

This indenture entered into this 15th day of June, 1984, by and between the Alaskan Corporations known as Gambell Native Corporation and Savoonga Native Corporation hereinafter referred to as GAMBELL and SAVOONGA, and the STATE OF ALASKA, DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES, hereinafter called the STATE.

Pursuant to the Resolution passed by GAMBELL and SAVOONGA, attached hereto as Exhibit D, and in consideration of the mutual promises set forth below, GAMBELL, SAVOONGA and the STATE agree as follows:

1. The STATE operates and maintains a public airport near GAMBELL, Alaska.
2. State and Federal funds have been programmed to resurface the runway serving the City of Gambell and the general public.
3. The STATE, its successors and assigns, must have the right to clear and keep clear the lands described herein from any and all obstructions infringing upon or penetrating the Airport Imaginary Surfaces for the Gambell Airport, or any extensions thereof, or other runways constructed for this airport, as such surfaces are defined in Part 77, of the Federal Aviation Regulations, as amended. The right to clear and keep clear includes, but is not limited to, the right to cut and remove trees, underbrush and soil, and to demolish or remove buildings or any other structures or obstructions of every description which may infringe upon or extend into or above the Airport Imaginary Surfaces, and the right to prohibit use on and remove from the land described herein any installation or object which would create electrical interference with radio communication between the airport and aircraft, make it difficult for pilots to distinguish between airport lights and other lights resulting in glare in the eyes of pilots using the airport, impair visibility in the vicinity of the airport, or otherwise endanger the landing, taking off or maneuvering of aircraft. Together with the right of reasonable ingress and egress for the purpose of effecting and maintaining such clearances.
4. Without waiving compliance with applicable Federal and State laws and regulations concerning air and water quality, or any rights it may have under applicable law, GAMBELL and SAVOONGA covenant that they are aware of the fact that the operation and maintenance of aircraft is inherently noisy, dusty, and frequently accompanied by fumes. These premises considered understood, GAMBELL and SAVOONGA recognize that such noise, dust and fumes are inherent in the operation of this airport.
5. GAMBELL and SAVOONGA reserve the right to reasonable use and enjoyment of the lands described herein to the extent that such use and enjoyment shall never interfere with the exercise of the easement and rights herein granted. GAMBELL and SAVOONGA reserve the right to continued use of the surface estate for gathering artifacts, gardening, use of existing buildings, construction of new buildings, etc. All uses reserved by GAMBELL and SAVOONGA shall comply with the restrictions as stated in Item #3 above.
6. This easement shall run with the land and GAMBELL and SAVOONGA, their successors, executors, administrators, and assigns, shall warrant and assist the STATE in defending the Permit, Avigation and Hazard Easement and Right of Way granted herein to the STATE, its successors and assigns, against the claims of any and all persons regardless of the nature or merit of the claim.

NOW, THEREFORE, in consideration of the above, the sufficiency of which is hereby acknowledged, GAMBELL and SAVOONGA, for themselves, their successors, executors, administrators and assigns do hereby grant, convey and set over unto the STATE, its successors and assigns, for the use and benefit of the public, a Permit, Avigation and Hazard Easement and Right of Way appurtenant to the GAMBELL Airport, for the unobstructed passage of all aircraft by whomsoever owned and operated, in the airspace over those lands lying and being within the Cape Nome Recording District, Second Judicial District, State of Alaska, more particularly described on the EXHIBITS A, B and C, attached hereto and made a part hereof.

TRACT IV

TO HAVE AND TO HOLD unto the STATE, its successors and assigns, as a perpetual Permit, Avigation and Hazard Easement and Right of Way, for the uses and purposes set forth herein and for so long as said airport is designated as a public airport. The real property interest hereby conveyed shall revert to GAMBELL and SAVOONGA or their successors in function in the event the lands herein described cease to be used for airport purposes; GAMBELL and SAVOONGA agreeing that a sole determination by the STATE or its successors in function that the lands have ceased to be used for airport purposes, shall be conclusive to the facts.

FURTHER, that at such time as it is determined the land is no longer to be a public airport the Permit, Avigation and Hazard Easement and Right of Way shall terminate and forfeit and the STATE agrees to execute any documents reasonably necessary to effectuate or perfect GAMBELL'S and SAVOONGA'S reversionary interest.

