF
LOT 3	12,583 SF
TOTAL	65,458 SF

Basis of bearings assume the West line of North View Subdivision to bear N 05°42'00" W, 228.66 feet, as shown on Plat filed in Plat Book 12, Page 25, of Mesa County Records. Both monuments on this line are found 5/8" rebar as shown.

Note: Property corners located during this survey that were within 0.255 feet of the calculated point were accepted as being "in position".

Easement and Title Information provided by \_\_\_\_\_ Title Company, Policy No. \_\_\_\_\_

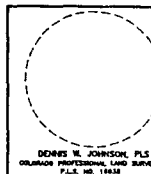
### LEGEND

- ⊙ MESA COUNTY OR BLM SURVEY MARKER
- CALCULATED POSITION (NOT SET)
- SET ALUMINUM CAP ON No. 5 REBAR, PLS 16835 IN CONCRETE
- (R) RECORD MEASUREMENT
- FOUND REBAR, AS NOTED

### SURVEYOR'S CERTIFICATION

I, DENNIS W. JOHNSON, DO HEREBY CERTIFY THAT THE ACCOMPANYING PLAT OF STEINKIRCHNER SUBDIVISION, A SUBDIVISION OF A PART OF THE CITY OF GRAND JUNCTION, COLORADO HAS BEEN PREPARED UNDER MY DIRECT SUPERVISION AND REQUIRES A FIELD SURVEY OF SAID PLAT CONFORMS TO THE REQUIREMENTS FOR SUBDIVISION PLATS SPECIFIED IN THE CITY OF GRAND JUNCTION DEVELOPMENT CODE AND THE APPLICABLE LAWS OF THE STATE OF COLORADO.

Date certified \_\_\_\_\_



STEINKIRCHNER SUBDIVISION  
A REPLAT OF LOTS 1, 2, AND 3  
NORTH VIEW SUBDIVISION  
MESA COUNTY, COLORADO

Professional Surveying Services  
P.O. BOX 4506, Grand Jet., CO 81502  
303-241-3841

SUR. BY: LW/DA DRAWN BY: RSK  
JOB NO. 94106 SHEET 1 OF 1

### DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

That Joseph D. and Janet R. Steinkirchner are the owners of that real property located in part of the SE1/4 of Section 28, Township 1 North, Range 1 West of the 10th Meridian, Mesa County, Colorado, being more particularly described as follows: (Original Warranty Deed Book \_\_\_\_\_, Page \_\_\_\_\_)

A REPLAT OF LOTS 1, 2, AND 3, NORTH VIEW SUBDIVISION, CITY OF GRAND JUNCTION, MESA COUNTY, COLORADO.

That said owners have caused the real property to be laid out and platted as Steinkirchner Subdivision, a subdivision of a part of the City of Grand Junction, Colorado. That said owner does hereby dedicate and set apart real property as shown and labeled on the accompanying plat of Steinkirchner Subdivision as follows:

All Streets and Rights-of-way to the City of Grand Junction for the use of the public forever;

All Multi-Purpose Easements to the City of Grand Junction for the use of the public utilities as perpetual easements for the installation, operation, maintenance and repair of utilities and appurtenances thereto including, but not limited to electric lines, cable TV lines, natural gas pipelines, sanitary sewer lines, water lines, telephone lines, and also for the installation and maintenance of traffic control facilities, street lighting, street trees and grade structures;

All Utility Easements to the City of Grand Junction for the use of public utilities as perpetual easements for the installation, operation, maintenance and repair of utilities and appurtenances thereto including, but not limited to electric lines, cable TV lines, natural gas pipelines, sanitary sewer lines, water lines, and telephone lines.

All easements include the right of ingress and egress on, along, over, under, and through and across by the beneficiaries, their successors, or assigns, together with the right to trim or remove interfering trees and brush. Provided, however, that the beneficiaries of said easements shall utilize the same in a reasonable and prudent manner. Furthermore, the owners of lots or tracts hereby platted shall not burden or overburden said easements by erecting or placing any improvements thereon which may prevent reasonable ingress and egress to and from the easement.

