

**THE CITY OF AMARILLO, TEXAS  
Final Distribution Memorandum**

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Planning Department, City of Amarillo, Texas  
P.O. Box 1971, Amarillo, Texas 79105-1971  
June 1, 2010

**TO:** Final Distribution List

**FROM:** Planning Department

**SUBJECT:** ACZ-08-05 Aviation Clear Zone Easement, being 4600 ft. mean sea level above the plat of Miller Paper Unit No. 1, in Section 174, Block 2, AB&M Survey, Randall County, Texas.  
GRANTOR: Joe Schmidt

The City of Amarillo's designated official approved the above referenced aviation clear zone easement on May 5, 2010. The instrument was filed of record in Official Public Records Randall County in File Clerk 2010008316, on May 26, 2010. Copies of the instrument and vicinity sketch are attached. Please post your records accordingly.



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Kelley Shaw, Planning Director



AVIATION CLEAR ZONE EASEMENT

THE STATE OF TEXAS    §  
                                  §        KNOW ALL MEN BY THESE PRESENTS:  
COUNTY OF RANDALL   §

WHEREAS, Joe Schmidt, hereinafter called "GRANTOR," whether one or more, individual or corporate, partnership or association, is the owner in fee of that certain parcel or parcels of land being described as follows:

Miller Paper Unit No. 1, a suburban subdivision to the City of Amarillo, being an unplatted tract of land in Section 174, Block 2, AB&M Survey, Randall County, Texas.

NOW, THEREFORE, in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, GRANTOR does for itself, its successors and assigns, GRANT, BARGAIN, SELL AND CONVEY unto the City of Amarillo, Texas, hereinafter called GRANTEE, its successors and assigned, for the use and benefit of the public, an easement and right-of-way appurtenant to Amarillo International Airport for the unobstructed passage of all aircraft, "aircraft" being defined for the purpose 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 or operated, in the airspace above GRANTOR'S above-described property, together with the right to cause in all airspace such noise, vibration, fumes, dust, fuel particulates and all other effects that may be caused by the operation of aircraft landing at, or taking off from, or operating at, on, over the above described property; and GRANTOR, its successors, executors, heirs or assigns, does hereby fully waive, remise and release any right, cause of action, and damage which it may now have or which it may have in the future against GRANTEE, its successors and assigns, due to such noise, vibrations, fumes, dust, fuel particulates 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 near or on Amarillo International Airport.

GRANTOR, for itself, its successors and assigned, does hereby covenant and agree that it will not hereafter erect, or permit the erection or growth of, any structure, tree or other object on the above described property to any height in excess of 4600 feet above mean sea level. GRANTOR does hereby GRANT and CONVEY to GRANTEE a continuing right of ingress and egress via passage easement on and across the above-described property for the purpose of taking any action necessary to remove any structure, tree or other object in the airspace to any elevation greater than 4600 feet above mean sea level.

TO HAVE AND TO HOLD said aviation clear zone easement, passage easement, and rights-of-way, and all rights appertaining thereto unto the GRANTEE, its successors and assigns, until Amarillo International Airport shall be abandoned and shall cease to be used for public airport purposes.

IT IS UNDERSTOOD AND AGREED that these covenants and agreements shall be binding upon the heirs, administrators, executors, successors and assigns of the GRANTOR and that these covenants and agreements shall run with the land, and that for the purposes of this instrument, this easement shall be considered the dominant estate on the above-referenced property.

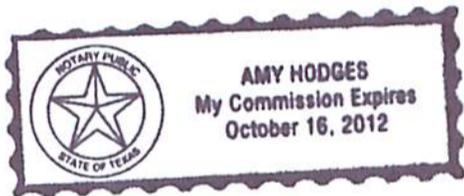
IN WITNESS WHEREOF, the GRANTOR, whether one or more, individual or corporate, has hereunto set its hand on this the 26 day of April, 2010.

GRANTOR  
Joe Schmidt

By [Signature]  
Joe Schmidt

THE STATE OF TEXAS        §  
COUNTY OF Lubbock       §

This instrument was acknowledged before me on this the 26<sup>th</sup> day of April, 2010, by Joe Schmidt.



