

When Recorded Mail To:

City Clerk  
City of Riverside  
City Hall, 3900 Main Street  
Riverside, California 92522

RECEIVED FOR RECORD  
AT 8:00 O'CLOCK

SEP 22 1995

**FREE RECORDING**

This instrument is for the benefit  
of the City of Riverside and is  
entitled to be recorded without fee.  
(Government Code §6103)

Recorded in Official Records  
of Riverside County, California

Recorder  
Fees \$           

FOR RECORDER'S OFFICE USE ONLY

Project: CU-025-912  
5694 Jurupa Avenue  
A.P.N. 190-040-001

AVIGATION EASEMENT

WHEREAS RIVERSIDE NEW JOY BAPTIST CHURCH, 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 as follows:

That portion of the West 3.82 acres of Government Lot 2 in Fractional Section  
29, Township 2 South, Range 5 West, San Bernardino Meridian, as shown by  
United States Government Survey, described as follows:

BEGINNING at the intersection of the west line of said Government Lot 2, with  
the south line of Jurupa Avenue, (88.00 feet in width);

THENCE South 85°47'20" East, along the south line of Jurupa Avenue, a  
distance of 164.88 feet to a point which bears North 85°47'20" West, a  
distance of 90.00 feet from the northwest corner of Parcel 1 as shown by  
Record of Survey on file in Book 22, Page 66 of Record of Surveys, Riverside  
County, California;

THENCE South 0°03'02" East, parallel with the west line of said Parcel 1, a  
distance of 211.50 feet;

THENCE South 85°47'20" East, parallel with the southerly line of Jurupa  
Avenue, a distance of 90.00 feet to a point on the west line of said Parcel 1;

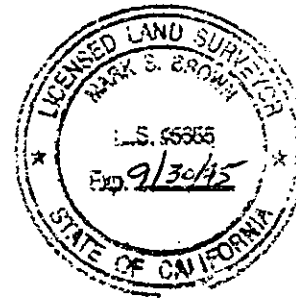
THENCE South 0°03'02" East, along the west line of said Parcel 1, and the  
southerly prolongation of said west line, a distance of 388.39 feet to the

northeasterly right-of-way line of the Union Pacific Railroad;

THENCE North 44°51'53" West, along said right-of-way line, a distance of 360.78 feet to a point on the west line of said Government Lot 2;

THENCE North 0°02'07" West, a distance of 362.90 feet to the POINT OF BEGINNING.

This description was prepared by me or under my direction in conformance with the requirements of the Land Surveyors Act.



*Mark S. Brown* 9/6/95 Prep. *Kop*  
Mark S. Brown, L.S. 5655 Date  
License Expires 9/30/95

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.

The foregoing grant of easement shall not be considered as otherwise prohibiting the use of the Grantor's property for any lawful purpose below minimum flight altitudes for aircraft presently authorized or hereafter authorized by the appropriate federal or state authority, provided all applicable federal, state and local regulations pertaining to height restrictions are adhered to.

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 9/15/95

RIVERSIDE NEW JOY BAPTIST CHURCH, a California corporation

By [Signature]

Title Pastor

By Franklin Ashmore

Title Chairman Trustee Board

316040

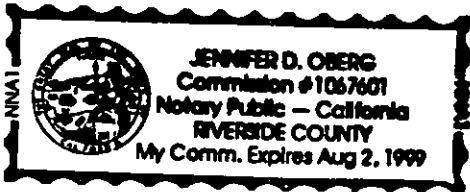
GENERAL ACKNOWLEDGEMENT

State of California }  
County of Riverside } ss

On September 15, 1995 before me Jennifer D. Oberg, Notary Public  
(date) (name)

a Notary Public in and for said State, personally appeared  
Paul S. Munford and Franklin Ashmore  
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) 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.

*Jennifer D. Oberg*  
Signature

OPTIONAL SECTION

CAPACITY CLAIMED BY SIGNER

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

Title \_\_\_\_\_

Title \_\_\_\_\_

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

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

The party(ies) executing this document is/are representing:  
Riverside New Joy Baptist Church

CERTIFICATE OF ACCEPTANCE  
(Government Code Section 27281)

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.

