Presented to: ANE Compliance Workshop
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Obligating Documents

• AP-4 Agreements

• Federal Conveyances

• Grant Agreements
AP-4 Agreements

• Enacted in 1939
• Transferred the Airport to the Federal Government
• Administered by CAA and WPA
• Obligations Expired Except for Exclusive Rights
SURPLUS REAL PROPERTY

• Deeds From the Federal Government to a Sponsor:
  – War Assets Administration (WAA) - Regulation 16
    • Land Can Only Be Used for Airport Operation and Maintenance
  – WAA and General Services Administration (GSA) – P.L. 20-289
    • Allows for Revenue Production Property
SURPLUS REAL PROPERTY

- Land can only be used for Airport purposes including revenue production
- National Emergency Use Provisions (NEUP)
- Reverter clause
- Cannot be sold or encumbered without FAA release deed
- Obligations do not expire
- Deeds May Vary
NONSURPLUS CONVEYANCES

• Federal Aid to Airport Program (FAAP) - Section 16:
  – Land Automatically Reverts to the Federal Government

• Airport Development Aid Program (ADAP) - Section 23:
  – The FAA Determines Disposal

• Airport Improvement Program (AIP) - Section 516:
  – The FAA Determines Disposal
SPONSOR ASSURANCES

• Planning Grants: Obligations Expire at Time the Project is Closed
• Development Grants: Obligates Sponsor for 20 Years or the Useful Life of the Facilities Developed Under the Project, Whichever is Less
• Equipment Grants: 10 Years
• Land Grants: Obligations Do Not Expire
AIRPORT PROPERTY

• Obligations:

– All Property Shown on the Airport Layout Plan (ALP) and/or Shown on an Exhibit “A” Property Map or Included in a Deed of Conveyance is Obligated Property Regardless of How It Was Acquired
– Any Change In Land Use Must be Approved by FAA
SUGGESTIONS

• READ THE DEEDS OF CONVEYANCE

• READ THE SPONSOR ASSURANCES

• IF YOU ARE NOT SURE, ASK