

Northeast Easements

All lots in the Northeast Addition were granted non-exclusive appurtenant easements for runway access and use. Below are examples of these easements and how the verbiage evolved.

1. Warranty Deed AVDCO to Stock, lot in Aero Valley Estates, 871/679, 1/17/1978. This is the first deed to a lot in the new Northeast Addition. It was granted shortly after the AVDCO restrictions were executed on January 13, 1977 but they were not yet recorded. Thus, the deed makes no reference to restrictions.

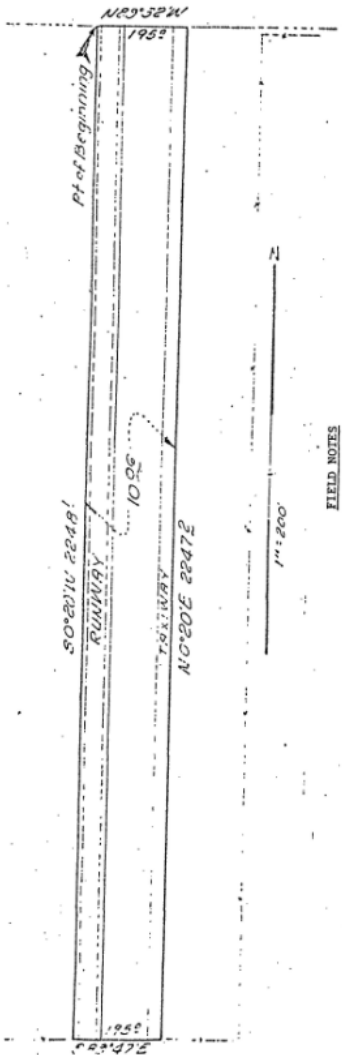
TOGETHER WITH the perpetual use by Grantors herein of the landing strip now owned by Grantor herein, as well as ingress and egress by aircraft to said strip from the herein described property.

2. Warranty Deed AVDCO to Sitta, Aero Valley Estates Lot, 909/651, July 6, 1978. This deed includes a plat of the runway-taxiway tracts as easements.

TOGETHER WITH THE PERPETUAL RIGHT OF INGRESS AND EGRESS TO AND FROM THE TAXIWAY AND LANDING STRIP ON, OVER AND ACROSS THE EASEMENT REFERRED TO ABOVE, A PLAT OF WHICH HAS BEEN ATTACHED HERETO AND MARKED EXHIBIT "A". GRANTORS FURTHER GRANT TO GRANTEE THE PERPETUAL USE BY GRANTEE OF THE LAND STRIP NOW OWNED BY GRANTORS, A PLAT OF WHICH HAS BEEN ATTACHED HERETO AND MARKED EXHIBIT "B".

See image on next page.

EXHIBIT "B"



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FIELD NOTES

FOR A RUNWAY AND TAXIWAY EASEMENT IN THE C. BANSDALE SURVEY, ABSTRACT NO. 1128, SITUATED IN DENTON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a point in the South line of the F. M. Woodward Survey, Abstract No. 1420, said point being N. 89° - 32' W. 1622.4 feet from the Southeast corner of said Woodward Survey;

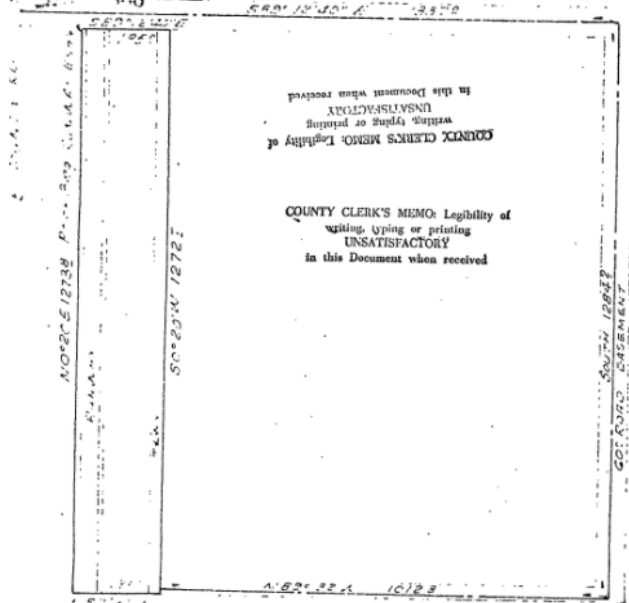
THENCE with a line 30.0 feet westerly from and parallel to the centerline of the existing runway S. 0° - 20' W. 2248.1 feet to a point in the South line of a 133.793 acre tract, as shown on a Survey plat dated November 8, 1968;

