

DOC # 2003-122888

02/21/2003 08:00A Fee:NC

Page 1 of 8

Recorded in Official Records

County of Riverside

Gary L. Orso

Assessor, County Clerk & Recorder

When recorded mail to:

City Clerk's Office  
City of Riverside  
City Hall, 3900 Main Street  
Riverside, California 92522



10

**FREE RECORDING**

This instrument is for the benefit of the March Air Reserve Base/ March Inland Port and is entitled to be recorded without fee (Government Code \_6103)

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FOR RECORDER'S OFFICE USE ONLY

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CR

Project: 2194 OLD BRIDGE ROAD, RIVERSIDE, CA 92506  
A.P.N. 243-370-009

15080

**AVIGATION EASEMENT**

(MARCH AIR RESERVE BASE/ MARCH INLAND PORT)

SHARON SMITH NEVINS

WHEREAS RICHARD F. NEVINS, hereinafter called the "Grantor", is the owner in fee of that certain real property as described in Exhibit "A" attached hereto and incorporated herein by this reference, located in the County of Riverside, State of California, hereinafter called "Grantor's Property"; and

WHEREAS the property interest of the Grantor is located within the Air Installation Compatible Use Zone (AICUZ) for March Air Reserve Base/ March Inland Port, operated by the Department of Defense of the United States of America and the March Joint Powers Authority, and within the flight path of aircraft operating from said Air Reserve Base; and

WHEREAS the Grantor has sought approval from the City of Riverside for the development of the property interest of the Grantor by the project above-referenced; and

WHEREAS the Airport Land Use Commission for the County of Riverside (ALUC) found the project consistent with the County Land Use Plan for March Air Reserve Base, subject to granting of an avigation easement to March Air Reserve Base/ March Inland Port; and

WHEREAS the Grantor now desires to grant an avigation easement over the property interest of Grantor to March Air Reserve Base/ March Inland Port for the purpose of complying with the condition imposed by ALUC;



**NOW, THEREFORE FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, GRANTOR does hereby grant to the, hereinafter referred to March Air Reserve Base/ March Inland Port as "Grantee", its successors and assigns, for the use and benefit of the public, including, but not limited to, the United States Armed Forces, a perpetual easement and right of flight for the passage of aircraft by whomsoever owned and operated in the airspace above the surface of the property of the Grantor 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. "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.**

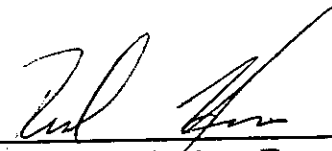
**Grantor hereby acknowledges that March Air Reserve Base/ March Inland Port is an operating airport subject to increases in the intensity of use and operation, including present and future noise, sound or shock waves, vibrations, dust, smoke, odors, fumes, and fuel particles and related conditions, 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 March Air Reserve Base/ March Inland Port or other airport or air facility which is or may be located at or near the site of said Air Reserve Base. 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 March Air Reserve Base/ March Inland Port and aircraft, or to cause difficulty for pilots to distinguish between airport lights and other lights or to impair visibility in the vicinity of March Air Reserve Base/ March Inland Port, or to otherwise endanger the landing, take-off, or maneuvering of aircraft on or at said Air Reserve Base.**

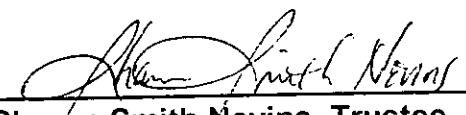
**The foregoing grant of easement shall not be considered as otherwise prohibiting the use of the property of the Grantor for any lawful purpose below minimum flight altitudes for aircraft presently authorized or hereafter authorized by the appropriate federal or state authority, provided all applicable 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 2/5/2003

By:   
Richard F. Nevins, Trustee  
Richard and Sharon Nevins  
2001 Trust dated March 16, 2001

Dated 2/7/2003

By:   
Sharon Smith Nevins, Trustee  
Richard and Sharon Nevins  
2001 Trust dated March 16, 2001





**GENERAL ACKNOWLEDGEMENT**

State of California  
County of RIVERSIDE ss

On February 5, 2003,  
me MICHAEL C. TEER, SR  
(name)

before

a Notary Public in and for said State, personally appeared

RICHARD F. NEVINS

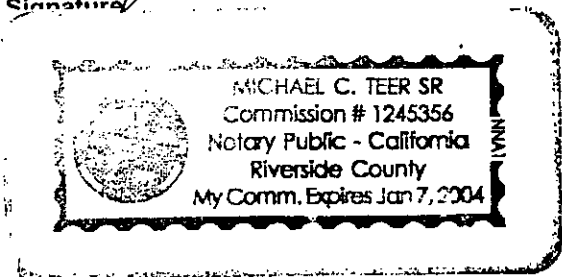
Name(s) of Signer(s)

OR - proved to me on the basis of

factory 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.

