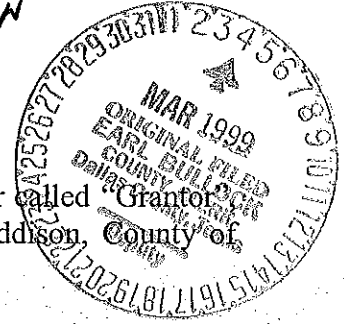


ORIGINAL
FILED W/AVIGATION
EASEMENTS

TOWN OF ADDISON AVIGATION EASEMENT



WHEREAS, Acourt Hotel, Ltd., a Texas limited partnership, hereinafter called Grantor, is the owner of that certain parcel of land situated in the Town of Addison, Dallas, State of Texas, to wit:

See Exhibit "A"

NOW, THEREFORE, for consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration paid by the Grantee, hereinafter named, to the Grantor, the receipt and sufficiency of which is hereby specifically acknowledged, the Grantor, its successors and assigns, subject to the provisions herein contained, hereby grants, bargains, sells and conveys unto the Town of Addison, State of Texas, its successors and assigns, the Grantee, for use and benefit of the public, a perpetual easement and right-of-way over that portion of the Grantor's land described above, in the vicinity of Addison Airport, for the purpose of the passage of all aircraft ("aircraft" being defined for the purpose of this instrument as any device now known or hereafter invented, used or designated for navigation of, or flight in the air) by whomsoever owned and operated in the air space to an infinite height above the surface of the Grantor's property, together with the right to cause in said air space noise, vibration and all other effects that may be caused by the operation of aircraft landing at or taking off from, or operated at, or on Addison Airport located in Dallas, County, Texas; Grantor hereby waives, remises and releases any right or cause of action which Grantor has now, or which Grantor may have in the future, against the Grantee, its successors and assigns, or Addison Airport, due to such noise, vibration, and other effects that may be caused by the operation of aircraft landing and taking off from, or operating at or on Addison Airport; the Grantor further grants that upon side property (A) no use shall be permitted that causes a discharge into the air of fumes, smoke or dust which will obstruct visibility and adversely affect the operation of aircraft or cause any interference with navigational facilities necessary to aircraft operation and (B) no development or construction shall be permitted which will interfere in any way with the safe operation of aircraft in the air space over the land described herein or at or on the Addison Airport.

To have and to hold said easement and right-of-way and all rights appertaining hereto unto the Grantee, its successors and assigns, until the Addison Airport shall be abandoned and shall cease to be used for airport purposes. It is specifically understood and agreed that this easement, its covenants and agreements shall run with the land, which is described herein. The Grantor, on behalf of itself, its successors and assigns, further acknowledges that the easements herein granted contemplate and include all existing and future operations at Addison Airport, acknowledging that future aircraft numbers and types will most likely increase and noise patterns may also increase, in that the rights, obligations and

LAWYERS TITLE INSURANCE CORPORATION

97R02383

Exhibit A

CF-Number 97R02383

BEING a tract of land situated in the C.W. Fisher Survey, Abstract No. 482, Town of Addison, Dallas County, Texas and being a part of Block 3 of Quorum North, an addition to the Town of Addison as recorded in Volume 80005, Page 1768, Deed Records, Dallas County, Texas and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod found in the southwest line of Spectrum Drive (an 80 foot right-of-way) at the most northerly northwest corner of Tract 1, Block 3, Spectrum Center/Quorum North, an addition to the Town of Addison as recorded in Volume 84062, Page 5890, Deed Records, Dallas County, Texas;

THENCE South 00 degrees 19 minutes 22 seconds East, along a west line of said Tract 1, a distance of 154.25 feet to a 1/2 inch iron rod found for corner;

THENCE South 89 degrees 31 minutes 55 seconds West, along a north line of said Tract 1, a distance of 89.85 feet to a 1/2 inch iron rod found for corner;

THENCE South 00 degrees 34 minutes 57 seconds East, along a west line of said Tract 1, a distance of 23.90 feet to a 5/8 inch iron rod with cap found for corner at the northeast corner of Tract 2, Myerson I Addition, an addition to the Town of Addison as recorded in Volume 93134, Page 3515, Deed Records, Dallas County, Texas.

THENCE South 89 degrees 55 minutes 18 seconds West, along the north line of said Tract 2, a distance of 490.15 feet to a 5/8 inch iron rod with cap found for corner in the east line of Quorum Drive (an 80 foot right-of-way);

THENCE North 00 degrees 17 minutes 40 seconds West, along the east line of said Quorum Drive, a distance of 298.95 feet to an "x" cut in concrete found for corner at the southwest corner of a tract of land conveyed to the Joseph W. McCarthy Trust by deed recorded in Volume 92113, Page 4563, Deed Records, Dallas County, Texas;

THENCE North 89 degrees 56 minutes 00 seconds East, along the south line of said McCarthy tract, a distance of 349.51 feet to a 1/2 inch iron rod found for corner;

THENCE North 60 degrees 45 minutes 44 seconds East, along the south line of said McCarthy tract, a distance of 81.43 feet to a 1/2 inch iron rod found for corner in the southwest line of said Spectrum Drive, said iron rod also being in a curve to the left that has a central angle of 31 degrees 33 minutes 58 seconds, a radius of 415.19 feet and a chord that bears South 45 degrees 03 minutes 03 seconds East;

THENCE along the southwest line of said Spectrum Drive and said curve to the left, an arc length of 228.74 feet to the POINT OF BEGINNING and containing 163,786 square feet or 3.7600 acres of land.