

Continental Land Title Co.  
WHEN RECORDED MAIL:

CITY CLERK  
City of Riverside  
City Hall, California 92522  
Riverside, CA 92522

PROJECT: TRACT 22275-1

AVIGATION EASEMENT

RECEIVED FOR RECORD

30 Min. Past 11 o'clock A.M.

OCT 27 1989

Recorded in Official Records  
of Riverside County, California

*William L. Conroy*  
Recorder  
Fees \$ 15.-

12558

374739

WHEREAS VAN DAELE-ORANGECREST COLLECTION, LTD., a California Limited Partnership (hereinafter referred to as "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:

15/9

SEE EXHIBIT "A" ATTACHED HERETO

hereinafter called "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;

374739

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 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, remise 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.

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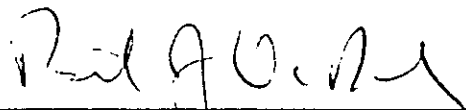
The foregoing grant of easement shall not be considered as otherwise prohibiting the use of the Grantor's Property for any lawful purpose below the minimum flight altitudes for aircraft presently authorized or hereafter authorized by the appropriate federal or state authority; provided all applicable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

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: August 28, 1989

VAN DAELE-ORANGECREST COLLECTION, LTD,  
a California Limited Partnership  
BY: Van Daele Development  
Corporation, a California  
Corporation, General Partner

BY:

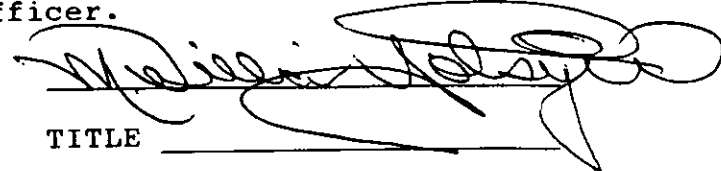
  
\_\_\_\_\_  
PATRICK J. VAN DAELE,  
Executive Vice President

CONSENT TO RECORDATION

374739

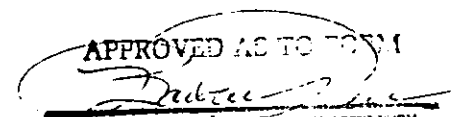
THIS IS TO CERTIFY that the interest in real property conveyed by the within instrument to the City of Riverside, a municipal corporation, is hereby accepted by the undersigned officer on behalf of the City Council of said City pursuant to authority conferred by Resolution No. 14883 of said City Council adopted January 25, 1983, and the Grantee consents to recordation thereof by its duly authorized officer.

DATED:

  
\_\_\_\_\_

TITLE

PAGE 4

APPROVED AS TO FORM  
  
ASST. CITY ATTORNEY

12558



**J.F. Davidson Associates, Inc.**

ENGINEERING PLANNING SURVEYING ARCHITECTURE LANDSCAPE ARCHITECTURE

February 27, 1989

W.O. 8710243

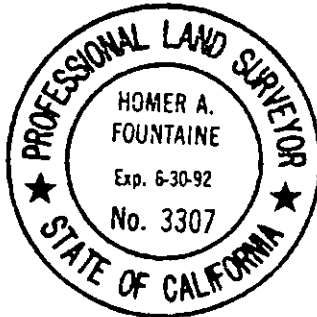
AVIGATION EASEMENT

LEGAL DESCRIPTION

TRACT 22275-1

Lots 1 through 102 of Tract 22275-1 as shown on map on file in Book 209 of Maps, at pages 8 through 11 thereof, Records of Riverside County, California.

