

723

059735

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: C-54-878
7335 Magnolia Avenue

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

FEB 21 1992

Recorded in Official Records
of Riverside County, California

Recorder
Fees \$

13209

AVIGATION EASEMENT

WHEREAS JOSEPH G. PRATTE and SUSAN M. PRATTE, hereinafter called
the "Grantors", are the owners 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 Grantors' property";
and

WHEREAS the Grantors' property is located within the Airport
Influence Area for the Riverside Municipal Airport operated by the City
of Riverside; and

WHEREAS the Grantors have sought approval from the City of
Riverside for the development of the Grantors' 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
Grantors' property;

NOW, THEREFORE FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, GRANTORS do 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 Grantors' 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.

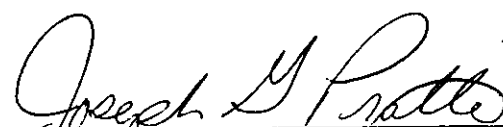
Grantors hereby acknowledge that the Riverside Municipal Airport is an operating airport subject to increases in the intensity of use and operation, including present and future noise, sound or shock waves, vibrations, dust, smoke, odors, fumes, and fuel particles and related conditions, and Grantors hereby fully waive, remise and release any right or cause of action which Grantors 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.

Grantors, on the behalf of Grantors and the successors and assigns of Grantors, agree 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 Grantors and the heirs, administrators, executors, successors and assigns of Grantors.

Dated 2/3/92



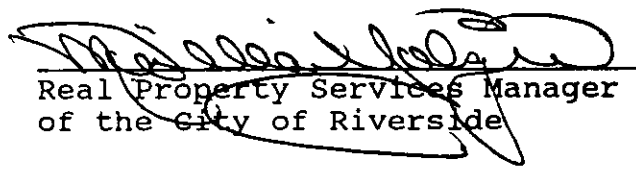
JOSEPH G. PRATTE


SUSAN M. PRATTE

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 21, 1992


Real Property Services Manager
of the City of Riverside

PRATTE.054
01/30/92

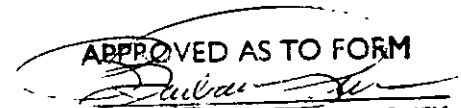

APPROVED AS TO FORM
CHIEF ASSISTANT CITY ATTORNEY

EXHIBIT A
C-54-878

THAT PORTION OF LOTS 11 AND 14 IN BLOCK 17 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:

BEGINNING AT A POINT IN THE SOUTHEASTERLY LINE OF SAID LOT 14; BEING IN THE NORTHWESTERLY LINE OF MAGNOLIA AVENUE AT THE MOST EASTERLY CORNER OF THAT CERTAIN PARCEL OF LAND CONVEYED TO VIRGINIA M. HOLDEN BY JULIA F. MOULTON BY DEED RECORDED MAY 18, 1922 IN BOOK 568, PAGE 213 OF DEEDS, RIVERSIDE COUNTY RECORDS;

THENCE NORTHWESTERLY, AT RIGHT ANGLES TO THE NORTHWESTERLY LINE OF MAGNOLIA AVENUE, TO THE CENTER LINE OF THE LOWER CANAL OF THE RIVERSIDE WATER COMPANY;

THENCE NORTHEASTERLY, ON THE CENTER LINE OF SAID CANAL, TO THE MOST NORTHERLY CORNER OF THAT CERTAIN 6 ACRE TRACT OF LAND CONVEYED TO SABRA B. PERRIS BY MRS. E.E. RUDISILL AND HUSBAND BY DEED RECORDED FEBRUARY 23, 1881 IN BOOK 24, PAGE 228 OF DEEDS, SAN BERNARDINO COUNTY RECORDS;

THENCE SOUTHWESTERLY, ALONG THE NORTHEASTERLY LINE OF SAID 6 ACRE PARCEL, TO THE NORTHWESTERLY LINE OF MAGNOLIA AVENUE;

THENCE SOUTHWESTERLY, ALONG THE NORTHWESTERLY LINE OF MAGNOLIA AVENUE, 108 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

