

SAMPLE TITLE OPINION

This sample title opinion has been prepared to assist the Sponsor with obtaining a current title opinion. This sample should be furnished to the attorney who will prepare the title opinion that is required in connection with every federally funded airport improvement project.

Sponsors and Consultants are cautioned that this suggested sample must not be considered as being complete and whole and that the provision of this sample format by the FAA shall not be construed as a guarantee of legal sufficiency. Sponsors are solely responsible for verifying the legal sufficiency of all Title Opinions

ATTORNEYS AT LAW
NO. 10 GAVEL CENTER
AIRVILLE, USA

December 15, 2002

Chairman
Airville Airport Authority
Airville, USA

Dear Sir:

Reference any documents relied upon

This opinion of title is to real property owned by the City of Airville, USA, which comprises the Airville Municipal Airport. This is to certify that I have examined the documents of title to the following described property, to-wit:

Full legal description of land owned in fee

Tie legal description to specific parcel shown on Exhibit A

Beginning at the SE corner of Section 12, Township 12S, Range 24 E of the Sixth Principal Meridian; thence S 89° 52' 00"W, 2661.28' to the S ¼ corner of said Section 12; thence S 89° 42' 00" W, 1334.18'; thence N 00°12'07" E, 2665.73'; thence S 89° 43' 54" E, 1327.98' to the center of said Section 12; thence N 00° 04 ' 10" E, 2665.31' to the N ¼ corner of said Section 12; thence N 89° 06' 00" E, 2655.20' to the NE corner of said Section 12; thence South 5343.32' to the SE corner of said Section 12 and the point of beginning. Except that part in public road right-of-way. All of which contains 405.92 acres, said property being identified as Tract No. 1 on the attached Exhibit A, airport property map.

Specify date of finding and quantum of title (fee simple)

As of November 18, 2002, I find fee simple title to the above described real property to be in the City of Airville, USA, subject to the following:

Specify encumbrances (mortgages, easements, right-of-way, restrictive covenants, reverters, etc.) Evaluate encumbrances, when appropriate

1. An easement for roadway purposes exists along and either side of the Section line dividing Sections 1 and 12 in Township 12 S, Range 24 E of the Sixth Principal Meridian. The width of the easement is 30 feet on either side of said Section line. (Mishap Road is laid over this easement. On November 13, 2002 the Windy County Board of Commissioners passed a resolution to vacate this road and relocate it ½ mile north. When the road is officially vacated, the easement will no longer represent an encumbrance against airport property.)

If encumbrances could in any way interfere with sponsor's use of property for airport purposes, it must be subordinated.

2. A waterline easement, 15' width, granted to the Rural Water District No. 1, lying parallel with and running 7½' on either side of a line 37½' south of the Section line dividing Sections 1 and 12. (The waterline easement has been subordinated to airport use and copy of the subordination agreement is attached.)

If encumbrance does not interfere with use of land for airport purposes, it must be stated (either in the title opinion or by separate certification from the sponsor).

3. An easement granted to the Electric Service Co., 10' in width, lying parallel to and running 5' on either side of a line 30' north of the Section line dividing Sections 12 and 13; commencing at the southeast corner of Section 12, thence west for a distance of 2665.28'; thence north for a distance of 1084'. This easement will not in any way interfere with the use of the properties shown in Exhibit A and described herein for airport purposes, and will not affect the operation, maintenance or development of the airport.

Leases and agreements in effect on the airport

4. The leases and agreements currently in effect at said airport do not adversely affect the sponsor's possession and control of the airport or interfere with its ability to carry out the obligations and covenants set forth in the project application.

Identify property interests other than fee title.

In addition to the above described property interests, the City of Airville, USA also holds avigation easements (recorded June 6, 1998) over the following described property to-wit:

*Legal descriptions of property interests other than fee title
Tie legal descriptions to specific tracts identified on Exhibit A.*

Beginning at a point on the public right-of-way 30' south and 1235.00' west of NE corner of Section 13, Township 12 S, Range 24 E of the Sixth Principal Meridian; thence S 15° 38' 56" E, 441.51'; thence S 80° 03' 42" W, 450.00'; thence N 4° 13' 40" E, 361.47' to the point of beginning. All of which contains 4.40 acres, said property being designated as Tract No. 2 on the attached Exhibit "A"

Commencing at the SE corner of the SW ¼ of the SW ¼ of Section 12, Township 12 S, Range 24 E of the Sixth Principal Meridian; thence N 00° 12' 07" E, 2326.82'; thence N 75° 39' 31" W, 990.56'; thence N20° 03' 07" E, 450.00'; thence S 64° 14'15" E, 895.38'; thence S 00° 12' 07" W, 278.91' to the beginning. All of which contains 7.88 acres, said property being designated as Tract No. 3 on the attached Exhibit A.

When sponsor holds avigation easements or RPZ easements, this certification of quality of title in the underlying fee is required.

I find that the grantors of the above described avigation easements constituted all of the owners of the land affected by the easements and that such grantors had such quality of title in and to such land as to enable them to convey the interest purported to be conveyed in and by the easements granted, and that there are no other interests or rights which are incompatible with or would interfere with the exercise and enjoyment by the City of the rights and interests conveyed.

Conclusion

Based on title examination, the laws of the State _____ and title standards, I find no legal deficiencies in the title to said land except as noted herein.

If there are any questions concerning this title opinion, you may contact me at your convenience.

NAME OF ATTORNEY