

403779

WHEN RECORDED MAIL TO:

CITY CLERK
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)

Project: 10033 Cypress Avenue
Building Permit
Redevelopment Agency F.T.
A.P.N. 150-120-013

RECEIVED FOR RECORD

Mr. Paul [Signature] Clerk M.

NOV - 2 1990

Recorded in Official Records of Riverside County, California

Recorder [Signature]

Fees \$ [Signature]

12808

X

AVIGATION EASEMENT

WHEREAS VERA R. CRUZ, a widow, 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:

That portion of Lot 9 in Block 20 of La Granada, as shown by map on file in Book 12, Pages 42 through 51 of Maps, records of Riverside County, California, described as follows:

COMMENCING at the southwest corner of said Lot;

THENCE North 0° 57' 10" East, along the west line of said Lot, a distance of 19.01 feet to a line parallel with and distant 44.00 feet northerly, as measured at right angles, from the centerline of Cypress Avenue as shown by said map and the POINT OF BEGINNING of the parcel of land being described;

THENCE North 89° 20' East, along said parallel line, a distance of 75.00 feet;

THENCE North 0° 57' 10" East, parallel with the west line of said Lot, a distance of 105.99 feet to the southerly line of that certain parcel of land conveyed to Ina Rowell Collins, et al., by deed recorded May 25, 1951, as Instrument No. 22425 of Official Records of said Riverside County;

THENCE South 89° 20' West, along said southerly line, a distance of 75.00 feet to the west line of said Lot;

THENCE South 0° 57' 10" West, along said west line, a distance of 105.99 feet to the POINT OF BEGINNING.

DESCRIPTION APPROVAL 10/12/90
George P. Hutchinson by [Signature]
SURVEYOR, CITY OF RIVERSIDE

hereinafter called "the Grantor's property"; and

WHEREAS the Grantor's property 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 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, 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 Grantor's property described hereinabove, 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.

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 10/25/90

Vera R. Cruz
VERA R. CRUZ

APPROVED AS TO FORM

Clarice Turney
ASST. CITY ATTORNEY

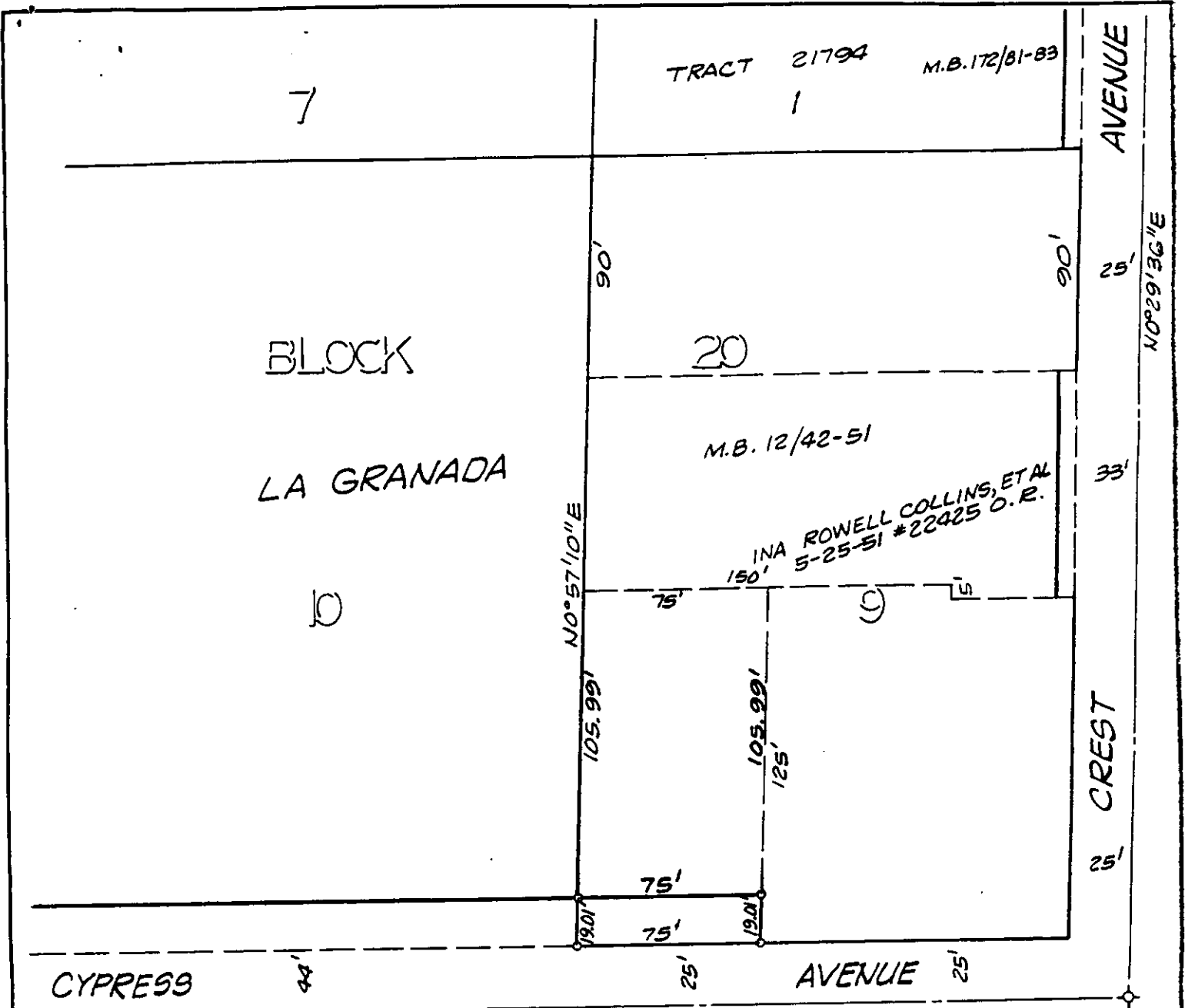
CONSENT TO RECORDATION

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 November 2, 1990


Real Property Services Manager
of the City of Riverside

1309u/k



BLOCK
LA GRANADA

TRACT 21794
1 M.B. 172/81-83

M.B. 12/42-51
INA ROWELL COLLINS, ET AL
5-25-51 #22425 O.R.

CYPRESS

AVENUE

AVENUE

CREST

E N89°20'E



• 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

6/10-1

SCALE: 1" = 60'

DRAWN BY K99 DATE 10/17/90

SUBJECT 10033 CYPRESS AVENUE