IN WITNESS WHEREOF, GAMBELL and SAVOONGA acting by their Resolution, attached hereto as EXHIBIT D have caused this Permit, Avigation and Hazard Easement and Right of Way to be executed on their behalf on this 15th day of June, 1984.

GAMBELL NATIVE CORPORATION

(SEAL)

By: Melinda
Title: President

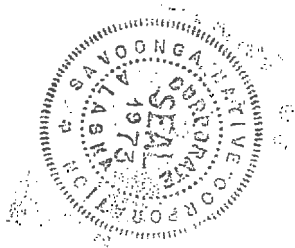
By: Paul Kangelock
Title: Secretary

SAVOONGA NATIVE CORPORATION

(SEAL)

By: Oradley E. Sabogza
Title: PRESIDENT

By: Darryl W. ...
Title: Secretary



ACKNOWLEDGEMENT

BOOK 310 PAGE 269
Nome Recording District

STATE OF ALASKA)
SECOND JUDICIAL DISTRICT) ss.

THIS IS TO CERTIFY that on this 15 day of June, 1984, before me, the undersigned, a Notary Public in and for the State of Alaska, duly commissioned and sworn as such, personally appeared Paul Apangalook and Melvin Wialungo known to me and to me known to be the President and Secretary of GAMBELL NATIVE CORPORATION and they executed the within instrument, and acknowledged to me that they executed the same for and on behalf of said CORPORATION and that they are fully authorized by said CORPORATION so to do;

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year above written.



Yeray Seepulu Postmaster
Notary Public and and for the State of Alaska

My commission expires: _____

ACKNOWLEDGEMENT

STATE OF ALASKA)
SECOND JUDICIAL DISTRICT) ss.

THIS IS TO CERTIFY that on this 15 day of June, 1984, before me, the undersigned, a Notary Public in and for the State of Alaska, duly commissioned and sworn as such, personally appeared Blaugy Golocisson and George Noongwook known to me and to me known to be the President and Secretary of SAVOONGA NATIVE CORPORATION and they executed the within instrument, and acknowledged to me that they executed the same for and on behalf of said CORPORATION and that they are fully authorized by said CORPORATION so to do;

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year above written.



Yeray Seepulu Postmaster
Notary Public and and for the State of Alaska

My commission expires: _____

THE STATE OF ALASKA, DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES, hereby accepts this Permit, Avigation and Hazard Easement and Right of Way.

Date: 6/28/84

By: Harold A. Cameron
Harold A. Cameron
Chief Right of Way Agent

600 University Avenue, Suite F
Fairbanks, Alaska 99701

EXHIBIT A

TRACT IV

BOOK 310 PAGE 270
Nome Recording District

That certain real property lying and being within Protracted Sections 3 and 10, Township 20 South, Range 67 West, Kateel River Meridian located in the Cape Nome Recording District, Second Judicial District, Gambell, Alaska and more particularly described as follows:

Commencing at Meander Corner No. 1, U.S. Survey 3728, Gambell, Alaska, being common to Meander Corner No. 1, of Tract III, Gambell Airport;

Thence S 82°00' W, a distance of 994.09 feet, more or less, to Meander Corner No. 2 of said Tract III, being Meander Corner No. 4 of U.S. Survey 3728;

Thence N 19°47' W, along the meanders of the beach of the Bering Sea, a distance of 469.89 feet, more or less, to a point;

Thence N 17°35' W, along the meanders of the beach of the Bering Sea, a distance of 202.83 feet, more or less, to Meander Corner No. 3 of said Tract III;

Thence N 82°00' E, along the northern boundary of said Tract III, a distance of 223.81 feet, more or less, to the True Point of Beginning;

Thence continue N 82°00' E, along said northern boundary of Tract III, a distance of 800.00 feet, more or less, to a point which lies 600.00 feet, more or less, S 82°00' W from Corner No. 4 of said Tract III;

Thence N 00°31'50" E, a distance of 707.83 feet, more or less, to a point;

