

When recorded mail to:

City Clerk's Office
City of Riverside
City Hall, 3900 Main Street
Riverside, California 92522

FREE RECORDING

This instrument is for the benefit of the City of Riverside and is entitled to be recorded without fee (Government Code §6103)

2018-0412470

10/18/2018 01:25 PM Fee: \$ 0.00

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Recorded in Official Records
County of Riverside
Peter Aldana
Assessor-County Clerk-Recorder



300

FOR RECORDER'S OFFICE USE ONLY

Project: P18-0053
A.P.N. 155-280-026, 028, 029 & 030
Address: 6610 & 6620 Doolittle Avenue

D-

17496

AVIGATION EASEMENT
(RIVERSIDE MUNICIPAL AIRPORT)

WHEREAS **Doolittle Riverside, LLC, a California Limited Liability Company** hereinafter referred to as the "Grantor", is/are the owner(s) in fee of that certain real property situated in the City of Riverside, County of Riverside, State of California, described in **Exhibit "A"**, attached hereto and incorporated herein by this reference, hereinafter called "the property of the Grantor "; and

WHEREAS the property of the Grantor is located within the Airport Influence Area for the Riverside Municipal Airport operated by the City of Riverside; and

WHEREAS the Grantor has sought approval from the City of Riverside for the development of the property of the Grantor by the project above-referenced; and

WHEREAS the Riverside County Airport Land Use Commission has conditioned the approval of such project by requiring the granting of an avigation easement over the property of the Grantor;

NOW, THEREFORE FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, GRANTOR does hereby grant to the CITY OF RIVERSIDE, a California

charter city and municipal corporation, hereinafter referred to as "Grantee", its successors and assigns, for the use and benefit of the public, a perpetual easement and right of flight appurtenant to the Riverside Municipal Airport for the passage of aircraft by whomsoever owned and operated in the airspace above the surface of the property of the Grantor as described in said **Exhibit "A"**, together with the right to cause in said airspace such noise, sound or shock waves, vibrations, dust, smoke, odors, fumes, fuel particles and other related conditions that may be inherent in the operation of aircraft landing at, taking off from or operating at or on the Riverside Municipal Airport. "Aircraft" is defined for the purposes of this instrument as any contrivance now known or hereinafter invented, used or designed for navigation of or flight in the air.

Grantor hereby acknowledges that the Riverside Municipal Airport is an operating airport subject to increases in the intensity of use and operation, including present and future noise, sound or shock waves, vibrations, dust, smoke, odors, fumes, and fuel particles and related conditions, and Grantor hereby fully waives, remises and releases any right or cause of action which Grantor may now or in the future have against Grantee, its successors and assigns, due to such noise, sound or shock waves, vibrations, dust, smoke, odors, fumes, fuel particles and other related conditions that may be caused by the operation of aircraft landing at or taking off from, or operating at or on the Riverside Municipal Airport. Said waiver and release shall include, but not be limited to, claims known or unknown for damages for physical or emotional injuries, discomfort, inconvenience, property damage, interference with use and enjoyment of property, diminution of property values, nuisance or inverse condemnation or for injunctive or other extraordinary or equitable relief.

Grantor, on the behalf of Grantor and the successors and assigns of Grantor, agrees not to construct or permit the construction or growth of any structure, tree or other object that obstructs or interferes with the use of the rights herein granted or that creates electrical

interference with radio communication between any installation at the Riverside Municipal Airport and aircraft, or to cause difficulty for pilots to distinguish between airport lights and other lights or to impair visibility in the vicinity of the Riverside Municipal Airport, or to otherwise endanger the landing, take-off, or maneuvering of aircraft on or at said Riverside Municipal Airport.

The foregoing grant of easement shall not be considered as otherwise prohibiting the use of the property of the Grantor for any lawful purpose below minimum flight altitudes for aircraft presently authorized or hereafter authorized by the appropriate federal or state authority, provided all applicable federal, state and local regulations pertaining to height restrictions are adhered to.

IT IS UNDERSTOOD AND AGREED that this easement and the rights and restrictions herein created shall run with the land and shall be binding upon the Grantor and the heirs, administrators, executors, successors and assigns of Grantor.

Dated 9-28-18

**Doolittle Riverside, LLC,
a California Limited Liability Company**

By: *G. Richard Reenan*

By: _____

Print Name: G. RICHARD REENAN

Print Name: _____

Title: MEMBER

Title: _____

Concurs with: *[Signature]*
Airport Director **MANAGER**
10.16.18

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of ORANGE } ss

On SEPT. 28, 2018, before me, BRENDA J. WRIGHT,

notary public, personally appeared, G. RICHARD REENAN

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

[Signature]
Notary Signature



**CERTIFICATE OF ACCEPTANCE
(Government Code Section 527281)**

THIS IS TO CERTIFY that the interest in real property conveyed by the within instrument to the City of Riverside, a California charter city and municipal corporation, is hereby accepted by the undersigned officer on behalf of the City Council of said City pursuant to authority conferred by Resolution No. 21027 of said City Council adopted September 6, 2005, and the grantee consents to recordation thereof by its duly authorized officer.

