

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 §6102)

Project: MP 003-778

**DOC # 1999-374578**

08/20/1999 08:00A Fee:NC

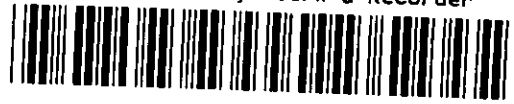
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Recorded in Official Records

County of Riverside

Gary L. Orso

Assessor, County Clerk & Recorder



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FOR RECORDERS'S USE ONLY

**AVIGATION EASEMENT**

WHEREAS Flexsteel Industries, Incorporated, ("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, ("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, ("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

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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 the minimum flight altitudes for aircraft presently authorized pursuant to Federal Aviation Regulation, Part 77, Objects Affecting Navigable Airspace, 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:

Flexsteel Industries,  
Incorporated

By: K. Bruce Lauritsen

K. Bruce Lauritsen  
[Printed Name]  
President  
[Title]

By: R. J. Klosterman

R. J. Klosterman  
[Printed Name]  
Vice President & Secretary  
[Title]

APPROVED AS TO FORM:

Kathleen M. Boyer  
Assistant City Attorney



STATE OF IOWA )  
 ) SS.  
COUNTY OF DUBUQUE )

I JEFFREY D HOWE, a Notary Public in and for said County, in the State  
aforesaid, DO HEREBY CERTIFY that K Bruce Lauritsen and  
RJ Klosterman are personally known to me and appeared  
before me this day and signed the foregoing instrument, as the duly authorized President  
and Vice Pres. & Secretary of Flexsteel Industries, Inc..

Subscribed and sworn to before me this 11 day of August, 1999.

Jeffrey D Howe  
Notary Public



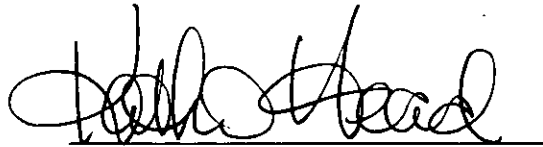
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CERTIFICATE OF ACCEPTANCE

(Government Code §27281)

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

Dated: 8/18/99



Real Property Services Manager  
of the City of Riverside



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**"EXHIBIT "A"**

**PARCEL 1:**

Lots 61 & 62 of McClaskey Tract as per map recorded in book 10 pages 36 and 37 of Maps, Riverside County Records.

Except that portion lying Southeasterly of the Northwesterly line of that portion conveyed to Rohr Aircraft Corporation, for Railroad right of way in deed recorded February 20, 1961 as Instrument No. 14345.

**PARCEL 2:**

That portion of Lots 63 and 64 of McClaskey Tract as per map recorded in book 10 pages 36 and 37 of Maps, Riverside County Records, described as follows:

Beginning at the Southeasterly corner of Lot 64 of McClaskey Tract as recorded in said book 10 pages 36 and 37; thence West along the Southerly line of said Lot 64, 127.03 feet; thence North 0° 17' 30" East, 621 feet to the Northerly line of said Lot 63; thence easterly along the northerly line of said Lot 63, 124.14 feet to the Northeasterly corner of said Lot 63; thence South 0° 01' 30" West, along the Easterly line of said 63 and 64, 621 feet to the point of beginning.

Except from Lots 63 and 64 that portion lying Southeasterly of the Northwesterly line of that portion conveyed to Rohr Aircraft Corporation, for Railroad right of way in deed recorded February 20, 1961 as Instrument No. 14345.

**PARCEL 3:**

Lots 63 and 64 of McClaskey Tract as per map recorded in book 10 pages 36 and 37 of Maps, Riverside County Records.

Except from said Lots 63 and 64 of the following described portion thereof:

Beginning at the Southeasterly corner of said Lot 64; thence West along the Southerly line of said Lot 64, 127.03 feet; thence North 00° 17' 30" East, 621.01 feet to the Northerly line of said Lot 63; thence Easterly along the Northerly line of said Lot 63, 124.14 feet to the Northeasterly corner of said Lot 63; thence South 00° 01' 30" West, along the Easterly line of said Lots 63 and 64, 621 feet to the point of beginning.

Also except the land shown as Parcel 4 of Record of Survey in book 33 pages 2 and 3 of Records of Survey, Riverside County Records.

Also except that portion of Lot 64 lying Southeasterly of the Southeasterly line of Parcel 4, Records of Survey in book 33 pages 2 and 3 of Records of Survey, Riverside County Records.,

Also excepting the southerly 14 feet as deeded to the City of Riverside by deed recorded February 17, 1961 as Instrument No. 14236.

