Exhibit ‘A’
Airport Property Inventory Maps

Presented to:  2015 AirTAP Fall Forum
By:         Gina Mitchell, AICP
Date:   December 8, 2015
Agenda

- Identify what is an Exhibit ‘A’ Airport Property Inventory Map
- Review sponsor grant assurance responsibilities
- Understand Standard Operating Procedure requirements
- Learn activities that trigger an update
- Understand what FAA can fund & how to develop a scope of work
What is an Exhibit ‘A’?

• Exhibit ‘A’ Airport Property Inventory Map (Exhibit ‘A’) – snapshot of the inventory of parcels that make up dedicated airport property indicating
  – How the land was acquired
  – Funding source for the land & if the land was conveyed as federal surplus land or government property
  – Other detached parcels owned by the airport sponsor that are dedicated to airport purposes
  – All dedicated airport property regardless of the type of funds (AIP, state, local, etc.) used to acquire that property
Sponsor Grant Obligations

• All land described in a project application & shown on an Exhibit ‘A’ constitutes the airport property federally obligated for compliance under the terms & covenants of a grant agreement

• Sponsor responsibilities
  – Submit accurate Exhibit ‘A’ when applying for & prior to execution of certain federal grants
  – Maintain & update the Exhibit ‘A’ by submitting it to FAA for review & acceptance
  – Obtain FAA consent to delete any land described & shown on the Exhibit ‘A’
SOP Requirements

- Exhibit ‘A’ Standard Operating Procedure (SOP No. 3)
  - Establishes uniform procedures for FAA review & acceptance
  - Primary content
    - Checklist to help ensure requirements are included
    - General process chart
  - Checklist results in a plan sheet(s) that includes a drawing(s) & table(s)

SOP Requirements

- #3 - Each segment of a parcel’s boundary is described in some manner. Metes and bounds, township / range / section, lot and block, plat or other appropriate property description…
  - Boundary survey is not required
SOP Requirements

- #4 – Parcels that were once airport property are shown; date they were released from federal obligations by the FAA & the date of disposal must be included.

- #6g – Date & type of release/land use change approval (aeronautical use, interim use, concurrent use, etc.); can also include any release from federal obligations (e.g. mineral rights, liens, residential through-the-fence access agreements, etc.)

- If FAA approval was not obtained, note that in the table.
SOP Requirements

- **#6d** - Type of easement (clearing, avigation, utility, right of way, expiration date, easement held by others, subordination agreement, etc.)
  
- **#6h** - Any known encumbrances on the property
  - Applies to any encumbrance
  - Explain what the encumbrance allows
    - Avigation easement
      - 20:1 slope starting at "x" & extending "x" feet
      - Clear zone starting at "x" & extending "x" feet; no congregation of people, customary crops allowed
    - Natural gas pipeline – explain any special considerations
      - Is it subordinate to airport property?

### EXISTING EASEMENTS ON AIRPORT PROPERTY

<table>
<thead>
<tr>
<th>ID</th>
<th>WITHIN TRACT</th>
<th>ACRES (APX)</th>
<th>TYPE OF EASEMENT</th>
<th>OWNER</th>
<th>RECORDING</th>
<th>DOC. NO.</th>
<th>DATE</th>
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<tbody>
<tr>
<td>A1</td>
<td>A</td>
<td>0.1</td>
<td>RIGHT OF WAY POWER</td>
<td>MINNESOTA VALLEY CO-OP LIGHT &amp; POWER</td>
<td>BK 77 PG 221-224</td>
<td>191515</td>
<td>2/19/1902</td>
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<td>A2</td>
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<td>0.3</td>
<td>RIGHT OF WAY POWER</td>
<td>MINNESOTA VALLEY CO-OP LIGHT &amp; POWER</td>
<td>BK 77 PG 6-7</td>
<td>191063</td>
<td>10/01/18</td>
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<td>A3</td>
<td>7</td>
<td>3.0</td>
<td>RIGHT OF WAY</td>
<td>CHIPPEWA COUNTY</td>
<td>BK 55 PG 123-237</td>
<td>150026</td>
<td>9/20/1863</td>
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<tr>
<td>A4</td>
<td>7</td>
<td>1.5</td>
<td>HIGHWAY</td>
<td>SPARTA TOWNSHIP</td>
<td>BK 55 PG 123-237</td>
<td>15073</td>
<td>4/19/1961</td>
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<tr>
<td>A5</td>
<td>8</td>
<td>3.8</td>
<td>UTILITY POWER</td>
<td>XCEL ENERG</td>
<td>BK 55 PG 123-237</td>
<td>24128</td>
<td>11/12/1980</td>
</tr>
</tbody>
</table>

### POSSIBLE ENCROACHMENTS

1. NO RECORDED EASEMENT WAS PROVIDED TO SELL OR GRANTING EASEMENT FOR EXISTING DRIVEWAY
2. NO RECORDED EASEMENT WAS PROVIDED TO SELL OR GRANTING EASEMENT FOR EXISTING COUNTRY ROAD 20
3. NO RECORDED EASEMENT WAS PROVIDED TO SELL OR GRANTING EASEMENT FOR COUNTRY ROAD 41
Activities that Trigger an Update

• **Examples**
  - Acquisition – fee or easement
  - Land or easement exchange with another owner
  - Release from federal obligation (requires FAA approval)
    • Non-aeronautical – airport retains ownership, but aeronautical use is released
    • Disposal of airport property (i.e. land is sold)
  - Concurrent use of airport property – aeronautical use is primary purpose, but land may be able to be used for a compatible non-aeronautical purpose (requires FAA approval)
  - Master plan
Funding an Exhibit ‘A’

• Federal grant opportunity – FAA recommends researching &/or obtaining the airport’s encumbrances prior to contract execution
  – Eligible land acquisition (AIP Handbook Appendix Q)
  – Master Plan

• Not eligible for a federal grant
  – Release from federal obligation (e.g. non-aeronautical use, land sale)
  – Concurrent use of airport property
Funding an Exhibit ‘A’

• Scope of work considerations – how “messy” is your airport?
  – Rights that may have existed & were never extinguished when airport property was acquired (i.e. mineral, oil, gas, logging rights, etc.)
  – Easements the airport may have given away (i.e. road right-of-way, utility line, etc.)
  – Land sold, but not approved by FAA
Funding an Exhibit ‘A’

• **Scope of work considerations (cont.)**
  – How will you gather background info?
    • Use of airport property (encumbrances) – how many exist?
      – Recorded documents – consider obtaining an ownership & encumbrance report
      – Unrecorded conditions – e.g. driveway, public road, etc.
    • Sponsor, state & federal files
      – Funding source & grant history for parcel acquisition
      – Original parcel number
      – FAA approval &/or release of grant assurance, etc.
  • Without info, it is very difficult to estimate level of effort
Funding an Exhibit ‘A’

• **Scope of work considerations (cont.)**
  – Exhibit ‘A’ tasks to include if you are doing a Master Plan
    • Identify land uses that are non-compliant with FAA guidance & grant assurances
    • Document status of FAA approval
    • If FAA approval has not been obtained, document required steps to achieve compliance
Keys are Clear & Understandable!
Keys are Clear & Understandable!
• Treat airport property carefully
  – Federal interest exists, even if FAA funds were not used to acquire the property
Contacts for Further Information

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