DATED _____

CITY OF RIVERSIDE

By: _____
David Welch
Real Property Services Manager

**CERTIFICATE OF ACCEPTANCE
(Government Code Section §27281)**

THIS IS TO CERTIFY that the interest in real property conveyed by the within instrument to the City of Riverside, a California charter city and municipal corporation, is hereby accepted by the undersigned officer on behalf of the City Council of said City pursuant to authority conferred by Resolution No. 21027 of said City Council adopted September 6, 2005, and the grantee consents to recordation thereof by its duly authorized officer.

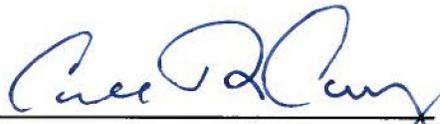
DATED October 18, 2018

CITY OF RIVERSIDE

By: 

David Welch
Real Property Services Manager

Concurs with:


General Services Director

Approved as to Form:

By: 

Ruthann M. Salera
Deputy City Attorney

EXHIBIT "A"
LEGAL DESCRIPTION
LOT CONSOLIDATION P18-0180

APN: 155-280-026, 028, 029 & 030
ADDRESS: 6610 & 6620 DOOLITTLE AVENUE

PARCEL "A":

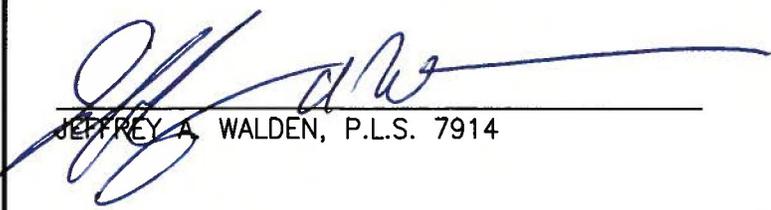
PORTIONS OF LOTS 35 AND 36 OF McCLASKEY TRACT, IN THE CITY OF RIVERSIDE, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN ON THE MAP FILED IN BOOK 10, PAGES 36 AND 37 OF MAPS, RECORDS OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST EASTERLY CORNER OF SAID LOT 36; THENCE SOUTHWESTERLY ALONG THE SOUTHERLY LINE OF SAID LOT 36, 216.0 FEET TO AN ANGLE POINT IN SAID SOUTHERLY LINE; THENCE CONTINUING ON THE SOUTHERLY LINE, 378.8 FEET TO THE SOUTHWEST CORNER OF SAID LOT 36; THENCE NORTHWESTERLY ON THE SOUTHWESTERLY LINE OF SAID LOT 36, 300.0 FEET TO AN ANGLE POINT IN SAID SOUTHWESTERLY LINE, AND THE MOST SOUTHWESTERLY CORNER OF PARCEL MAP NO. 33033, AS SHOWN ON THE MAP FILED IN BOOK 223, PAGES 73 THROUGH 75 INCLUSIVE, OF PARCEL MAPS, RECORDS OF SAID COUNTY RECORDER; THENCE NORTHEASTERLY ALONG THE SOUTHERLY LINE OF SAID PARCEL MAP TO THE MOST SOUTHEASTERLY CORNER OF SAID PARCEL MAP, SAID POINT ALSO BEING ON THE NORTHEASTERLY LINE OF SAID LOT 35 AND THE WESTERLY RIGHT-OF-WAY OF DOOLITTLE AVENUE, SAID POINT BEING 524.3 FEET FROM SAID EASTERLY CORNER OF LOT 36 MEASURED ALONG THE NORTHEASTERLY LINES OF SAID LOTS 35 AND 36; THENCE SOUTHEASTERLY ALONG SAID NORTHEASTERLY LINES AND THE WESTERLY RIGHT-OF-WAY OF DOOLITTLE AVENUE, 524.3 FEET TO THE POINT OF BEGINNING.

CONTAINS: 4.97
ACRES MORE OR LESS

PREPARED BY ME OR UNDER MY DIRECTION.




JEFFREY A. WALDEN, P.L.S. 7914

DESCRIPTION APPROVAL:

BY:  10/15/18
DATE

FOR: CURTIS C. STEPHENS, L.S. 7519
CITY SURVEYOR

D17496-6

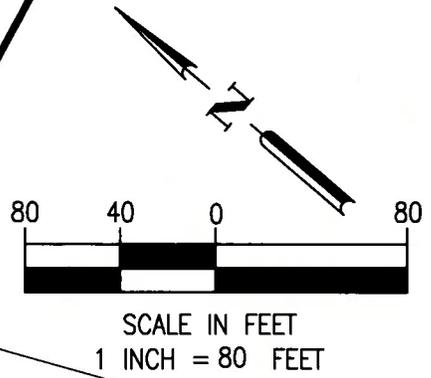
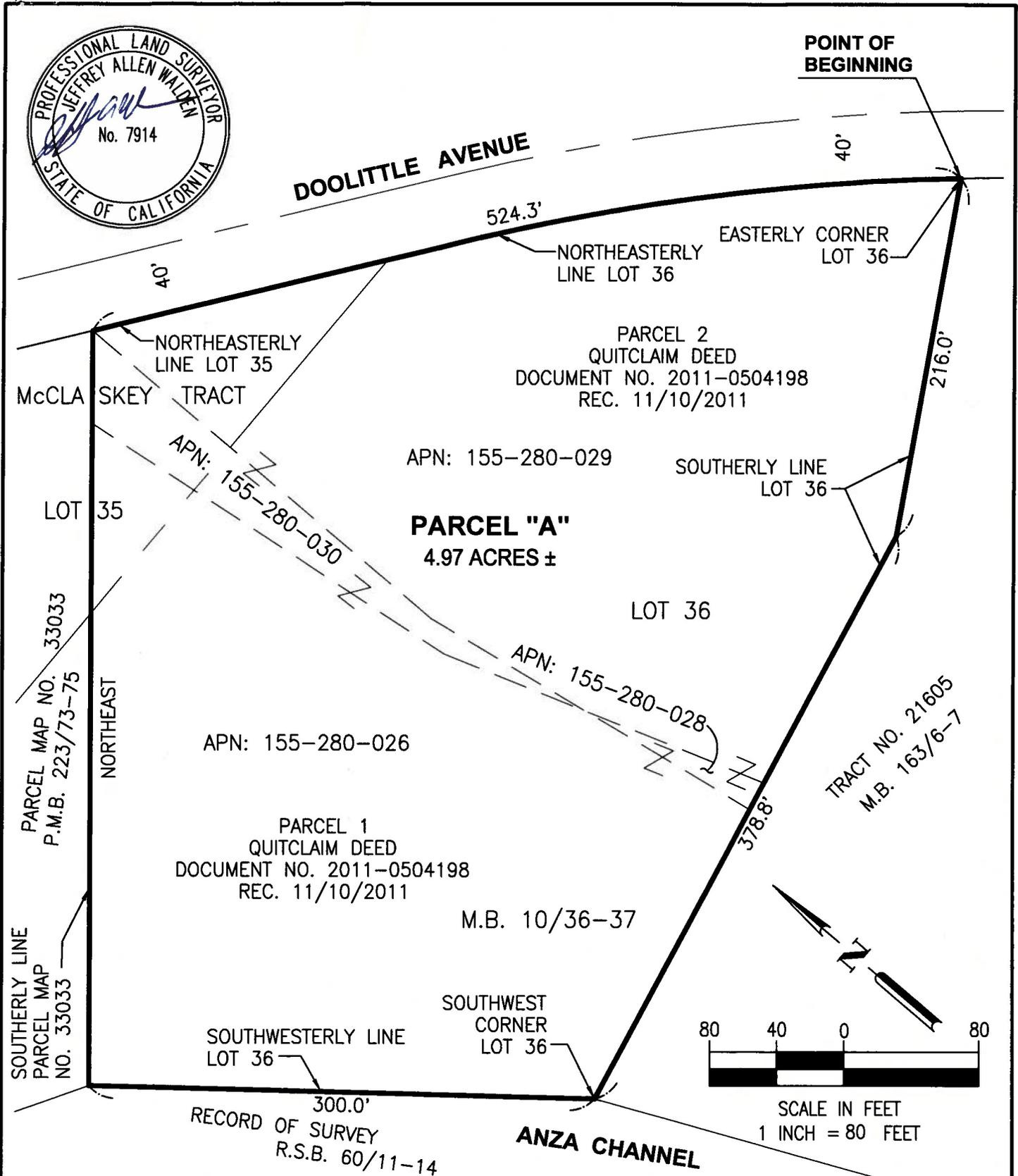
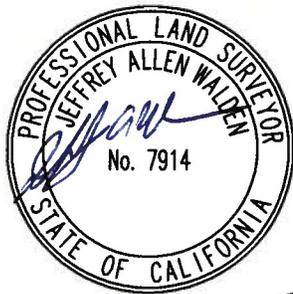
 WALDEN &
ASSOCIATES

CIVIL ENGINEERS - LAND SURVEYORS - PLANNERS
2552 WHITE ROAD, SUITE B • IRVINE, CA 92614-6236
(949) 660-0110 FAX: 660-0418

EXHIBIT "A"
LEGAL DESCRIPTION
FOR LOT CONSOLIDATION P18-0180
PORT. LOTS 35 & 36 McCLASKEY TRACT
RIVERSIDE, CALIFORNIA

W.O. No. 1573-480-002
Engr. BJW Chk'd. JW

Date 04/16/2018
Sheet 1 of 2



CIVIL ENGINEERS - LAND SURVEYORS - PLANNERS
2552 WHITE ROAD, SUITE B • IRVINE, CA 92614-6236
(949) 660-0110 FAX: 660-0418

PLAT TO ACCOMPANY A LEGAL DESCRIPTION
FOR LOT CONSOLIDATION P18-0180
PORT. LOTS 35 & 36 McCLASKEY TRACT
RIVERSIDE, CALIFORNIA

W.O. No. 1573-480-002
Engr. BJW Chk'd. JW

Date 04/16/2018
Sheet 2 of 2