IN WITNESS WHEREOF, said owners, Joseph D. and Janet R. Steinkirchner, have caused their names to be hereunto subscribed this \_\_\_\_\_ day of \_\_\_\_\_ A.D., 1995.

by: Joseph D. Steinkirchner

by: Janet R. Steinkirchner

STATE OF COLORADO ) ss  
COUNTY OF MESA )

The foregoing instrument was acknowledged before me by \_\_\_\_\_ day of \_\_\_\_\_ A.D., 1995.

Witness my hand and official seal:

Notary Public

My Commission Expires \_\_\_\_\_

### CLERK AND RECORDER'S CERTIFICATE

STATE OF COLORADO ) ss  
COUNTY OF MESA )

I hereby certify that this instrument was filed in my office at \_\_\_\_\_ o'clock \_\_\_\_\_ M., \_\_\_\_\_ day of \_\_\_\_\_ A.D., 1995, and was duly recorded in Plat Book No. \_\_\_\_\_ Page No. \_\_\_\_\_

Clerk and Recorder

### CITY OF GRAND JUNCTION APPROVAL

This plat of Steinkirchner Subdivision, a subdivision of a part of the City of Grand Junction, County of Mesa, State of Colorado, is approved and accepted this \_\_\_\_\_ day of \_\_\_\_\_ A.D., 1995.

City Manager

President of City Council

NOTED: ACCORDING TO COLORADO LAW YOU MUST CONSIDER ANY LEGAL NOTICE ISSUED UPON ANY OBJECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH OBJECT. IN NO EVENT WILL ANY NOTICE ISSUED UPON ANY OBJECT IN THIS SURVEY BE CONSIDERED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION THEREIN HEREON.

Robert Fiegel  
479 Sheldon Rd.  
Grand Junction, CO 81504

Wilford Moses  
2666 Paradise Dr.  
Grand Junction, CO 81506-8616

Joseph Heitkamp  
225 Country Club  
Tooele, UT 84074

Joseph Steinkirchner  
2670 Paradise Way  
Grand Junction, CO 81506

Richard Rivera  
2679 Caribbean Dr.  
Grand Junction, CO 81506

Tom Logue  
Landesign Ltd.  
200 N 6th St.  
Grand Junction, CO 81501

Riney Wilbert  
834 Catalina Ct.  
Grand Junction, CO 81506-1794

City of Grand Junction  
Community Development Dept.  
250 N 5th Street  
Grand Junction, CO 81501

John Cheney  
833 Catalina Ct.  
Grand Junction, CO 81506-1795

James Arnott  
2669 Paradise Dr.  
Grand Junction, CO 81506-1714

Michael Clayton  
2671 Paradise Dr.  
Grand Junction, CO 81506-1714

John Prouty  
2673 Paradise Dr.  
Grand Junction, CO 81506-1714

Richard Noland  
2675 Paradise Dr.  
Grand Junction, CO 81506-1714

Marshall Steel  
2679 Paradise Dr.  
Grand Junction, CO 81506-1714

# REVIEW COMMENTS

Page 1 of 2

FILE #RS-95-41

TITLE HEADING: Steinkirchner Subdivision

LOCATION: 2670 Paradise Drive

PETITIONER: Joe Steinkirchner

PETITIONER'S ADDRESS/TELEPHONE: 2670 Paradise Drive  
Grand Junction, CO 81506

PETITIONER'S REPRESENTATIVE: Tom Logue, Landesign

STAFF REPRESENTATIVE: Kristen Ashbeck

**NOTE: THE PETITIONER IS REQUIRED TO SUBMIT FOUR (4) COPIES OF WRITTEN RESPONSE AND REVISED DRAWINGS ADDRESSING ALL REVIEW COMMENTS.**

**GRAND VALLEY RURAL POWER COMPANY** 2/24/95  
**Perry Rupp** 242-0040

No comment at this time.

**CITY UTILITY ENGINEER** 2/27/95  
**Bill Cheney** 244-1590

No comment.

**PUBLIC SERVICE COMPANY** 3/8/95  
**Dale Clawson** 244-2695

No objections.

**CITY DEVELOPMENT ENGINEER** 3/8/95  
**Jody Kliska** 244-1591

No comment.

**COMMUNITY DEVELOPMENT DEPARTMENT** 3/9/95  
**Kristen Ashbeck** 244-1437

1. UCC approved at March 8, 1995 meeting.
2. Need to fill in blanks on plat: Title information in lower left corner and book & page information in dedication.
3. Proposed lot sizes are well within minimum lot area for existing RSF-4 zoning.