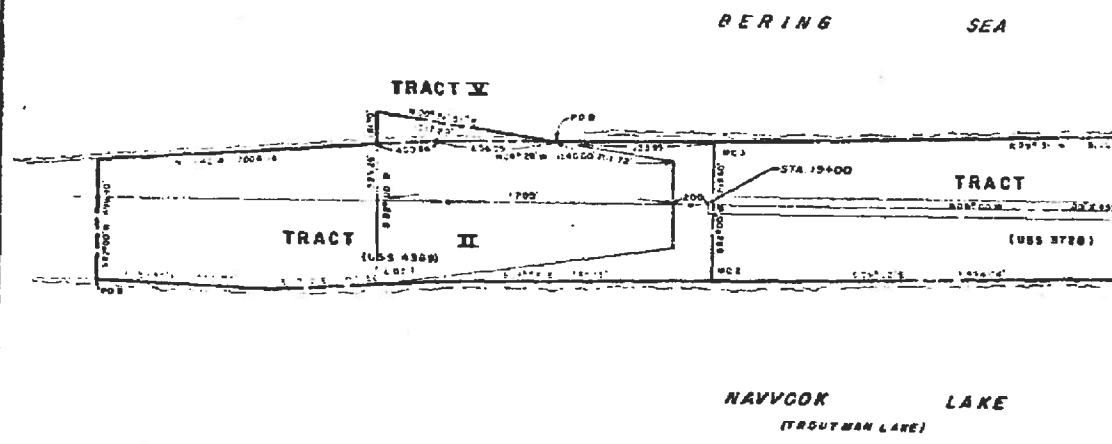
Thence S 82°00' W a distance of 1010.00 feet, more or less, to a point;

Thence S 16°31'50" E a distance of 707.83 feet, more or less, to the True Point of Beginning

Said real property having an area of 14.543 acres, more or less and depicted as Tract IV on the Exhibit B attached hereto and made a part hereof.

TRACT I
PATENT GRANTED
STATE OF ALASKA
APPROVED SEPT
ADA 10328
AREA: 57.78 AC

TRACT II
SECTION 18 REG
1962 COMMITTEE
20, 1964, REVIDE
ADA 10328
AREA: 64.82 AC



POOR FILMING QUALITY

PROPERTY STATUS

BY U.S.A. TO
A MAY 12, 1964,
30, 1944

YES MORE OR LESS

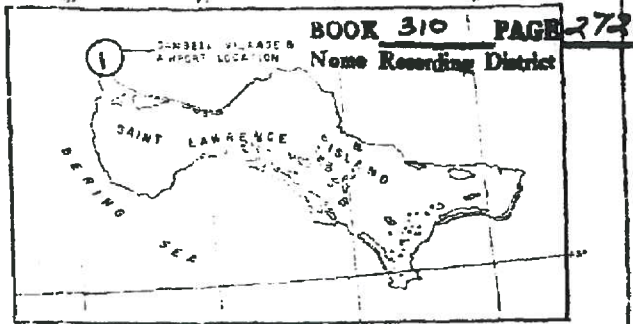
TESTED AUGUST 14,
ENT 1951/52 JAN.
3 JAN 25, 1954

YES MORE OR LESS

TRACT III
SECTION REQUESTED AUGUST 1, 1962
COMMITMENT ISSUED JAN 20, 1964,
REVISED JAN 23, 1964
A 2 A 10328
AREA: 21.58 ACRES MORE OR LESS

