



When recorded mail to:

City Clerk
City of Riverside
City Hall, 3900 Main Street
Riverside, CA 92522

Project: Tract No. 25486-4

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DECLARATION OF NOTICE
CONCERNING AIRCRAFT ENVIRONMENTAL IMPACTS

THIS DECLARATION OF NOTICE CONCERNING AIRCRAFT ENVIRONMENTAL IMPACTS is made and entered into this 31st day of October, 2001, by Beren, a California Limited Partnership (hereinafter called the "Declarant") with respect to the following facts:



A. Declarant is the owner of the real property (the "Property") in the City of Riverside, County of Riverside, State of California, described as follows:

Lots 2 & 4 of Tract No. 25486-4 as shown by map on file in Book 272 of Maps, at Pages 60 through 63 thereof, Records of Riverside County, California.

B. Declarant desires to Improve and develop the property as a part of a residential subdivision. The Property is located within the Air Installation Compatible Use Zone (AICUZ) for March Air Reserve Base operated by the department of defense of the United States of America. As a mitigation measure imposed by the City of Riverside for the development of the property, Declarant is required to add to the Covenants, Conditions, and Restrictions for the Property a clause that Declarant will notify any purchaser of a residential lot in writing that March Air Reserve Base flight paths cross the area in which the property is located.

C. Declarant and the City of Riverside have no control over the operations of the March Air Reserve Base, including the types of aircraft, flight, the patterns of the aircraft, nor the frequency of the flights.

D. It is the desire of the Declarant to give notice to any potential purchaser of the property or any lot thereof of the air flight operation

DESCRIPTION ADP100VAAA 11.001
RECEIVED BY THE CITY OF RIVERSIDE

and the fact that purchaser may be subject to overflight, sight and sound of aircraft operating from March Air Reserve Base.


NOW, THEREFORE, for the purpose of complying with a condition imposed by the City of Riverside for the approval of the development of the property, and in consideration of such approval, the Declarant does, for themselves and their successors and assigns, hereby agree to give in writing to any prospective purchaser of any lot of the Property prior to sale a written notice providing the following information:

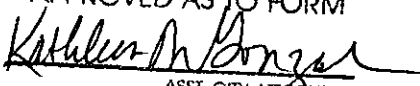
1. The lot sought to be purchased is within the flight paths of March Air Reserve Base.
2. Declarant and the City of Riverside have no responsibility or control over the operations of March Air Reserve Base, including the types and number of flight operations.
3. That the flight operations to and from March Air Reserve Base may create significant aircraft environmental impacts affecting the property and the purchasers, tenants, and occupants of the Property, and that purchasers, tenants and occupants of the property reside thereon subject to such overflight, sight and sound.

The Property and any portion thereof shall by held, conveyed, encumbered, leased, rented, used, occupied, and improved subject to this Declaration of Notice. This Declaration and Notice shall run with the land and shall be binding upon all parties having or acquiring any right, title or interest in the property.

IN WITNESS WHEREOF the Declarant has caused this Declaration of notice to be executed the day and year first above written.

Beren, a California Limited Partnership
By: Bergum Construction Company
A California Corporation
It's General Partner

By 
Christian O. Bergum
Vice President

APPROVED AS TO FORM

ASST. CITY ATTORNEY



2001-555562
11/09/2001 08:00A
2 of 3

CIA 723

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California }
County of San Bernardino } ss.

On 10/31/01, before me, Misty Gilbertson, Notary Public,
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")
personally appeared Christian O. Bergum,
Name(s) of Signer(s)

personally known to me
 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.



Place Notary Seal Above

WITNESS my hand and official seal.
Misty Gilbertson
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer

Signer's Name: _____

- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____

Signer Is Representing: _____