**WALKER FIELD**  
**Mike Sutherland**

**3/9/95**  
**244-9100**

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This development lies within the Airport Area of Influence, as well as underlying common aircraft traffic patterns, so may be affected by overflight of aircraft. An Avigation Easement is required to be recorded at or before filing of the subdivision replat. Please send a copy of the recorded document to Walker Field Airport Authority following recording.

It is our recommendation that, due to this residential development's proximity to aircraft flight paths and the airport proper, that additional soundproofing insulation - as well as planned landscape features - be designed into each additional residence and building site to help mitigate potential sound-level perceptions.

*Lucy Ann*

KP   
MD

FYI &  
File  
~~attach~~ (Walker Field  
Airport)

RECEIVED GRAND JUNCTION  
PLANNING DEPARTMENT  
JUN 5 RECD

June 1, 1995

Marcel Theberge, Administrator  
Walker Field Airport Authority  
2838 H Road, Suite 211  
Grand Junction, CO 81506

Dear Marcel:

As you know, it is standard City practice to require avigation easements of developments that are occurring within the area of influence surrounding Walker Field primarily because the City endeavors to support Walker Field. To my knowledge, this has been a standard practice for a number of years; the City's role is really to facilitate the Airport's request to obtain the avigation easements in a form acceptable to the Airport.

Joe Steinkirchner owns 3 lots in the Paradise Hills subdivision in the existing area. He has requested that the City allow him to adjust some property lines. While no new lots will be created, it is activity that requires City approval. The City would ordinarily require that the applicant supply an avigation easement with regard to the modified lots.

Mr. Steinkirchner has expressed concern that he be treated similarly to others in his neighborhood. Western Colorado Title Company informs that there are no recorded avigation easements for any of the existing Paradise Hills (filings 1-6 which represent all of the existing development), with the exception of the recent approval, Filing Seven, which lies to the north.

Assuming that no avigation easements exist with respect to Filings One through Six, do you agree that it would not be fair to require of Mr. Steinkirchner that he supply avigation easements burdening his three existing lots? Are you comfortable consenting to his request, in light of these circumstances?

Marcel Theberge  
June 1, 1995  
Page 2

I will appreciate hearing your thoughts.

Very truly,



Dan E. Wilson  
City Attorney

c: Community Development, Larry Timm

Joe Steinkirchner  
2670 Paradise Drive  
Grand Junction, CO 81506

Harry Griff, Attorney for Walker Field



"We've got the world  
at our wingtips"

# WALKER FIELD Airport Authority

2828 Walker Field Drive, Suite 211  
Grand Junction, Colorado 81506  
(303) 244-9100  
FAX (303) 241-9103

July 11, 1995

Mr. Dan E. Wilson  
City Attorney  
City of Grand Junction  
250 North Fifth Street  
Grand Junction, CO 81501-2668

RE: Steinkirchner's subdivision/avigation easement

Dear Dan:

My apologies for taking so long in responding to your request of June 1, 1995 as I had to research past practices related to airport avigation easements with Mike Sutherland our former airport planner and Harry Griff.

In my research I find that we need to be consistent with past practice regarding avigation easement requirements to properties within the airport area of influence.

We are not comfortable consenting to Mr. Steinkirchner's request of not supplying avigation easements to his three existing lots.

Since the City would ordinarily require that the applicant for lot modification supply an avigation easement and to assure the ongoing integrity of the easement program and the City's zoning rules, we are hereby recommending for the City to require the avigation easements for the modified lots.

Thanks for the opportunity to provide our recommendations.

Best regards,

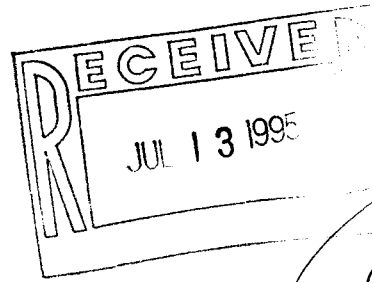
Marcel J. Theberge, A.A.E.  
Airport Director

BOARD OF COMMISSIONERS  
Earl F. Payne, Chairman  
John R. Crouch, Vice Chairman  
C. Joseph Croker  
Elaine Ingvertsen  
Lawrence J. Jokerst  
Mariann Novack  
Reford C. Theobald

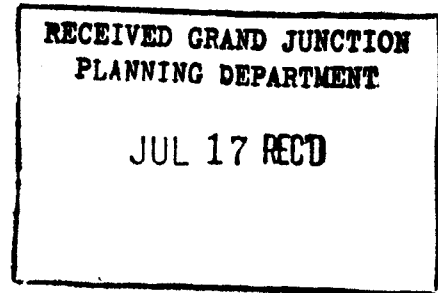
AIRPORT DIRECTOR  
Marcel J. Theberge, A.A.E.