TRACT IV
A & B EASEMENT TO BE ACQUIRED
AREA: 14.543 ACRES MORE OR LESS
A 2 A 10342

TRACT V
A & B EASEMENT TO BE ACQUIRED
A 2 A 110022



VICINITY MAP
SCALE 1" = 1/4" ES
1:200,000 498

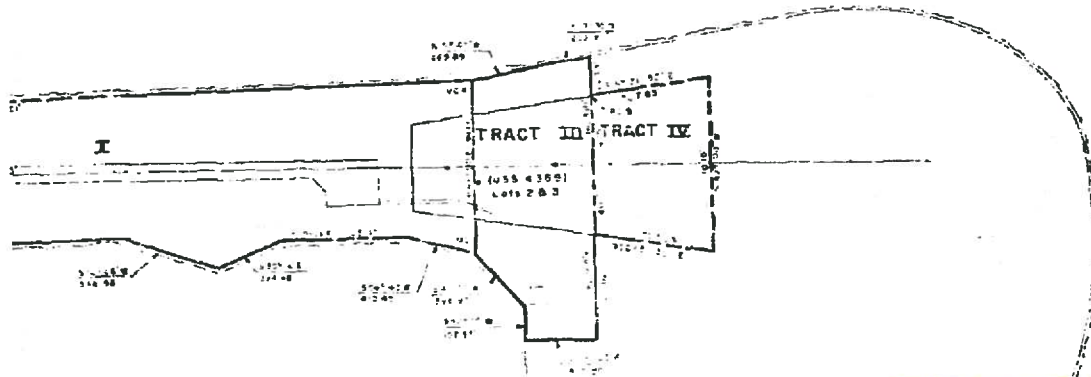
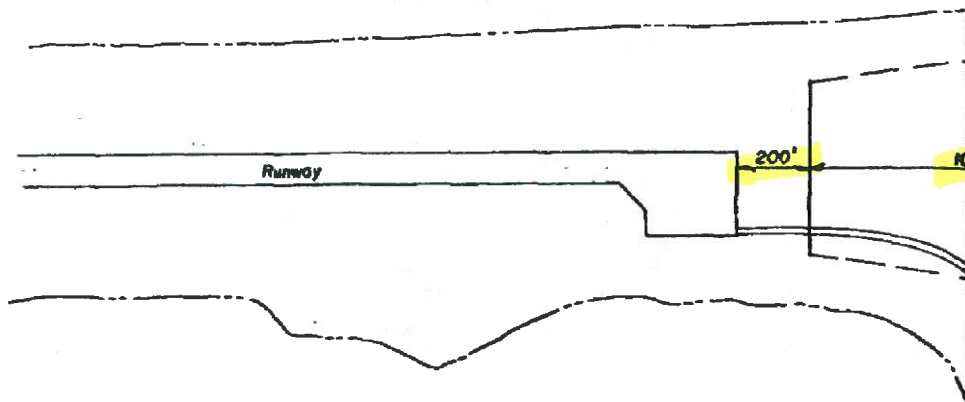