THENCE S. 89° - 47' E. 195.0 feet along said line to a point for corner;

THENCE N. 0° - 20' E. 2247.2 feet to a point in the South line of said Woodward Survey;

THENCE N. 89° - 32' W. 195.0 feet along the South line of said Woodward Survey to the POINT OF BEGINNING and containing 10.06 acres.

EXHIBIT "A"



in this Document when received
UNSATISFACTORY
COUNTY CLERK'S MEMO, Legibility of writing, typing or printing

COUNTY CLERK'S MEMO: Legibility of writing, typing or printing
UNSATISFACTORY
in this Document when received

FIELD NOTES

FOR A 60.0 FOOT ACCESS EASEMENT IN THE F. M. WOODWARD SURVEY, ABSTRACT NO. 1420, SITUATED IN DENTON COUNTY, TEXAS, SAID ACCESS EASEMENT BEING 30.0 FEET EITHER SIDE OF AND PARALLEL TO THE FOLLOWING DESCRIBED CENTERLINE:

BEGINNING at a point in the center of an existing County Road, said point being N. 89° - 17' - 40" W. 1552.0 feet and S. 0° - 22' - 40" E. 30.0 feet from the Northeast corner of said Woodward Survey;

THENCE S. 89° - 12' - 40" E. 1337.0 feet to a point for corner;

THENCE South 1264.2 feet to a point for corner;

THENCE N. 89° - 32' W. 1012.3 feet to a point at the terminus of said easement in the East line of a 5.7 acre easement for runway and taxiway purposes.

FOR A RUNWAY AND TAXIWAY EASEMENT IN THE F. M. WOODWARD SURVEY, ABSTRACT NO. 1420, SITUATED IN DENTON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a point in the South line of a 60.0 foot wide access easement, said point being N. 89° - 12' - 40" W. 1414.7 feet and S. 0° - 20' W. 60.0 feet from the northeast corner of said Woodward Survey;

THENCE S. 89° - 12' - 40" E. 195.0 feet to a point for corner;

THENCE S. 0° - 20' W. 1272.7 feet to a point for corner;

THENCE N. 89° - 32' W. 195.0 feet to a point for corner;

THENCE N. 0° - 20' E. 1273.8 feet to the POINT OF BEGINNING and containing 5.7 acre, more or less.

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3. Warranty Deed AVDCO to Hyde-Way, Inc., Northeast Addition 4.537 acres, 1002/633, 2/22/1980. Hyde's first acquisition of airport property. This tract is part of an 8.598-acre tract intended for T-hangars. Includes the first recording of the restrictions designed for T-hangars.

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TOGETHER WITH a non-exclusive easement for vehicular access and airport and taxiway purposes including all necessary and desirable appurtenances along, over, under, across and upon the tracts of land described by metes and bounds in Exhibit "B" attached hereto and made a part hereof by reference for purposes of description; together with the right of improving, reconstructing, repairing, and inspecting as grantee may from time to time find necessary and the right to remove or prevent the construction on said tract of all buildings, structures or other obstructions which may endanger or interfere with the safety or convenient use of said runway or taxiway.

SUBJECT TO RESTRICTIONS executed by Edna Gardner Whyte, Michael J. O'Brien, and John R. Everett, and recorded in Denton County, Texas.

SUBJECT TO EASEMENTS of record.

After they were built, Hyde conveyed these T-hangars with the easements and restrictions intact until he acquired airport common areas in 1982. After that Hyde tried to impose his license and restrictions on lots he knew were already restricted and had runway access easements.

The easement language later evolved to include the word "obligation" as in "together with the right and obligation of improving" Although nice to see, this addition has no effect on the common-law duty to contribute to the maintenance of common areas. Stan Price was one of the first to see this minor modification.

