

When recorded mail to:

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

Project: Tract 22275-2

276319

RECEIVED FOR RECORD  
AT 2:00 O'CLOCK P.M.

AUG 15 1989

Recorded in Official Records  
of Riverside County, California

*William J. Brown*  
Recorder  
Fees \$ *12*

AVIGATION EASEMENT

12497

WHEREAS STERLING BUILDERS, INC., a California corporation, hereinafter called the "Grantor", is the owner in fee of that certain real property situated in the City of Riverside, County of Riverside, State of California, described as follows: "See Exhibit "A" attached hereto."

hereinafter called "the Grantor's property"; and

WHEREAS the Grantor's property is located within the Air Installation Compatible Use Zone (AICUZ) for MARCH AIR FORCE BASE, operated by the Department of Defense of the United States of America, and within the flight path of aircraft operating from said Air Force Base; and

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

WHEREAS the City of Riverside has conditioned the approval of such project by requiring the granting of an avigation easement over the Grantor's property;

NOW, THEREFORE, FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, GRANTOR does hereby grant to the CITY OF RIVERSIDE, a municipal corporation of the State of California, hereinafter referred to as "Grantee", its successors and assigns, for the use and benefit of the public, including, but not limited to, the United States Armed Forces, a perpetual easement and

102963-03

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right of flight for the passage of aircraft by whomsoever owned and operated in the airspace above the surface of the Grantor's property described hereinabove, together with the right to cause in said airspace such noise, vibrations, dust, smoke, fumes, and other related conditions that may be caused by the operation of aircraft. "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 March Air Force Base is an operating airport subject to increases in the intensity of use and operation, including present and future noise, vibrations, dust, smoke, fumes 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, vibrations, dust, smoke, fumes and other related conditions that may be caused by the operation of aircraft landing at or taking off from, or operating at or on March Air Force Base or other airport or air facility which is or may be located at or near the site of said March Air Force Base.

The foregoing grant of easement shall not be considered as otherwise prohibiting the use of the Grantor's property for any lawful purpose below the 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.

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WITNESS MY HAND AND OFFICIAL SEAL.

*JANE PIZAR*

Notary Public in and for said State.

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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 July 20, 1989

STERLING BUILDERS, INC., a California corporation

By H.R. Mendoza  
Title President

APPROVED AS TO FORM  
Robert A. Laws 712  
ASST. CITY ATTORNEY

By Maxine L. Bridges  
Title Secretary

STATE OF CALIFORNIA

COUNTY OF Orange

} ss.

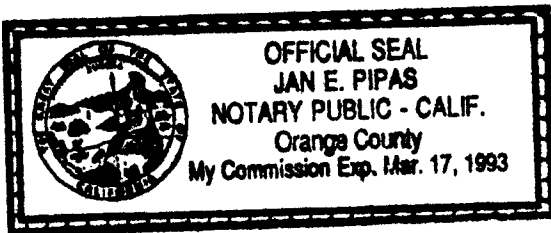
276319

On this 20th day of July, in the year 1989, before me, the undersigned, a Notary Public in and for said State, personally appeared H.R. MENDOZA

\_\_\_\_\_ and \_\_\_\_\_  
MAXINE L. BRIDGES, personally known to me (or proved to me on the basis of satisfactory evidence) to be the persons who executed the within instrument as the President and the Secretary, respectively, of the Corporation therein named, and acknowledged to me that the Corporation executed it pursuant to its by-laws or a resolution of its board of directors.

WITNESS my hand and official seal.

Jane E. Pizar  
Notary Public in and for said State.



ACKNOWLEDGMENT—Corp.—Pres. & Sec.—Wolcotts Form 222CA—Rev. 11-83  
© 1983 WOLCOTTS, INC. (price class 8-2)



J.F. Davidson Associates, Inc.  
ENGINEERING PLANNING SURVEYING ARCHITECTURE LANDSCAPE ARCHITECTURE

February 27, 1989

W.O. 8710243

EXHIBIT "A"  
AVIGATION EASEMENT  
LEGAL DESCRIPTION  
TRACT 22275-2

Lots 1 through 100 of Tract 22275-2 as shown on map on file in Book  
\_\_\_\_ of Maps, at pages \_\_\_\_ through \_\_\_\_ thereof, Records of Riverside  
County, California.

MWC/HAF/lb  
LEG:CE4#3



DESCRIPTION PREPARED UNDER THE SUPERVISION OF:

Homer A. Fontaine 2/27/89  
Homer A. Fontaine Date  
J. F. DAVIDSON ASSOCIATES, INC.