EXHIBIT B

STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION
AND PUBLIC FACILITIES
GIBBELL INTEREST
PROPERTY PLAN

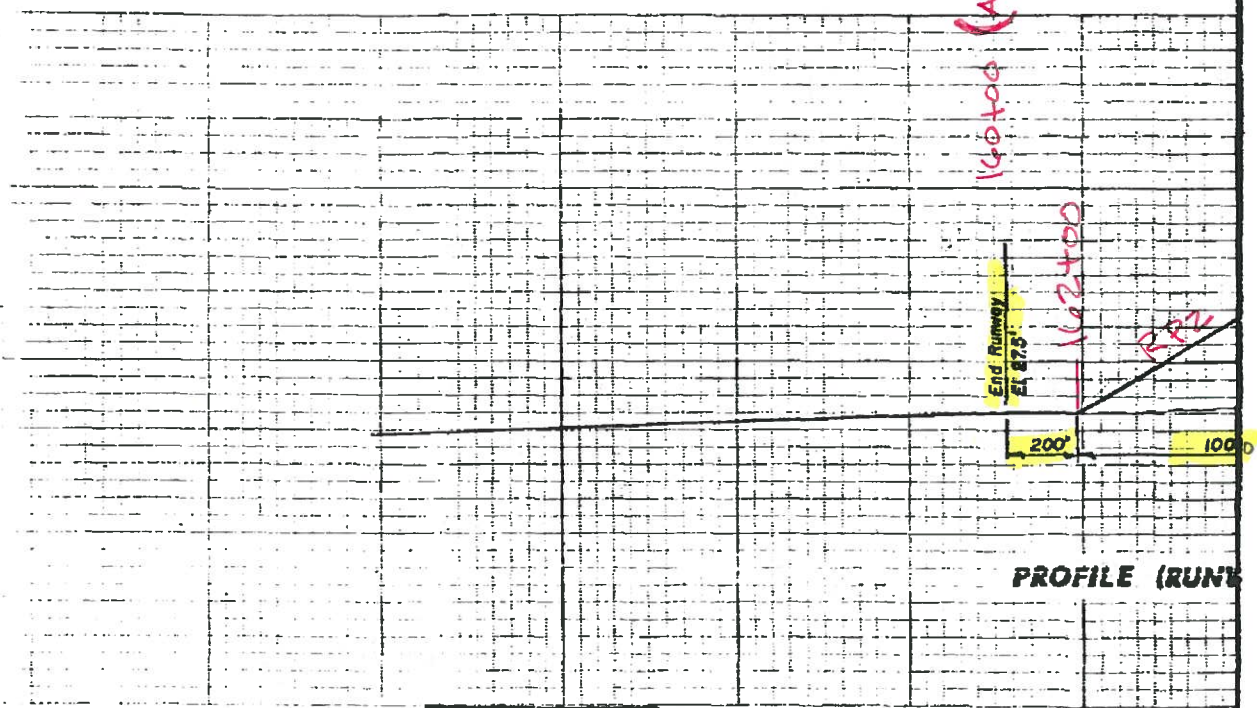
POOR FILMING QUALITY



TROUTMAN LAKE

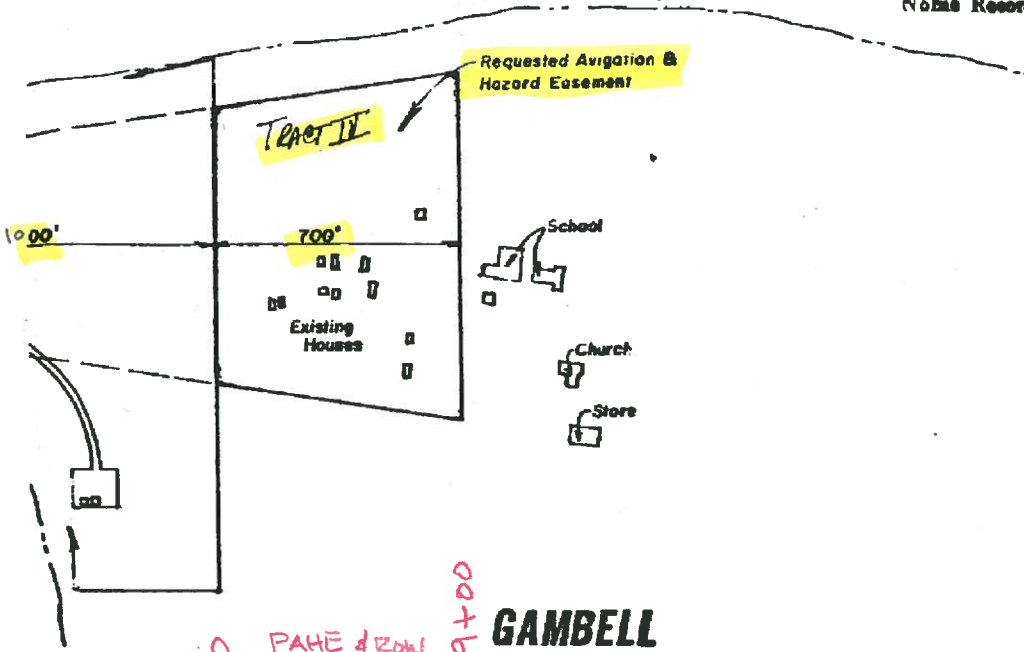
160400 (AIP 11/7/01)

PLAN 1"=200'



PROFILE (RUNWAY)

