

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)

386547

RECEIVED FOR RECORD
AT 12:00 O'CLOCK

OCT - 1 1993

Recorded in Official Records
of Riverside County, California

Recorder
Fees \$
Willie Blundy

FOR RECORDER'S OFFICE USE ONLY

Project: Building Permit
5171 Arlington Avenue
A.P.N. 226-171-023

13582

AVIGATION EASEMENT

WHEREAS JAMES MARTIN SLEPSKI and KATHERINE MARIE SLEPSKI, husband and wife as community property, 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 as follows:

Lots 1 and 2 of Hardman Tract, as shown by map on file in Book 22, Pages 3 and 4 of Maps, records of Riverside County, California;

EXCEPTING THEREFROM the southerly 27.00 feet of said Lots 1 and 2.

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

DESCRIPTION APPROVAL 9/16/93
Scott Warren by —
for SURVEYOR, CITY OF RIVERSIDE

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 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.

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.

386547 No. 5183

State of California
County of San Bernardino

On 9/17/93 before me, Cathi A. Ringstad
DATE NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"

personally appeared James Martin and Katherine Marie Sleski
NAME(S) OF SIGNER(S)

personally known to me - OR - proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

OFFICIAL SEAL
CATHI A. RINGSTAD
NOTARY PUBLIC-CALIFORNIA
SAN BERNARDINO COUNTY
My Comm. Exp. Nov. 15, 1994

WITNESS my hand and official seal.
Cathi A. Ringstad
SIGNATURE OF NOTARY

OPTIONAL SECTION
CAPACITY CLAIMED BY SIGNER
Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the document.

INDIVIDUAL
 CORPORATE OFFICER(S)
TITLE(S)
 PARTNER(S) LIMITED GENERAL
 ATTORNEY-IN-FACT
 TRUSTEE(S)
 GUARDIAN/CONSERVATOR
 OTHER: _____

SIGNER IS REPRESENTING:
NAME OF PERSON(S) OR ENTITY(IES)

OPTIONAL SECTION
TITLE OR TYPE OF DOCUMENT _____
NUMBER OF PAGES _____ DATE OF DOCUMENT _____
SIGNER(S) OTHER THAN NAMED ABOVE _____

THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED AT RIGHT:
Though the data requested here is not required by law, it could prevent fraudulent reattachment of this form.

GENERAL ACKNOWLEDGEMENT

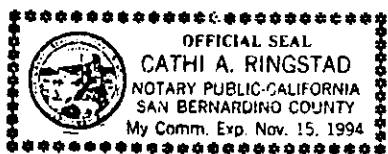
State of California }
County of San Bernardino }^{ss}

On Sept. 17 1993, before me Cathi A. Ringstad
(date) (name)

a Notary Public in and for said State, personally appeared

James Martin Slepski and Katherine Marie Slepski
Name(s) of Signer(s)

personally known to me - OR - proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Cathi A. Ringstad
Signature

OPTIONAL SECTION

CAPACITY CLAIMED BY SIGNER

- () Attorney-in-fact
- () Corporate Officer(s)

Title _____

Title _____

- () Guardian/Conservator
- () Individual(s)
- () Trustee(s)
- () Other

- () Partner(s)
- () General
- () Limited

The party(ies) executing this document is/are representing:

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. 18233 of said City Council adopted May 11, 1993, and the grantee consents to recordation thereof by its duly authorized officer.

Dated 9/30/93

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



WAY

39'

39'

CAPISTRANO

3

HARDMAN TRACT
MB 22/4

1

2

P.M. 16289
P.M.B. 79/32-33

13'

66'

66'

9/6/85

201129

3/14/61
21787

3/14/61
21780

27'

15'

60'

N89° 21' 30" E

ARLINGTON

AVENUE

REVISED 9/16/93

• CITY OF RIVERSIDE, CALIFORNIA •

D13582

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

4/15

SCALE: 1" = 40'

DRAWN BY Kae DATE 7/9/85

SUBJECT AVIG. ESMT. for Bldg Permit 5171 Arlington