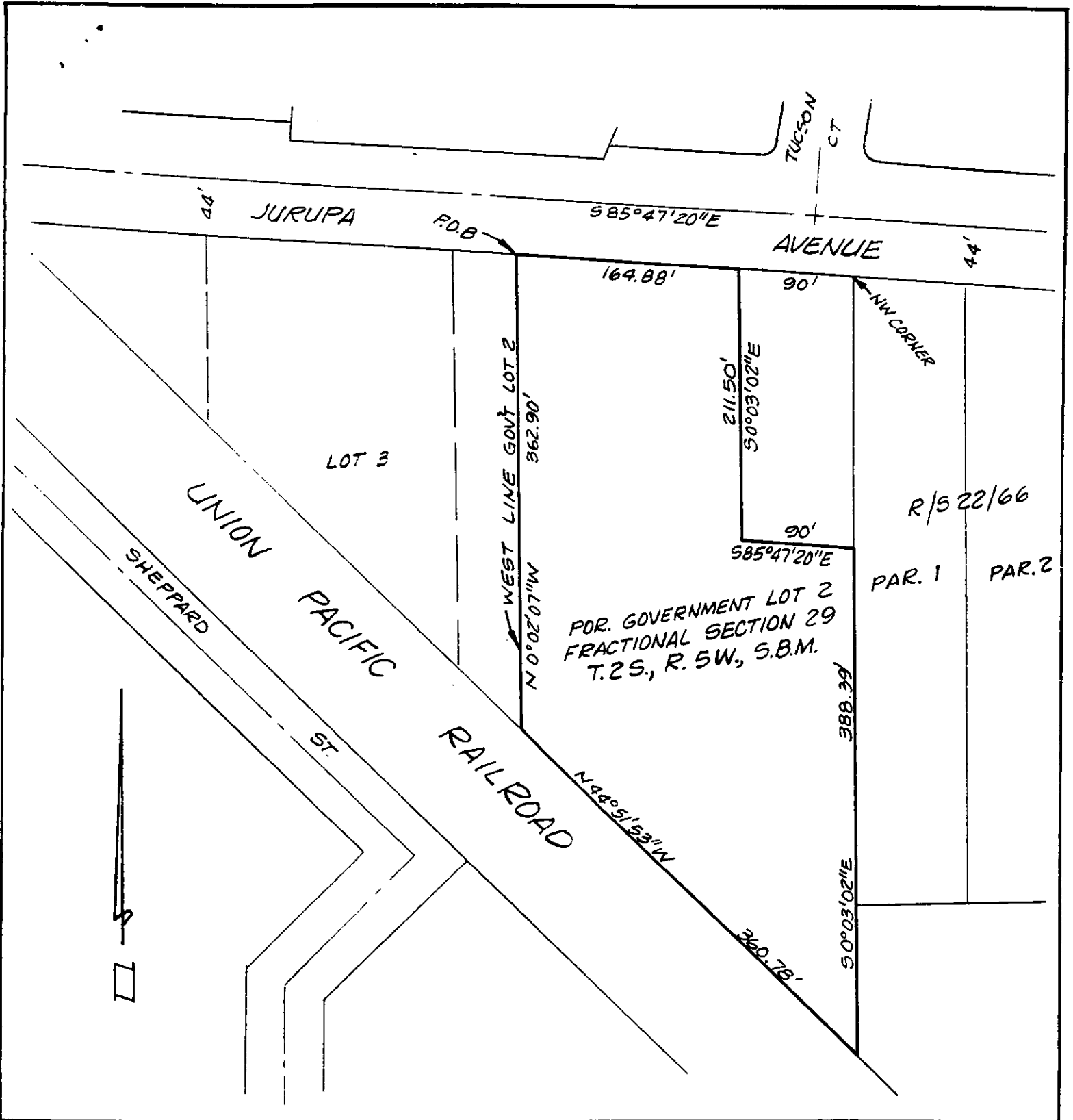
Dated 9/20/95

CITY OF RIVERSIDE

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

APPROVED AS TO FORM

*[Signature]*  
Stan T. Yamamoto, City Attorney



• 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

37/7

SCALE: 1" = 100'

DRAWN BY K93 DATE 2/6/95

SUBJECT CU-25-912