Community Development Dept.

C: CDD 7/17/95 CR  
RE: NORTH VIEW SUB  
(in Paradise Hills)



*file*  
*C de Steinkirchner*  
*7/17/95 CR*  
*He: please call*  
*when you*  
*have a*  
*chance...*  
*Dan*



AVIGATION EASEMENT1731821 0233PM 09/29/95  
MONIKA TOED CLK&REC MESA COUNTY CO

THIS EASEMENT is made and entered into by and between the WALKER FIELD, COLORADO, PUBLIC AIRPORT AUTHORITY, a body corporate and politic and constituting a political subdivision of the State of Colorado, hereinafter called GRANTEE, and

Joseph D Steinkirchner & Janet R Steinkirchner  
hereinafter, GRANTOR;

WHEREAS, Grantee is the owner and operator of Walker Field Airport situated in the County of Mesa, State of Colorado, and in close proximity to the land of Grantor, and Grantee desires to obtain and preserve for the use and benefit of the public a right of free and unobstructed flight for aircraft landing upon, taking off from, or maneuvering about said airport; and

WHEREAS, Grantor is the owner in fee simple of that certain parcel of land situated in the County of Mesa, State of Colorado, to wit:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the Grantor, for himself, his heirs, administrators, executors, successors and assigns, does hereby grant, bargain, sell and convey unto the Grantee, its successors and assigns, for the use and benefit of the public, an easement and right of way appurtenant to Walker Field Airport, for the passage of all aircraft ("aircraft" being defined for the purposes of this instrument as any device known or hereafter invented, used or designed for navigation or flight in the air) by whomsoever owned and operated, in the navigable airspace above the surface of Grantor's Property to an infinite height above said Grantor's property, together with the right to cause in said airspace such noise and vibrations, smoke, fumes, glare, dust, fuel particles and all other effects that may be caused by the normal operation of aircraft landing at or taking off from or operating at or on said Walker Field Airport, and Grantor hereby waives, remises and releases any right or cause of action which Grantor now has or which Grantor may have in the future against Grantee, its successors and assigns, due to such noise, vibrations, smoke, fumes, glare, dust, fuel particles and all other effects caused by the normal operation of such aircraft.

FURTHER, Grantor hereby covenants, for and during the life of this easement, that Grantor:

(a) shall not hereafter construct, permit or suffer to maintain upon said land any obstruction that extends into navigable airspace required for use of said airport runway surfaces; (Navigable airspace is defined for the purpose of this instrument

as airspace at and above the minimum flight altitudes, including take off and landing, as prescribed in Federal Aviation Administration Federal Air Regulations Part 91, and as such regulations are amended.)

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(b) shall not hereafter use or permit or suffer use of said land in such a manner as to create electrical or electronic interference with radio communication or radar operation between the installation upon Walker Field Airport and aircraft, or to make it difficult for flyers to distinguish between airport lights and others or to result in glare in the eyes of flyers using the said airport, or to impair visibility in the vicinity of the airport, or otherwise to endanger the landing, taking off or maneuvering of aircraft.

Grantor agrees the aforesaid covenants and agreements shall run with the land for the benefit of Grantee, its successors and assigns, until said airport shall be abandoned and shall cease to be used for public airport purposes.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal on this 11<sup>th</sup> day of September, A.D. 1995.

Joseph D. Steinkirchner  
Janet R. Steinkirchner  
 (Title)

STATE OF COLORADO )  
 ) ss.  
 COUNTY OF MESA )

The foregoing instrument was acknowledged before me this 11<sup>th</sup> day of September, A.D. 1995, by Joseph D. Steinkirchner and Janet R. Steinkirchner.

My Commission expires: January 26, 1996.

Ruth H. Speckmann  
 Notary Public