[Signature]  
Notary Public, State of Texas

**FILED AND RECORDED**

OFFICIAL PUBLIC RECORDS

[Signature]

May 26, 2010 09:06:13 AM

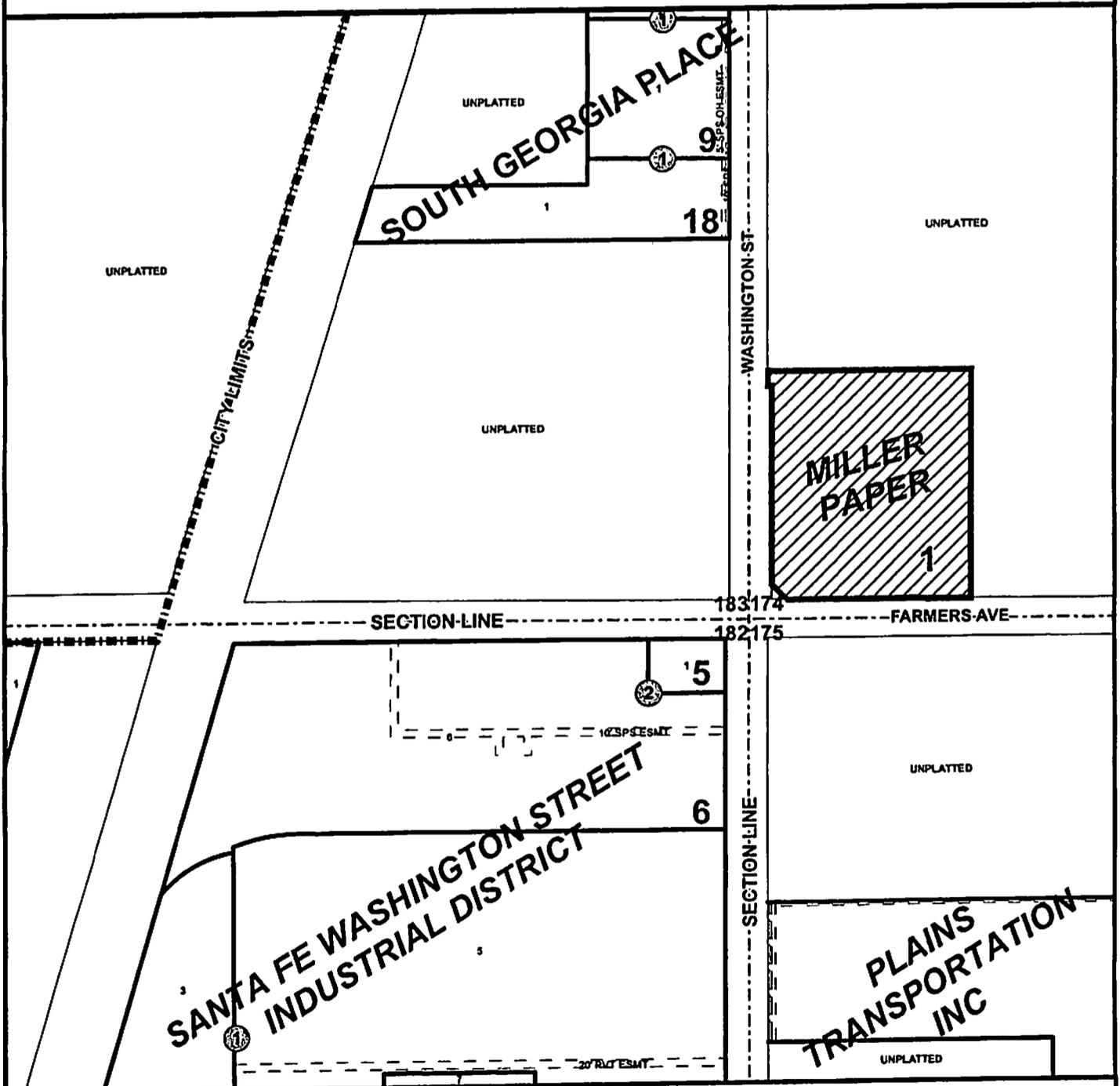
FEE: \$20.00

2010008316

Renee Calhoun County Clerk  
Randall County TEXAS

**RECEIVED**  
MAY 03 2010  
BY: [Signature]

# AVIATION CLEAR ZONE EASEMENT



**CITY OF AMARILLO  
PLANNING DEPARTMENT**

Aviation Clear Zone Easement, being 4600' MSL above the plat of Miller Paper Unit #1, a suburban subdivision in Section 174, Block 2, AB&M Survey, Randall County, TX

Scale: 1" = 400'  
Date: 4-7-08  
Case No: ACZ-08-05



Grantor: Joe Schmidt

Vicinity: Farmers Ave. & Washington St.

AP#:N-16