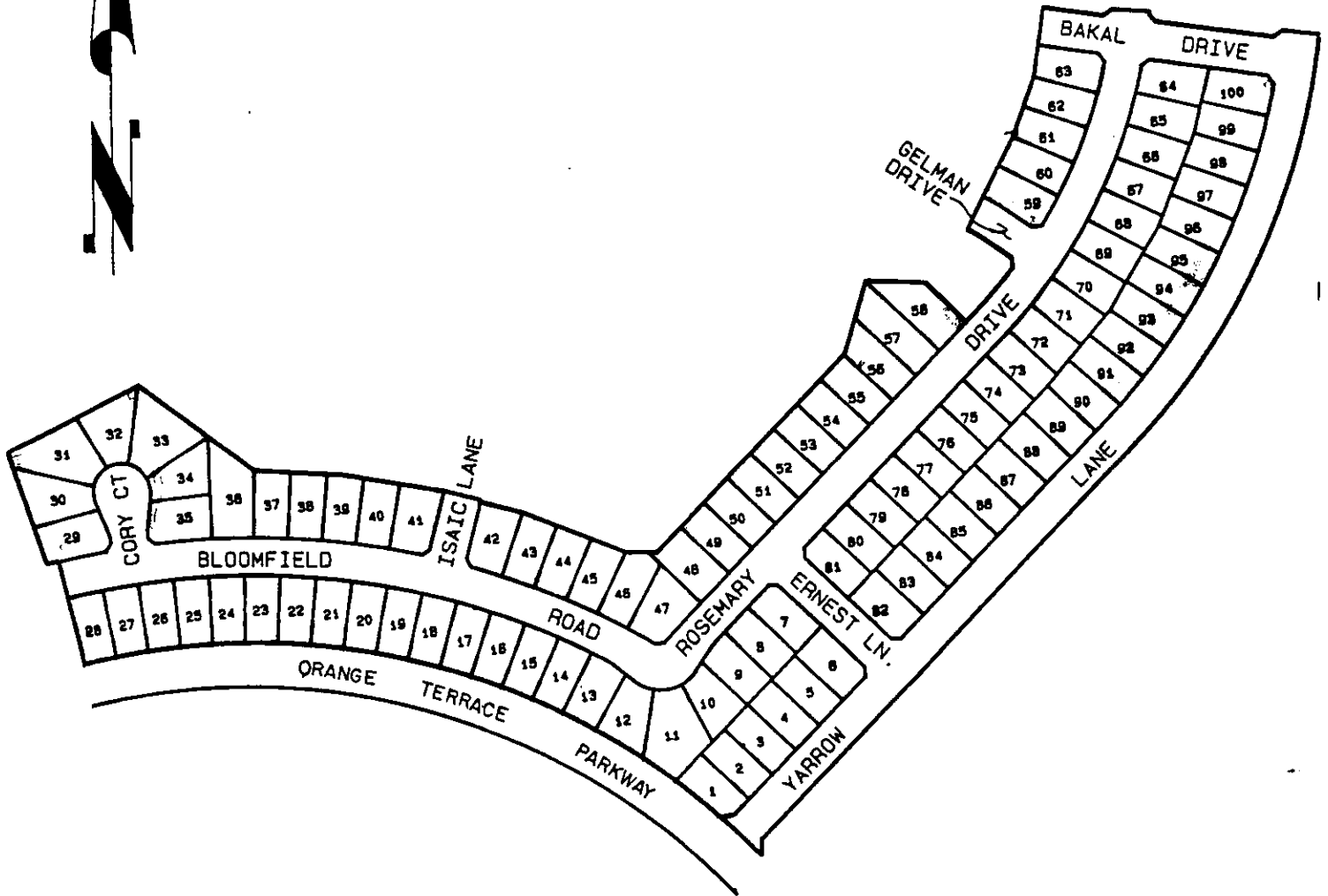
DESCRIPTION APPROVAL 2/27/89  
Walter R. Inye by DR  
SURVEYOR, CITY OF RIVERSIDE

3950 LAMAR STREET, SUITE 300  
PO BOX 443  
RIVERSIDE, CALIFORNIA 92501  
(714) 941-2222  
FAX (714) 941-1144

1000 S. MAIN STREET, SUITE 100  
RIVERSIDE, CALIFORNIA 92501  
(714) 941-1144  
FAX (714) 941-1144

1000 S. MAIN STREET, SUITE 100  
RIVERSIDE, CALIFORNIA 92501  
(714) 941-1144  
FAX (714) 941-1144

TR. 22275 - 2



• CITY OF RIVERSIDE, CALIFORNIA •

THIS PLAT IS SOLELY AN AID IN LOCATING THE PARCEL(S) DESCRIBED IN THE ATTACHED DOCUMENT. IT IS NOT A PART OF THE WRITTEN DESCRIPTION THEREIN.

SHEET 1 OF 1

87  
10243

SCALE: 1" = 300'

DRAWN BY ANJ6 DATE 2/25/87

SUBJECT AVIGATION EASEMENT TR. 22275-2

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