

069066

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: Parcel Map 26988

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

FEB 28 1992

Recorded in Official Records
of Riverside County, California

Recorder
Fees \$

13191

AVIGATION EASEMENT

WHEREAS MARTIN J. KOLBEZEN, a widower, 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, 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.

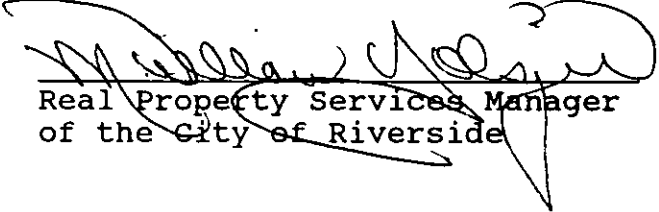
Dated

Feb 10, 1992

Martin J. Kolbezen
MARTIN J. KOLBEZEN

CONSENT TO RECORDATION

THIS IS TO CERTIFY that the interest in real property conveyed by the within instrument to the City of Riverside, California, 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 February 28, 1992 
Real Property Services Manager
of the City of Riverside

KOLBEZEN.AVG

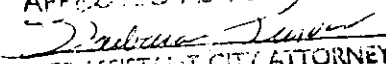
APPROVED AS TO FORM

CHIEF ASSISTANT CITY ATTORNEY

EXHIBIT "A"

That portion of Lot 12 in Block 4 of the Lands of the Riverside Land and Irrigating Company, as shown by Map on file in Book 1, page 70 of Maps, San Bernardino County Records, described by metes and bounds as follows:

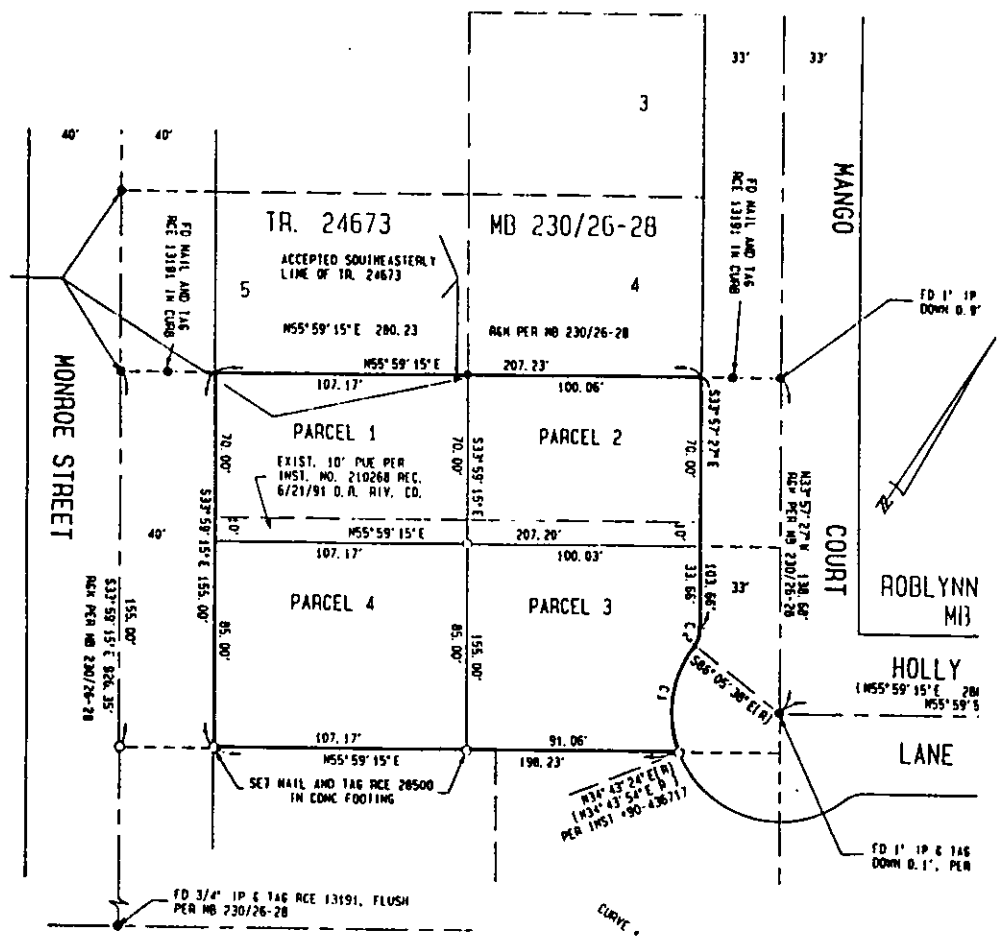
COMMENCING at the most Southerly corner of Tract 24673 as recorded in Book 230, pages 26 through 28 of Maps, Riverside County Records, said point being the TRUE POINT OF BEGINNING;
 THENCE North 55 59' 15" East along the southerly tract boundary of said Tract 24673 a distance of 207.23 feet to westerly line of Mango Court, having a half width of 33.00 feet;
 THENCE South 33 57' 27" East along the westerly line of Mango Court a distance of 103.66 feet to the beginning of a tangent curve having a radius of 12.00 feet and being concave westerly;
 THENCE continuing on the westerly line of Mango Court, along said curve an arc distance of 7.93 feet which subtends a central angle of 37 51' 49" to a point of reverse curvature and the beginning of a curve having a radius of 45.00 feet, being concave easterly;
 THENCE continuing on the westerly line of Mango Court, along said curve an arc distance of 46.48 feet which subtends a central angle of 59 10' 58";
 THENCE South 55 59' 15" West a distance of 198.23 feet to the easterly line of Monroe Street, having a half width of 40.00 feet;
 THENCE North 33 59' 15" West along the easterly line of Monroe Street a distance of 155.00 feet to the TRUE POINT OF BEGINNING.



D. Goodman

DESCRIPTION APPROVAL 1/16/92
George P. Hutchinson, Jr.
 SURVEYOR, CITY OF RIVERSIDE

RL & I CO. MB 1/70 LOT 12



COLORADO AVE.



D. Goodman

CURVE - RADIUS DELTA LENGTH TANGENT
 C1 REC 45.00' 53°10'50" 16.48'
 74.00' 53°10'28" 45.48'
 PER INSTRUMENT #90-436717
 C2 REC AND MEASURED PER INSTRUMENT #90-436717
 12.00' 37°51'49" 7.23'
 103.66' 56°05'30" (E.L.R.)

• 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

5/

SCALE: 1" = NA

DRAWN BY WF DATE 1/19/92

SUBJECT PM 26988