

STEWART TITLE - Riverside  
COMMERCIAL DIVISION

ACCOMMODATION NO: 3/8/2004/MISC.

When recorded mail to:

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

DOC # 2004-0171296

03/11/2004 08:00A Fee:NC

Page 1 of 11

Recorded in Official Records

County of Riverside

Gary L. Orso

Assessor, County Clerk & Recorder



FREE RECORDING

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

(unincorporated area)

TRA NO: 099-055

Project: Jurupa Valley Spectrum Walgreen's  
A.P.N. 166-620-036, 166-620-037, 166-620-038-2

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**AVIGATION EASEMENT  
(RIVERSIDE MUNICIPAL AIRPORT)**

WHEREAS Jurupa Valley Spectrum, LLC, hereinafter referred to as the "Grantor", is the owner in fee of that certain real property situated in the County of Riverside, State of California, described in **Exhibit "A"**, attached hereto and incorporated herein by this reference, hereinafter called "the property of the Grantor"; and

WHEREAS the property of the Grantor 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 County of Riverside for the development of the property of the Grantor by the project above-referenced; and

WHEREAS the County of Riverside has conditioned the approval of such project by requiring the granting of an avigation easement over the property of the Grantor;

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

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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 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 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 a 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; provided, however, the improvements approved under County of Riverside Plot Plan # 18847 and Environmental Assessment # 39199 are permitted to be constructed upon the property of the Grantor.

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.

Notwithstanding the foregoing, nothing contained herein shall prevent Grantor or its heirs, administrators, executors, lessees, sublessees, successors and assigns from installing and/or maintaining a roof-mounted satellite dish on the property of the Grantor so long as it does not interfere with the operation of the 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 Grantor and the heirs, administrators, executors, successors and assigns of Grantor until the Riverside Municipal Airport shall be abandoned or shall otherwise cease to be used for public purposes.

Dated FEBRUARY 24, 2004

Jurupa Valley Spectrum, LLC  
By: Southland Land Corporation  
Its: Manager

  
\_\_\_\_\_  
Michael L. Keele  
President

Concurs with:   
\_\_\_\_\_  
John Sabatello, Airport Director

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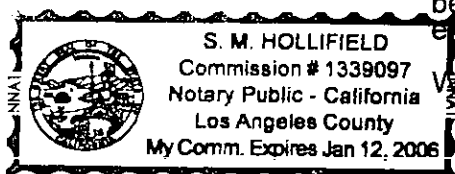
GENERAL ACKNOWLEDGEMENT

State of California
County of Los Angeles } ss

On February 24, 2004, before me S.M. Hollifield
(date) (name)

a Notary Public in and for said State, personally appeared
Michael L. Keele
Name(s) of Signer(s)

[X] 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.

[Signature]
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:

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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. 20534 of said City Council adopted September 23, 2003 and the grantee
consents to recordation thereof by its duly authorized officer.

Dated 2/24/04

CITY OF RIVERSIDE

APPROVED AS TO FORM
CITY ATTORNEY'S OFFICE

By: \_\_\_\_\_

[Signature]
Deputy City Attorney

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: S. M. Hollifield

Commission No.: 1339097

Date Commission expires: 1-12-06

County: Los Angeles

By: DM

Date: 3-10-04

CERTIFICATION

Under the provisions of Government Code 27361.7 I certify under the penalty of perjury that the following is a true copy of illegible wording found in the attached document:

(Print or type the page number(s) and wording below):

executed

Date: 3-10-04

Signature: 

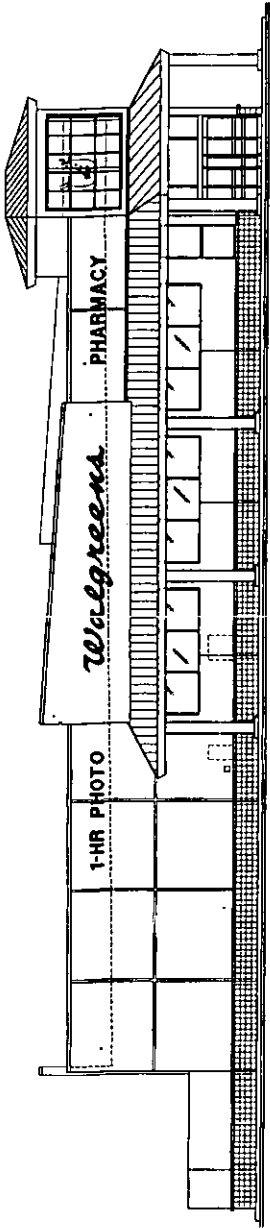
EXHIBIT "A"

