

441858

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: Tract 25728

RECEIVED FOR RECORD
Min. Past 1 o'clock P.M.

DEC 20 1991

Recorded in Official Records
of Riverside County, California

Recorder
Fees \$
W. J. [Signature]

1314

AVIGATION EASEMENT

WHEREAS PACIFIC FAR-WEST STATES, 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 in Exhibit "A", attached hereto and incorporated herein by this reference, 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 as described in said Exhibit "A", together with the right to cause in said airspace such noise, sound or shock waves,

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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 12/13/91

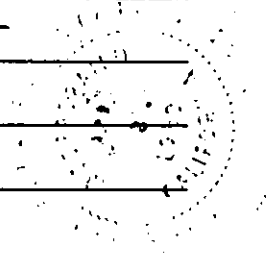
PACIFIC FAR-WEST STATES, INC.,
a California corporation

By [Signature]

Title President

By _____

Title _____



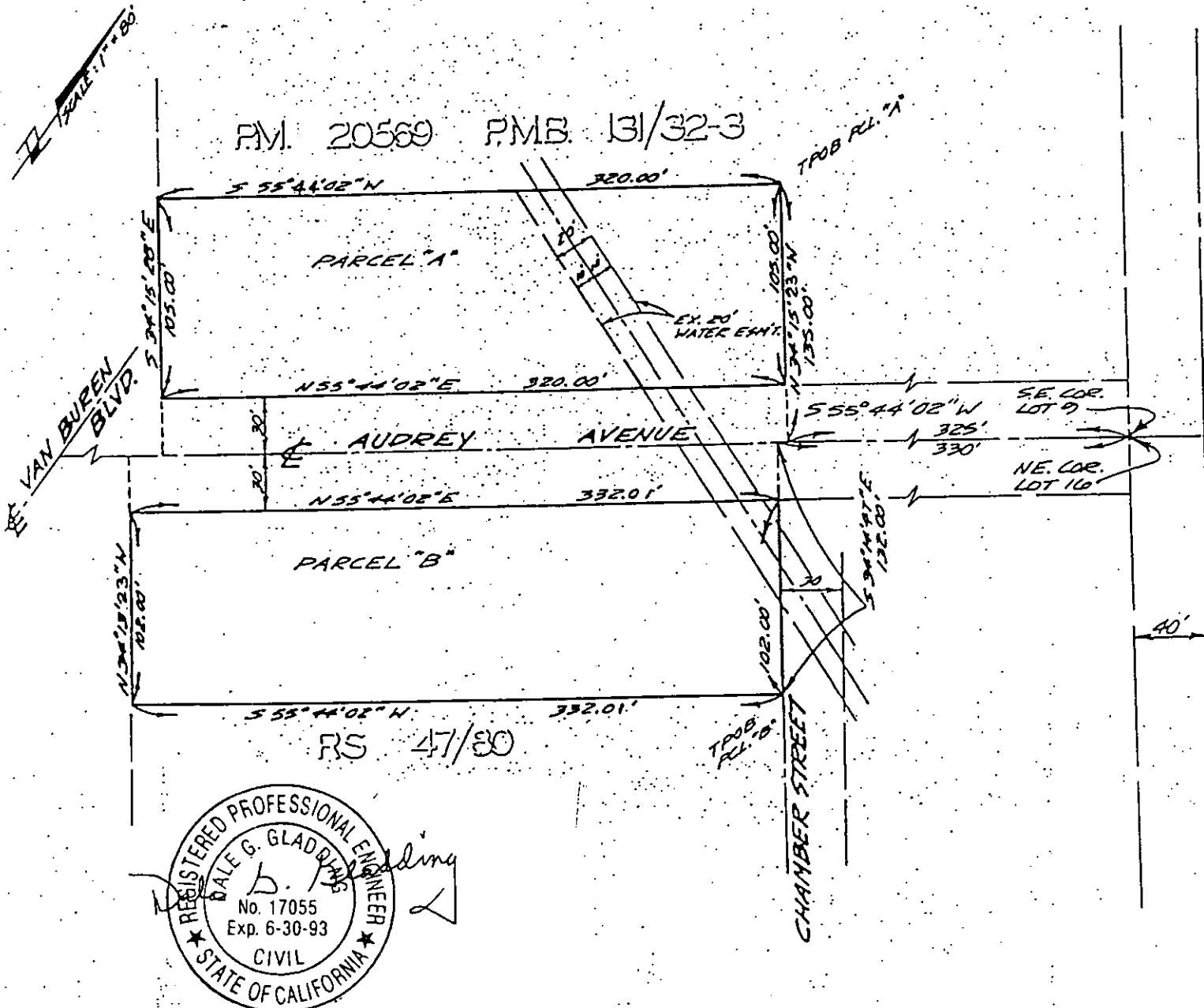
CONSENT TO RECORDATION

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 Dec. 20, 1991

[Signature]
Real Property Services Manager
of the City of Riverside

1877u/a



HR ENGINEERING INC.
ENGINEERS PLANNERS SURVEYORS
(714) 684-9522
4351 LATHAM STREET RIVERSIDE, CA. 92501

CITY OF RIVERSIDE _{5/}

AVIGATION EASEMENT PLAT

DRAWN BY: LD	SCALE: 1" = 80'	JOB NO. 9157
CHECKED BY:	DATE: JANUARY 1991	SHEET 1
APP'D BY:	13144	OF 1 SNTX

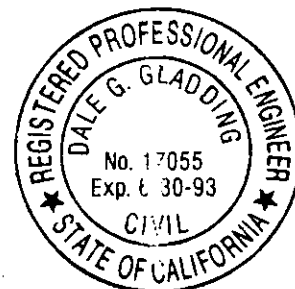
EXHIBIT "A"