4. Warranty Deed, AVDCO to Price, NE lots, 1026/675, 7/23/1980. Price had purchased this acreage before AVDCO had recorded the deed restrictions on it. To ensure that this land was subject to the restrictions, Price conveyed the property back to AVDCO, AVDCO recorded the restrictions, and conveyed the property back to Price. This time the deed included both the word "obligation" and subject to restrictions of record. The four tracts of land described in Exhibit "B" are on the next page. This is the final evolution of the easement language.

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TOGETHER WITH a non-exclusive easement for vehicular access and airport and taxiway purposes including all necessary and desirable appurtenances along, over, under, across and upon the four (4) tracts of land described by metes and bounds in Exhibit "B" attached hereto and made a part hereof by reference for purposes of description, together with the right and obligation of improving, reconstructing, repairing, and inspecting as Grantee may from time to time find necessary and the right to remove or prevent the construction on said tracts of all buildings, structures, or other obstructions which may endanger or interfere with the safety or convenient use of said runway or taxiway.

SUBJECT TO Easements and Restrictions of record, outstanding mineral interests, and Easements traversing subject property as shown on Exhibit "A".

Four Easement Tracts

NE & Aero Valley Estates Access Easements

TOGETHER with a non-exclusive easement for vehicular access and airport and taxiway purposes including all necessary and desirable appurtenances along, over, under, across and upon the tracts of land described by metes and bounds in Exhibit "A" attached hereto and made a part hereof by reference for purposes of description; together with the right of improving, reconstructing, repairing, and inspecting as grantee may from time to time find necessary and the right to remove or prevent the construction on said tract of all buildings, structures, or other obstructions which may endanger or interfere with the safety or convenient use of said runway or taxiway.

EXHIBIT "A"

TRACT I

vs. 1011 and 4

Being 30 feet on either side and parallel to the following described centerline:

BEGINNING at a point in the center of an existing County road, said point being N 89° - 12' - 40" W. 1552.0 feet and S. 0° - 22' - 40" E. 35.0 feet from the Northeast Corner of the F. M. Woodward Survey, Abstract 1420;

THENCE S. 89° - 12' - 40" East 1337 feet to a point for corner;

THENCE South 1284.2 feet to a point for corner;

THENCE N. 89° - 32' West 1012.3 feet to a point.

Kelly Drive

TRACT II

BEGINNING at a point N 89° - 12' - 40" West 1414.7 feet and S. 0° - 20' - W. 60.0 feet from the Northeast corner of the F. M. Woodward Survey, Abstract 1420;

THENCE S. 89° - 12' - 40" East 195.0 feet to a point for corner;

THENCE S. 8° - 20' - W. 1272.7 feet to a point for a corner;

THENCE N. 89° - 32' W. 175.0 feet to a point for a corner;

THENCE N. 0° - 20' - E. 1273.8 feet to the POINT OF BEGINNING.

North runway-taxiway

TRACT III

BEGINNING at a point in the South line of the F. M. Woodward Survey, Abstract 1420 and a North line of the G. Flomdale Survey, Abstract 1128, Denton County, Texas, said point being N. 89° - 32' W. 1472.4 feet from the Southeast corner of said Woodward Survey;

THENCE S. 0° - 20' W. 2246.1 feet to a point in the South line of a 133.793 acre tract for a corner;

THENCE S. 89° - 47' E. 175.0 feet to a point for a corner;

THENCE N. 0° - 30' E. 2247.2 feet to a point in the Southline of said Woodward Survey for a corner;

THENCE N. 89° - 32' W. 185.0 feet along the South line of said Woodward Survey to the POINT OF BEGINNING.

South runway-taxiway

TRACT IV

BEGINNING at a point in the South line of the F. M. Woodward Survey, Abstract 1420, Denton County, Texas, said point being N. 89° - 32' W. 796.1 feet from the Southeast corner of same, said point being in an existing easement;

THENCE N. 0° - 46' E. 996.4 feet to a point for corner;

THENCE N. 89° - 40' W. 344.2 feet to a point for corner;

THENCE S. 0° - 20' W. 60.0 feet to a point for corner;

THENCE S. 89° - 40' E. 295.2 feet to a point for corner;

THENCE S. 0° - 40' W. 926.4 feet to a point for corner in the South line of said Survey;

THENCE S. 89° - 32' E. 45.0 feet along said line to the POINT OF BEGINNING.

Douglas Drive

NE & Aero Valley Estates Access Easements (cont'd)