THE LAND REFERRED TO HEREIN IS SITUATED IN THE STATE OF CALIFORNIA, COUNTY OF RIVERSIDE, DESCRIBED AS FOLLOWS:

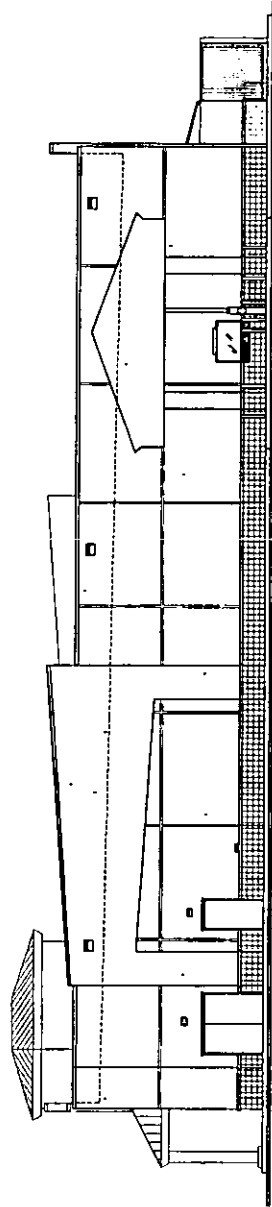
PARCELS 2 THROUGH 4 INCLUSIVE OF PARCEL MAP No. 28689, AS SHOWN BY MAP ON FILE IN BOOK 197, PAGES 48 THROUGH 50 INCLUSIVE OF PARCEL MAPS, RECORDS OF RIVERSIDE COUNTY, CA.

SAID PARCELS 3 AND 4 ARE SHOWN AND DEFINED AS PARCEL A ON LOT LINE ADJUSTMENT No. 4654, RECORDED NOVEMBER 4, 2003 AS INSTRUMENT No. 2003-873056 OF OFFICIAL RECORDS.

