

2018002711

Stephen L. Vagnini  
Monterey County Clerk-Recorder

01/23/2018 11:54 AM

Recorded at the request of:  
MONTEREY COUNTY RESOURCE MAN

Titles: 1 Pages: 22

Fees: \$0.00  
Taxes: \$0.00  
AMT PAID: \$0.00

RECORDING REQUESTED BY )  
AND WHEN RECORDED RETURN TO: )  
Monterey County Resource Management )  
Agency )  
Land Use & Community Development Div'n )  
Special Programs Section )  
1441 Schilling Place South, 2<sup>nd</sup> Floor )  
Salinas, CA 93901 )  
Attention: G.H. Nichols PE )



No Documentary Transfer Tax Required -

Grantor is a Government Entity and Grantee is an Incorporated Municipality  
of the State of California (Revenue & Taxation Code 11922)

☒ Unincorporated Area or ☐ City of \_\_\_\_\_

Space above this line for Recorder's use

No fee document pursuant  
to Government Code  
Section 27383

### AVIGATION EASEMENT

THIS INDENTURE is entered into as of December 12, 2017, by and between the EAST GARRISON COMMUNITY SERVICES DISTRICT ("Grantor") and the CITY OF MARINA, an incorporated municipality in the State of California ("Grantee") on behalf of its Marina Municipal Airport.

WHEREAS, Grantor is the fee owner of certain real property located in the unincorporated area of the County of Monterey, California, more particularly described in Exhibit "A" attached hereto and incorporated herein by reference (the "Property") lying below the imaginary plane described below;

WHEREAS, Grantee is the owner and operator of the Marina Municipal Airport, situated in the County of Monterey, State of California, which is more particularly depicted on the Record of Survey recorded on September 6, 1995, in the Office of the Monterey County Recorder on Reel 3272, Page 715, together with any future expansion thereof or modification thereto;

WHEREAS, the Property is within the planning area of the City of Marina Municipal Airport as identified on Figure 4-1 of the Marina Municipal Airport Comprehensive Land Use Plan, dated November 18, 1996;

WHEREAS, the Board of Supervisors of the County of Monterey on October 4, 2005, adopted a resolution approving certain entitlements for the construction of what is commonly known as the East Garrison Project (Board of Supervisors' Resolution No. 05-267), and Condition No. 151 of the Combined Development Permit for the East Garrison Project requires that an overflight easement shall be established over the Property for the Marina Municipal Airport owner; and

WHEREAS, this easement is acquired on behalf of the Marina Municipal Airport. The City of Marina as owner of the Marina Municipal Airport is obligated to preserve airport property in accordance with federal and state grant assurances. Obligated airport property interests may not