Said land is also situated in the City of Riverside.

DESCRIPTION APPROVAL

*Mike B. B. B.*  
203.97

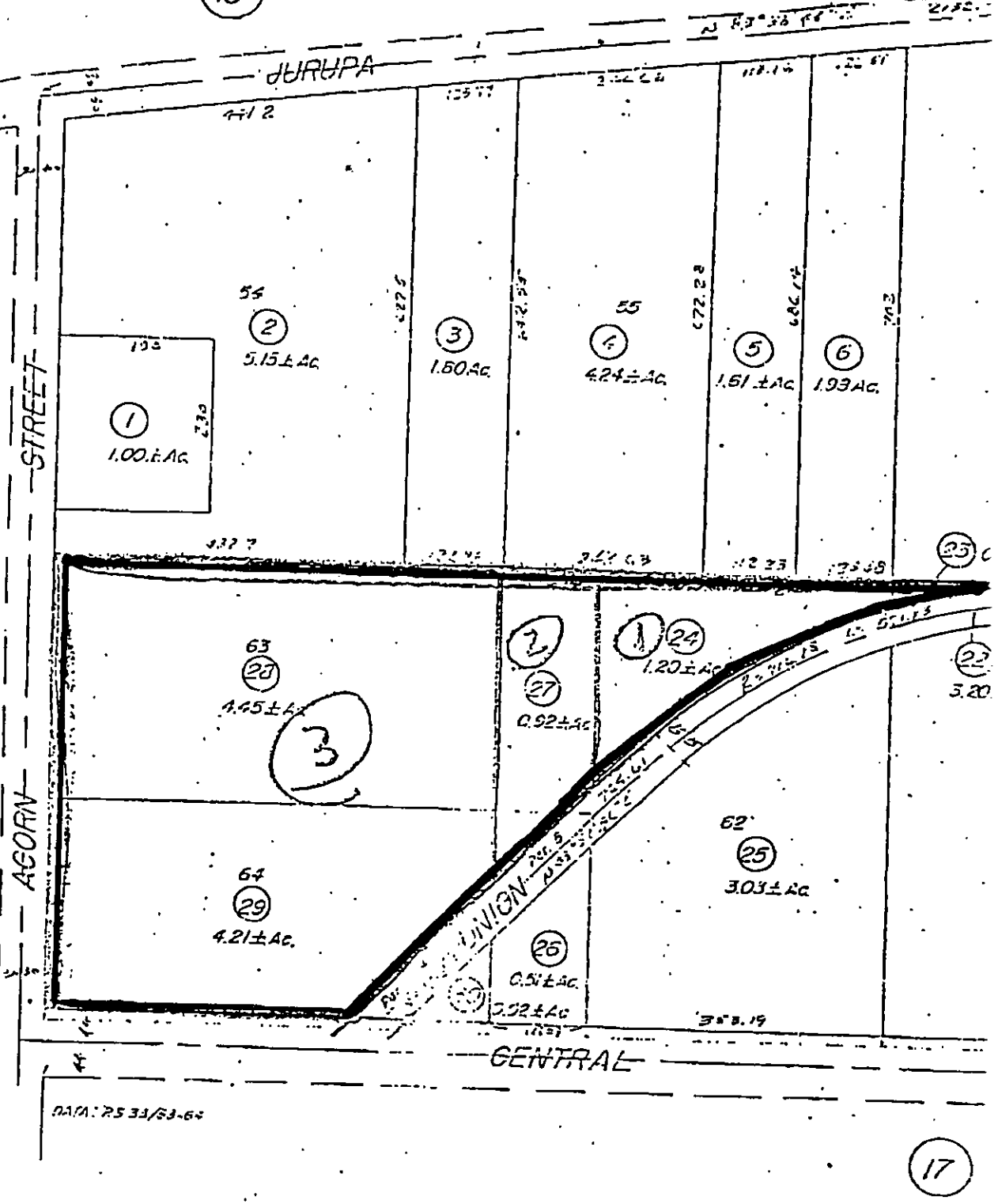


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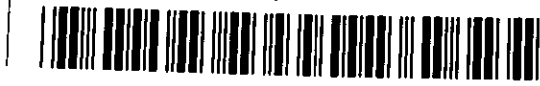
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ASSESSOR'S MAP BK 189-PG 16  
RIVERSIDE COUNTY, CALIF.  
JK



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