

## RELEASE AUTHORIZATION

This Release Authorization (Release) issued by the Federal Aviation Administration (FAA), pursuant to the provisions contained in Title 49 United States Code Sections 47107(h) and 47153, does grant to the County of Trinity (County), California, a release from certain airport obligations held in favor of the FAA affecting certain land that is located at Hayfork Airport (Airport).

### WITNESSETH:

WHEREAS, the County is the fee owner and operator of the Airport; and

WHEREAS, pursuant to Title 49 United States Code Section 47107, et seq., the County, as the grant recipient, and as a condition for receiving federal airport grant aid, has provided written assurances to the FAA that the County will comply with the conditions specified in grant agreements; and

WHEREAS, the County has requested that the FAA approve a release of a portion of land at the Airport, which is subject to the specific airport use conditions and assurances contained in Grant Agreements; and

WHEREAS, County is requesting the release of the land described herein from the airport use conditions set forth in the Grant Agreements since the land is no longer needed for airport purposes or for the safety and operation of the Airport; and

WHEREAS, the County has satisfactorily established the fair market value of the land upon which the sale of the land will be based. Furthermore, the County has pledged to use the sale proceeds for the capital and operating costs of the airport; and

WHEREAS, the FAA, pursuant to the provisions contained in Title 49 United States Code §47107(h) and the criteria in United States Code §47153, is authorized to grant a release of the land consisting of 1.33 acres from the conditions and assurances contained in the Grant Agreements between the County and the FAA; and

WHEREAS, the FAA has determined that the land subject to this release, as described in Exhibit A, is no longer needed for an airport purpose.

NOW THEREFORE, in consideration of the benefits to accrue to the United States of America and to civil aviation, the FAA hereby agrees to release the rights and interests reserved to the FAA in the release land, containing a total area of 1.33 acres, more or less, and more particularly described in Exhibit A, from the airport use conditions and assurances contained in the Grant Agreements between the County and the FAA.

This Release is granted subject to the following conditions:

1. Covenants and Conditions The instrument used by the County to transfer the real property described in this Release shall include the following covenants, conditions, and restrictions.

a) Right of Flight. There is hereby reserved to the County and the Airport, its successors and assignees, for the use and benefit of the public, a right of flight for the passage of aircraft in the airspace above the surface of the premises herein conveyed, together with the right to cause in said airspace such noise and emissions as may be inherent in the operation of aircraft, now known or hereafter used for navigation of or flight in the air, using said airspace, or landing at, taking off from, or operating at the Airport.

b) No Obstructions. The recipient of the conveyed land, by accepting this conveyance from the County, expressly agrees for itself, its successors and assignees that it will not erect nor permit the erection of any structure, objects of natural growth or other obstructions, on the conveyed land, above a height that is not in accord with the requirements of Title 14 Code of Federal Regulations Part 77. In the event this condition is breached, the County and the Airport, its successors and assignees, reserve the right to enter on the land conveyed hereunder and to remove the offending structure or object, and to cut the offending natural growth, all of which shall be at the expense of said transferee, recipient, or grantee.

c) No Interference. The recipient of the conveyed land, by accepting this conveyance from the County expressly agrees for itself, its successors, and assignees that it will not make use nor permit the use of the conveyed land in any manner that might interfere with the landing and taking off of aircraft from the Airport or which might otherwise constitute an airport hazard. In the event this condition is breached, County and the Airport, its successors and assignees, reserve the right to enter on the conveyed land and cause the abatement of such interference at the expense of the transferee, recipient, or grantee.

*(Approval signatures follow on the next page)*

IN WITNESS WHEREOF, for the Federal Aviation Administration, this Release Authorization is executed on January 27, 2022.

Acting by and through the Administrator of the  
Federal Aviation Administration

By: \_\_\_\_\_  
Mark A. McClardy  
Director, Airports Division  
Office of Airports, Western-Pacific Region

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COUNTY OF TRINITY

On behalf of the County of Trinity, the undersigned hereby acknowledges the acceptance of the terms and conditions of the Release Authorization.

By: \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_  
Print Name and Title