POOR FILMING QUALITY

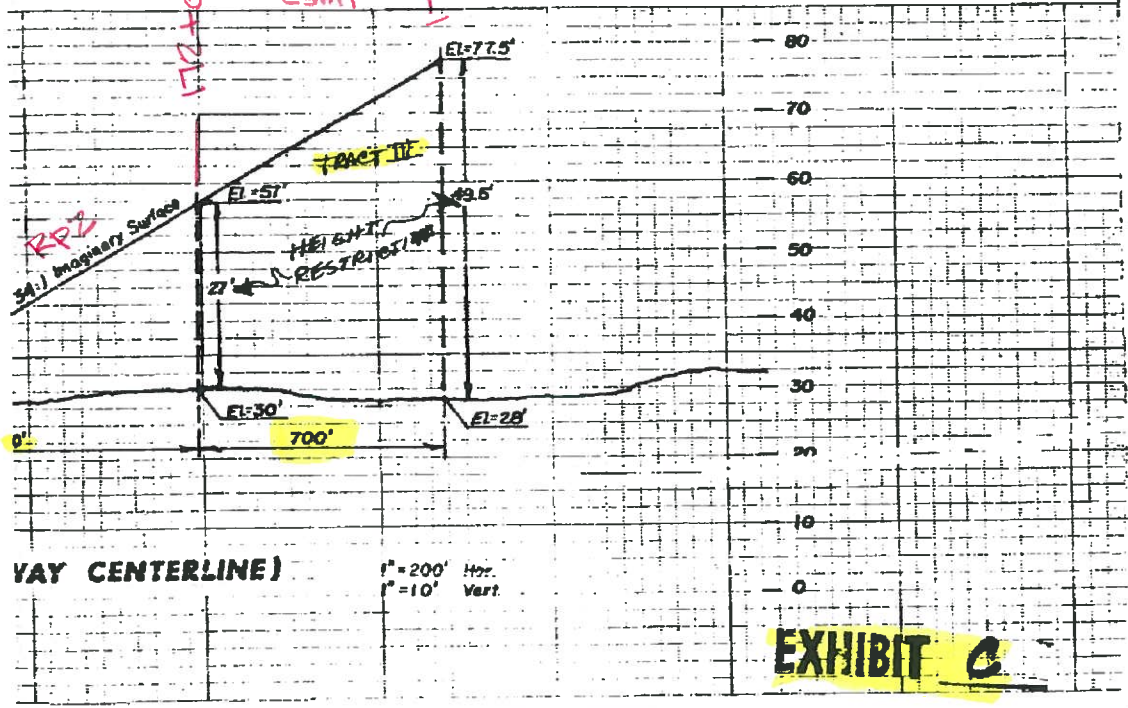


PAVE & ROW ESMT

172+00

191+00

GAMBELL



POOR FILING QUALITY

RESOLUTION NO. 84-2

WHEREAS, Gambell Native Corporation and Savoonga Native Corporation, the Village Corporations for the villages of Gambell and Savoonga, Alaska, have received Interim Conveyance No. 203 dated June 27, 1979 to the surface and sub-surface of certain lands pursuant to Secs. 19(b) and 22(j) of the Alaska Native Claims Settlement Act of December 18, 1971, (85 Stat. 688, 710, 715; 43 U.S.C. 1601, 1618(b) and 1621(j) (1976); and

WHEREAS, on December 26, 1962 the Gambell Village Council passed a resolution to do all in its power to insure no obstructions would be erected in the approach area of the Gambell Airport; and

WHEREAS, the State of Alaska, Department of Transportation and Public Facilities has applied to the Federal Aviation Administration (FAA) for funds to resurface the Gambell Airport Runway and in order to justify the expenditure of state and federal funds, the State must have sufficient land interest; and

WHEREAS, FAA requires the State have a Permit, Avigation and Hazard Easement and Right of Way as the minimum land interest in the approach zones of the airport in order protect the approach and departure of aircraft; and

WHEREAS, the State expects to continue to maintain and operate the Gambell Airport to serve the residents of Gambell, governmental agencies, and the general public;

NOW THEREFORE BE IT RESOLVED:

1. GAMBELL AND SAVOONGA NATIVE CORPORATIONS have held meetings in accordance with their bylaws.
2. At said meetings, the proposed Agreement and Permit, Avigation and Hazard Easement and Right of Way required by the State in order to receive federal funds to resurface the Gambell runway were reviewed and found to be in the best interests of the community of Gambell.
3. That by resolution set forth herein, Gambell and Savoonga Native Corporations do hereby direct that said Agreement and Permit, Avigation and Hazard Easement and Right of Way in, over and upon those lands depicted as Tract IV, in the Gambell Airport property plan attached hereto and made a part hereof be executed and granted to the State of Alaska, Department of Transportation and Public Facilities.

We the undersigned MELVIN F. WALUNGA, and Paul Apangulook of Gambell Native Corporation and BRADLEY P. GOLDBERGEN and GEORGE W. KWONGWOK of Savoonga Native Corporation do hereby certify that the Resolution has been duly adopted by our respective Boards of Directors at meetings duly held the 13 day of JUNE, 1984 and the 14th day of JUNE, 1984 respectively at which quorums were present and voting in accordance with said Corporation bylaws.

Dated at Savoonga, Alaska the 15 day of JUNE, 1984.

GAMBELL NATIVE CORPORATION

SAVOONGA NATIVE CORPORATION

By: Melvin F. Walunga
Title: NC

By: Bradley P. Goldbergen
Title: PRESIDENT

By: Paul Apangulook
Title: SECRETARY

By: George W. Kwongwok
Title: SECRETARY

RECORDED-FILED
NOME REC.
DISTRICT

SEP 25 10 54 AM '84

REQUESTED BY DOT & PF RAW SEL
600 UNIVERSITY AVE., SUITE F
ADDRESS FAIRBANKS, AK. 99701
ATTN: SHIRLEY HORN