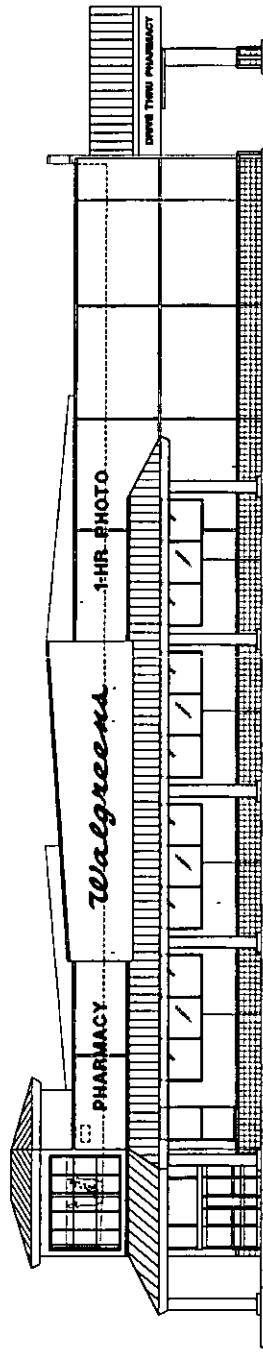




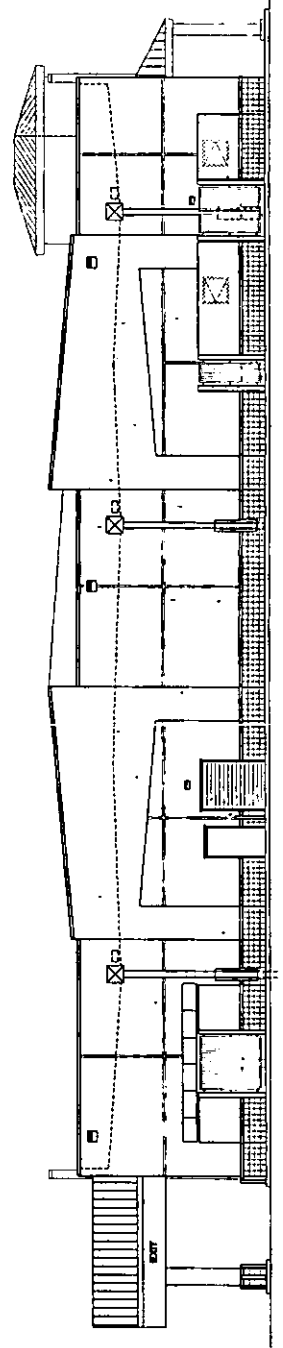
East Elevation



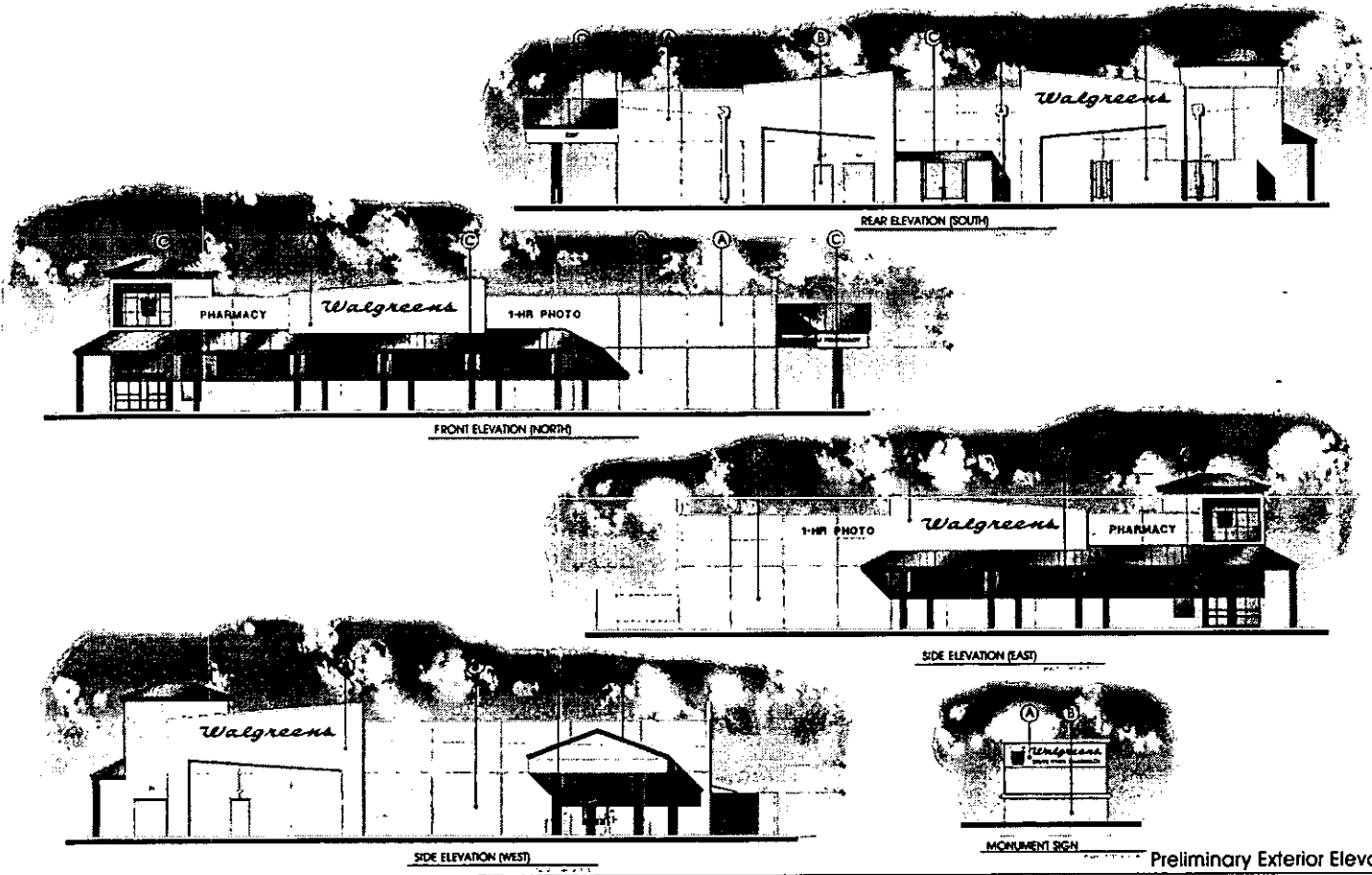
West Elevation



North Elevation



South Elevation



FRONT ELEVATION (NORTH)

REAR ELEVATION (SOUTH)

SIDE ELEVATION (EAST)

MONUMENT SIGN

Preliminary Exterior Elevations



- (A) Vero Paint  
Lanterns Glow  
90
- (B) Vero Paint  
Mardi Sunset  
87
- (C) Vero Paint  
Whispering Hour  
847

Walgreens  
 5.W.C. Clay Street & Limonite Avenue  
 Riverside County, California  
 August 11, 2003

EL PALOMINO DRIVE

NOT A PART

NOT A PART

NOT A PART

NOT A PART

NOT A PART

NOT A PART

NOT A PART

NOT A PART

NOT A PART



LINCOLN AVENUE

BUILDING  
14,820 S.F.

NOT A PART

NOT A PART

DE ANZA PLAZA DRIVE

NOT A PART

CLAY STREET

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