PARCEL "B"

THAT PORTION OF LOT 16, BLOCK 2 OF THE LANDS OF THE RIVERSIDE LAND AND IRRIGATING COMPANY, AS SHOWN BY MAP ON FILE IN BOOK 1, PAGE 70 OF MAPS, RECORDS OF SAN BERNARDINO COUNTY, CALIFORNIA, DESCRIBED AS FOLLOWS;

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 16; THENCE S 55° 44' 02" W, ALONG THE NORTHWESTERLY LINE OF SAID LOT 16, A DISTANCE OF 330.00 FEET, TO THE MOST WESTERLY CORNER OF THAT CERTAIN PARCEL OF LAND, CONVEYED TO DONOVAN K. KLAUS, ET UX, BY DEED RECORDED MAY 6, 1952, AS INSTRUMENT NUMBER 19137, OFFICAL RECORDS, RIVERSIDE, COUNTY, CALIFORNIA; THENCE S 34° 14' 47" E, A DISTANCE OF 132.00 FEET, TO THE MOST SOUTHERLY CORNER OF SAID DONOVAN K. KLAUS PARCEL, SAID POINT BEING ALSO THE TRUE POINT OF BEGINNING; THENCE S 55° 44' 02" W, PARALLEL WITH THE NORTHWESTERLY LINE OF SAID, LOT 16, A DISTANCE OF 332.05 FEET; THENCE N 34° 13' 23" W, A DISTANCE OF 102.00 FEET, TO A POINT 30.00 FEET SOUTHEASTERLY OF, WHEN MEASURED AT RIGHT ANGLES TO, THE NORTHWESTERLY LINE OF SAID LOT 16; THENCE N 55°44'02"E, PARALLEL WITH AND 30.00 FEET SOUTHEASTERLY OF THE NORTHWESTERLY LINE OF SAID LOT 16, A DISTANCE OF 332.01 FEET, TO A POINT ON THE SOUTHWESTERLY LINE OF SAID DONOVAN K. KLAUS PARCEL; THENCE S 34°14'47"E, ALONG THE SOUTHWESTERLY LINE OF SAID DONOVAN K. KLAUS PARCEL, A DISTANCE OF 102.00 FEET, TO THE TRUE POINT OF BEGINNING.

Dale G. Gladding
 DALE G. GLADDING
 RCE 17055 Exp. 06/30/93



DESCRIPTION APPROVAL 12/18/91
George P. Hutchinson by *WF*
 SURVEYOR, CITY OF RIVERSIDE

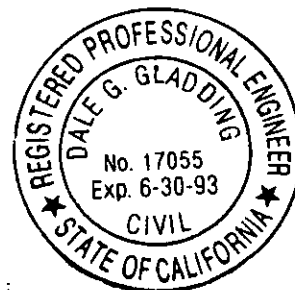
EXHIBIT "A"

PARCEL "A"

THAT PORTION OF LOT 9, BLOCK 2 OF THE LANDS OF THE RIVERSIDE LAND AND IRRIGATING COMPANY, AS SHOWN BY THE MAP ON FILE IN BOOK 1, PAGE 70 OF MAPS, RECORDS OF SAN BERNARDINO COUNTY, CALIFORNIA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 9; THENCE S 55° 44' 02" W, ALONG THE SOUTHEASTERLY LINE OF SAID LOT 9, A DISTANCE OF 325.00 FEET, TO THE SOUTHWESTERLY CORNER OF THAT CERTAIN PARCEL OF LAND, CONVEYED TO ARTHUR M. BUSS, ET UX, BY DEED RECORDED OCTOBER 11, 1960, AS INSTRUMENT NUMBER 87813, OFFICAL RECORDS, RIVERSIDE COUNTY, CALIFORNIA; THENCE N 34° 15' 23" W, A DISTANCE OF 135.00 FEET, TO THE NORTHWESTERLY CORNER OF SAID ARTHUR M. BUSS PARCEL, SAID POINT BEING ALSO THE TRUE POINT OF BEGINNING; THENCE S 55° 44' 02" W, PARALLEL WITH THE SOUTHEASTERLY LINE OF SAID LOT 9, A DISTANCE OF 320.00 FEET; THENCE S 34° 15' 28" E, A DISTANCE OF 105 FEET, TO A POINT 30.00 FEET NORTHWESTERLY OF, WHEN MEASURED AT RIGHT ANGLES TO, THE SOUTHEASTERLY LINE OF SAID LOT 9; THENCE N 55° 44' 02" E, PARALLEL WITH AND 30.00 FEET NORTHWESTERLY OF THE SOUTHEASTERLY LINE OF SAID LOT 9, A DISTANCE OF 320.00 FEET, TO A POINT ON THE SOUTHWESTERLY LINE OF SAID ARTHUR M. BUSS PARCEL; THENCE N 34° 15' 23" W, ALONG THE SOUTHWESTERLY LINE OF SAID ARTHUR M. BUSS PARCEL, A DISTANCE OF 105.00 FEET TO THE TRUE POINT OF BEGINNING.

Dale G. Gladding
 DALE G. GLADDING
 RCE 17055 EXP. 06/30/93



DESCRIPTION APPROVAL 12/12/91
Thomas P. Hutchinson, Jr.
 SURVEYOR, CITY OF RIVERSIDE

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