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

ILLEGIBLE NOTARY SEAL DECLARATION  
(GOVERNMENT CODE 27361.7)

I certify under penalty of perjury that the notary seal on the document to which this statement is attached reads as follows:

Name of Notary MICHAEL C. TEER

Commission No. 1245356

Date Commission Expires JAN 7, 2004

Date and Place of Notary Execution RIVERSIDE 2/5/03

Date and Place of This Declaration RIVERSIDE 2/21/03

  
Signature

RICHARD NEJINS  
Firm Name (if any)





**GENERAL ACKNOWLEDGEMENT**

State of California  
County of San Bernardino ss

On February 7th, 2003  
me Ursula Schwab - Notary Public,  
(name)

before

a Notary Public in and for said State, personally appeared

SHARON SMITH NEVINS

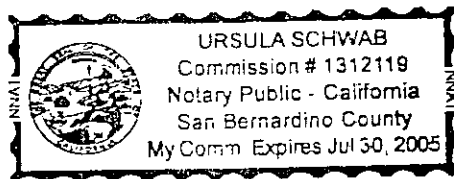
Name(s) of Signer(s)

OR - proved to me on the basis of

factory 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.

Ursula Schwab  
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



**CERTIFICATE OF ACCEPTANCE**  
**(Government Code Section 27281)**

**THIS IS TO CERTIFY that the interest in real property conveyed by the within instrument to the March Air Reserve Base/ March Inland Port is hereby accepted by the undersigned officer on behalf of the March Joint Powers Authority, a government entity, pursuant to authority conferred by Resolution No. MIPAA-01-01 adopted May 16, 2001, and the grantee consents to recordation thereof by its duly authorized officer.**

Date 2/7/03

March Joint Powers Authority

Philip A. Rizzo

Philip A. Rizzo  
Executive Director



03-122088  
03-21/2003 08:08A  
8 of 8

RECORDING REQUESTED BY  
First American Title Company

RECORDING REQUESTED BY

2186278

AND WHEN RECORDED MAIL THIS DEED AND, UNLESS OTHERWISE SHOWN BELOW, MAIL TAX STATEMENTS TO:

Name  
Street Address  
City State Zip  
Richard Nevins & Sharon Nevins  
4136 10th Street  
Riverside, CA 92901

009-002

ORDER NO. 2186278  
ESCROW NO. 3852-MS

DOC # 2001-131081

03/30/2001 08:00A Fee:6.00  
Page 1 of 1 Doc T Tax Paid  
Recorded in Official Records  
County of Riverside  
Gary L. Orso  
Assessor, County Clerk & Recorder



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A	R	L	COPY	LONG	REFUND	NCHG	EXAM		

GRANT DEED

TAX PARCEL NO. 243-370-009

The undersigned declares that the documentary transfer tax is \$363.00 and is X computed on the full value of the interest of the property conveyed, or is \_\_\_\_\_ computed on the full value less the value of liens or encumbrances remaining thereon at the time of sale.



The land, tenements or realty is located in \_\_\_\_\_ unincorporated area X city Riverside and FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, Scott R. Yates and Marylynn V. Yates, Husband and Wife as Joint Tenants

hereby GRANT(S) to

Richard F. Nevins and Sharon Smith Nevins, Trustees of the Richard and Sharon Nevins 2001 Trust dated March 16, 2001

The following described real property in the City of Riverside County of Riverside, State of California:

Lot 9 of Tract No. 21156 as per map recorded in Book 185, Page(s) 8 through 10 inclusive of maps, in the office of the county recorder of the said county.

Dated 01/24/2001

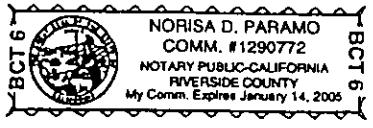
STATE OF CALIFORNIA, )  
COUNTY OF Riverside )

On Feb. 3, 2001 before me,  
NORISA D. PARAMO / NOTARY PUBLIC  
(insert name/title of the officer), personally appeared

Scott R. Yates & Marylynn V. Yates

*Scott R. Yates*  
Scott R. Yates  
*Marylynn V. Yates*  
Marylynn V. Yates

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.



Signature Norisa D. Paramo

(Notary Seal)

MAIL TAX STATEMENTS TO PARTY SHOWN BELOW: IF NO PARTY SO SHOWN, MAIL AS DIRECTED ABOVE.

Richard Nevins & Sharon Nevins 4136 10th Street Riverside, CA 92901  
Name Street Address City & State

" EXHIBIT A "