

SUMMARY OF CONSENT DECREE

Total Homes to be Mitigated	<ul style="list-style-type: none"> Estimated 9,561 homes eligible using block intersect method
Mitigation for Single Family Homes in 2007 DNL 63 and 64 Contours	<ul style="list-style-type: none"> MAC will install Five Decibel Reduction Package Program includes homes that opted out of the original Sound Insulation Program, but had a new owner by September 1, 2007 Construction will begin by November 1, 2008, and all homes shall be completed by December 31, 2009; MAC must finish 250 homes by July 1, 2009, and 320 homes by September 1, 2009
Mitigation for Single Family Homes in 2007 DNL 60, 61 and 62 Contours	<ul style="list-style-type: none"> MAC will install one of the following options, as chosen by the homeowner: <ul style="list-style-type: none"> If the home has no central air conditioning: installation of central air conditioning and \$4,000 mitigation from Mitigation Menu If central air conditioning exists or homeowner without central air conditioning chooses not to receive central air: installation of \$14,000 of mitigation from Mitigation Menu The Mitigation Menu shall include a similar range of mitigation products as the Five-Decibel Reduction Package, but will not include air conditioning Program includes homes that opted out of the original Sound Insulation Program, but had a new owner by September 1, 2007 Construction will begin by December 1, 2008, and be complete by December 1, 2012
Mitigation for Multi-Family Homes in 2007 DNL 60-64 Contours	<ul style="list-style-type: none"> MAC will install through-the-wall air conditioning and acoustic air conditioner cover for each unit Construction will begin by December 1, 2008, and be complete by December 1, 2010
Reimbursement for New Mitigation for Single Family Homes Between 2007 and 2005 DNL 60 contours	<ul style="list-style-type: none"> MAC will make \$7 million available for (1) homes that opted out of 1996 program and had new owners on September 1, 2007, and (2) reimbursement for new noise mitigation undertaken by homeowners The amount of mitigation reimbursement will be capped based on how much of the \$7 million remains after mitigating the opt-in homes. Preliminary estimates of the reimbursement funds are about \$3,000 per home, but will be calculated at the end of 2009. Work done between the Court's entry of the settlement and July 31, 2014, is eligible for reimbursement – prior work is not eligible All work must be for products and services on a MAC-published Noise Mitigation Reimbursement List All work must be done by licensed contractor Reimbursement to start on March 1, 2010, and be complete by September 1, 2014
Inflation Protection	<ul style="list-style-type: none"> Inflation protection based on 2007 dollars for all programs
Attorneys Fees	<ul style="list-style-type: none"> MAC will pay Plaintiffs \$2.25 million for attorneys' fees and costs MAC will pay \$2 million for attorneys' fees and costs as part of the proposed <i>Wiencke</i> settlement
Reimbursement to MAC	<ul style="list-style-type: none"> Owners of single family homes who sell their homes within two years of receiving relief under this settlement shall reimburse MAC for 25% of the cost of providing relief to their home, to a maximum of \$3,500. The following categories of owners shall be exempt from this reimbursement requirement: <ul style="list-style-type: none"> Owners who purchased their homes prior to September 1, 2007. Owners who used their homes as their primary residence. Owners conveying their interests in their homes due to death, divorce, loss of job, job relocation, medical conditions, transfer to family member, birth, or adoption Owners whose sale price for their home was lower than the price for which they purchased their homes.
Conditions that Must Be Met for Decree to Become Effective	<ul style="list-style-type: none"> Court must enter consent decree Court must approve settlement in <i>Wiencke</i> class action case within 90 days of court approval of decree FAA must approve consent decree by November 30, 2007 Consent decree would be null and void if these conditions are not met
Relationship to FAA	<ul style="list-style-type: none"> MAC agrees that the elements of the settlement are an appropriate use of airport revenue and consistent with its other obligations to FAA MAC will use its best efforts to defend against any claims to the contrary, including taking all appeals. MAC agrees to support City intervention in any challenge. If any court, after all appeals, finds that MAC cannot use any revenue on this program, Consent Decree becomes null and void
Jurisdiction of the Court and Dispute Resolution	<ul style="list-style-type: none"> Court retains jurisdiction to enforce Decree and consider disputes that are not designated for arbitration Disputes regarding schedule, DNL 63-64 program, reimbursement program and individual homes go to arbitration All disputes must first go to three-member Technical Advisory Committee
Obligations to Propose Zoning Ordinances	<ul style="list-style-type: none"> By September 1, 2008, each City staff will propose to each City Council a draft ordinance requiring (1) attenuation and air conditioning or ventilation for new homes in the DNL 63-64 and higher contours; (2) noise attenuation for additions to homes in the DNL 63-64; and (3) air conditioning or ventilation for new homes in the DNL 60-62 Cities will encourage persons renovating or remodeling to insulate to high level
Releases of Liability	<ul style="list-style-type: none"> Cities agree to release liability for current or past claims for liability based on noise, unless MAC builds a new runway or noise increases by 2 decibels MAC may require homeowners to sign releases comparable to the ones it required them to sign in 1996 noise mitigation program
Estimated Value of Relief in 2007 Dollars	<ul style="list-style-type: none"> \$127,650,000