

3.

Further, for the consideration as above set out, GRANTOR does hereby grant unto GRANTEE for the use and benefit of the public a right of flight for the passage of aircraft in the airspace above the said Tract in the approach surface above the inclined plane as above described and as shown on Exhibit "A", together with the right to cause in said airspace such noise as may be inherent in the operation of aircraft using said airspace for landing at, taking off from or operating at the airport.

TO HAVE AND TO HOLD said easement and all rights appertaining thereto unto the GRANTEE, its successors and assigns forever with the understanding that these covenants and agreements shall be binding upon the heirs, administrators, executors, and assigns of GRANTOR, and that these covenants and agreements shall run with the land.

IN WITNESS WHEREOF, the GRANTOR has set his hand and seal this

4th day of May, 1977.

In the presence of:

James B. Holopoua
James R. Shirley

Walter W. Goldsmith (SEAL)
Walter W. Goldsmith
William R. Timmons, Jr. (SEAL)
William R. Timmons, Jr.
John P. Ashmore, Jr. (SEAL)
John P. Ashmore, Jr.