DESCRIPTION APPROVAL 1/30/92
George P. Hutchinson
SURVEYOR CITY OF RIVERSIDE

106598

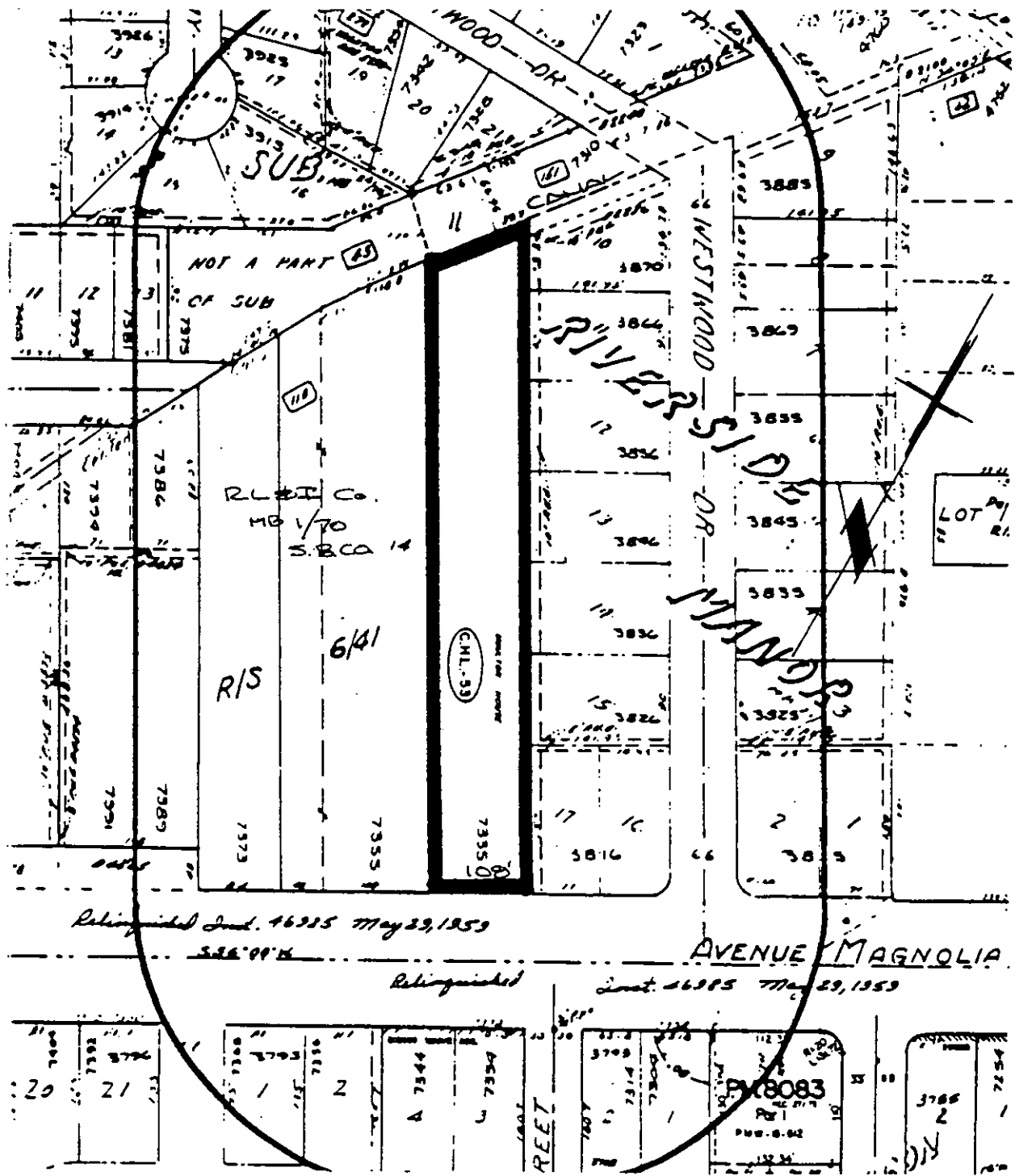
106598

RECEIVED FOR RECORD
AT 2:00 O'CLOCK

MAR 26 1992

Recorded in Official Records
of Nevada County, California

W. J. [Signature] Recorder
Fees \$ _____



RECORDER'S MEMO: Legibility of writing.
Typing of Printing UNSATISFACTORY
In this document when received For Record.

• 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

S/12

SCALE: 1" =

DRAWN BY WF DATE 1/29/92

SUBJECT C-54-878