MWC/HAF/lb  
LEG:CE4#2



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

George P. Hutchinson  
SURVEYOR, CITY OF RIVERSIDE

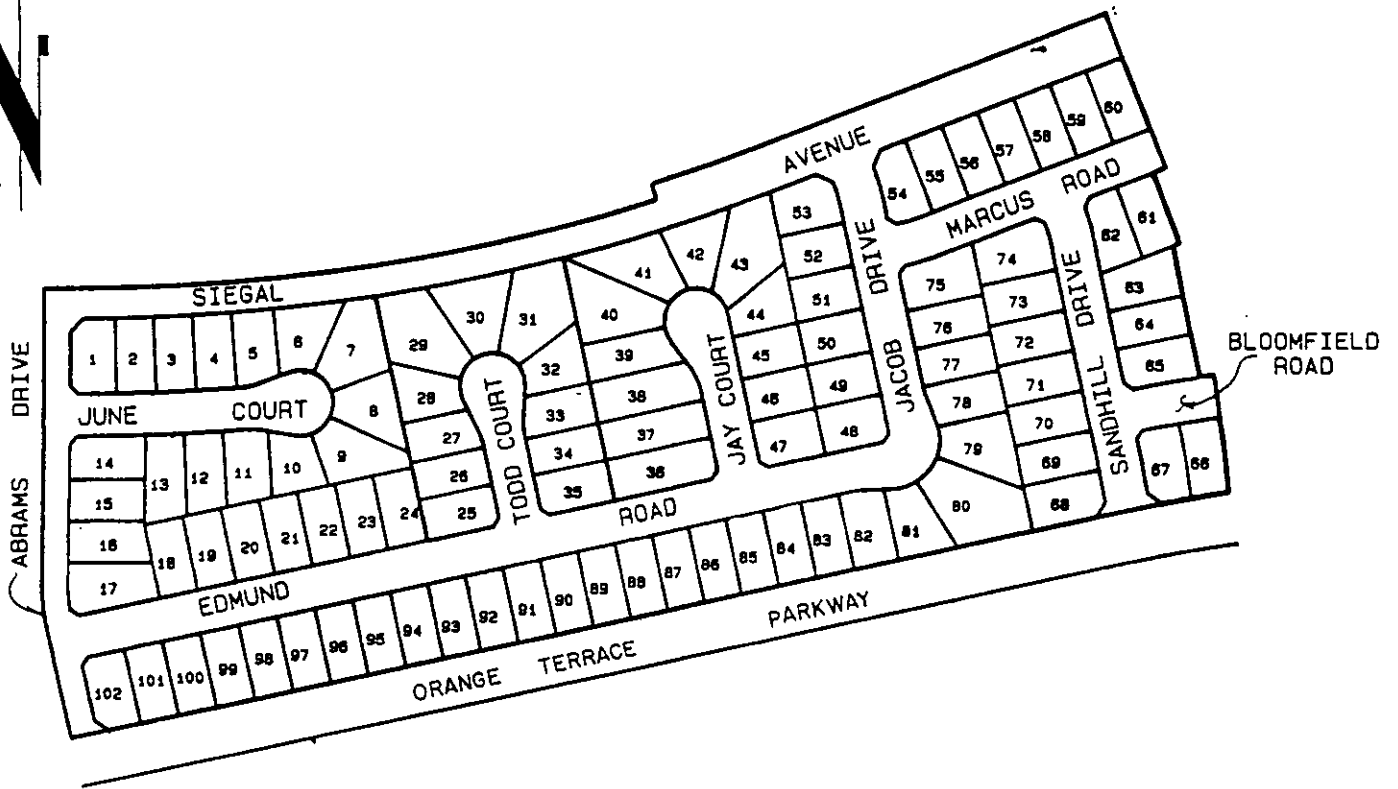
3880 Lemon Street, Suite 300  
PO Box 493  
Riverside, CA 92502  
714-656-0544  
FAX 714-656-6954

1091-D S Mt. Vernon Avenue  
Colton, CA 92324  
714-825-1082  
FAX 714-825-9563

75-150 Shery Drive  
PO Box 12817  
Palm Desert, CA 92255  
619-346-5691  
FAX 619-340-0509

27349 Jefferson, Suite 115  
PO Box 340  
Rancho California, CA 92390  
714-676-7710  
FAX 714-699-1981

TR. 22275 - 1



• 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 ANG DATE 2/26/27

SUBJECT AVIGATION EASEMENT TR. 22275 - 1