

DOC # 2007-0126710

02/23/2007 08:00A Fee:NC

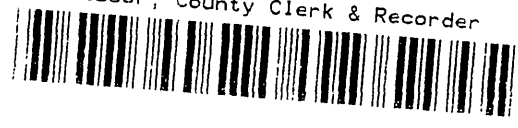
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Recorded in Official Records

County of Riverside

Larry W. Ward

Assessor, County Clerk & Recorder



When recorded mail to:

City Clerk's Office  
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)

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M	A	L	465	426	PCOR	NCOR	SMF	NCHG	EXAM 500

FOR RECORDER'S OFFICE USE ONLY

Project: LL P06-0935  
A.P.N. 189-270-014, thru -019  
Address: 6840 thru 6890 Airport Drive

D-

C  
508

**AVIGATION EASEMENT**  
**(RIVERSIDE MUNICIPAL AIRPORT)**

WHEREAS AIRPORT PARTNERS, LLC, a California Limited Liability Company, hereinafter referred to as the "Grantor", is/are the owner(s) 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, 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 City of Riverside for the development of the property of the Grantor by the project above-referenced; and

WHEREAS the Riverside County Airport Land Use Commission 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

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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 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 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.

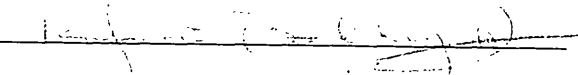
The foregoing grant of easement shall not be considered as otherwise prohibiting the use of the property of the Grantor for any lawful purpose below minimum flight altitudes for aircraft presently authorized or hereafter authorized by the appropriate federal or state authority, provided all applicable 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 1/24/07

AIRPORT PARTNERS, LLC, a California Limited Liability Company

By: 

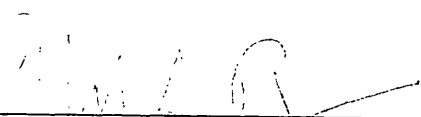
By: 

Print Name: DARRELL A. BUTLER

Print Name: \_\_\_\_\_

Title: MANAGING MEMBER

Title: \_\_\_\_\_

Concurs with:   
Airport Director



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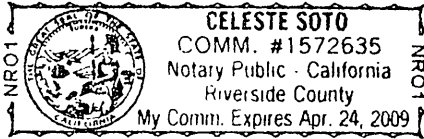
**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

State of California  
County of \_\_\_\_\_ } ss.

On \_\_\_\_\_ before me, \_\_\_\_\_  
Date Name and Title of Officer (e.g., Jane Doe, Notary Public)  
personally appeared \_\_\_\_\_  
Name(s) of Signer(s)

- personally known to me
- 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 of Notary Public

**OPTIONAL**

*Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.*

**Description of Attached Document**

Title or Type of Document: \_\_\_\_\_

Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_

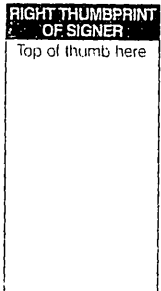
Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer**

Signer's Name: \_\_\_\_\_

- Individual
- Corporate Officer — Title(s): \_\_\_\_\_
- Partner —  Limited  General
- Attorney-in-Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_



15950

**GENERAL ACKNOWLEDGEMENT**

State of California  
County of Riverside } ss

On 2/8/07, before me [Signature]  
(date) (name)

a Notary Public in and for said State, personally appeared

\_\_\_\_\_  
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.

\_\_\_\_\_  
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 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. 21027 of said City Council adopted September 6, 2005 and the grantee consents to recordation thereof by its duly authorized officer.

DATED 2/8/07

**CITY OF RIVERSIDE**

By: Amelia M. Varian

APPROVED AS TO FORM

\_\_\_\_\_  
SUPERVISING DEPUTY CITY ATTORNEY



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EXHIBIT 'A'

PARCEL "A" - LEGAL DESCRIPTION:

LOT 6 OF TRACT NO. 4187, IN THE CITY OF RIVERSIDE, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN ON THE MAP RECORDED IN BOOK 69, PAGES 83 AND 84 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY.

TOGETHER WITH THE NORTHERLY 69.00 FEET OF LOT 5 OF SAID TRACT NO. 4187.

PARCEL "B" - LEGAL DESCRIPTION:

LOT 4 OF TRACT NO. 4187, IN THE CITY OF RIVERSIDE, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN ON THE MAP RECORDED IN BOOK 69, PAGES 83 AND 84 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY.

TOGETHER WITH THE SOUTHERLY 24.00 FEET OF LOT 5 AND THE NORTHERLY 34.50 FEET OF LOT 3 OF SAID TRACT NO. 4187.

PARCEL "C" - LEGAL DESCRIPTION:

LOT 2 OF TRACT NO. 4187, IN THE CITY OF RIVERSIDE, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN ON THE MAP RECORDED IN BOOK 69, PAGES 83 AND 84 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY.

EXCEPTING THEREFROM THE SOUTHERLY 5.00 FEET OF SAID LOT 2.

TOGETHER WITH THE NORTHERLY 58.50 FEET OF LOT 3 OF SAID TRACT NO. 4187.

PARCEL "D" - LEGAL DESCRIPTION:

LOT 1 OF TRACT NO. 4187, IN THE CITY OF RIVERSIDE, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN ON THE MAP RECORDED IN BOOK 69, PAGES 83 AND 84 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY.

TOGETHER WITH THE NORTHERLY 5.00 FEET OF LOT 2 OF SAID TRACT NO. 4187.

MARK P. PFEILER L.S. 5959  
EXPIRES 12-31-06

2/12/06  
DATE



SHEET 1 OF 2

**R.B. ENGINEERING**

3198 N. ASHWOOD STREET  
ORANGE, CA 92865  
TELE: (714) 637-8100

DESCRIPTION APPROVED

MARK S. BROWN  
CITY SURVEYOR

DATE

PLAT FOR  
LOT LINE ADJUSTMENT  
~~LLA 06-XXXX~~  
RIVERSIDE, CALIFORNIA

LLA P06-0935

05-390/LLA-07-10-06

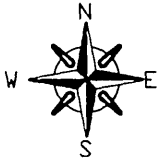


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EXHIBIT 'B'

SCALE: 1"=100'



PARCEL AREAS

PARCEL A - 29,998 SQ. FT. - 0.689 ACRES  
 PARCEL B - 28,053 SQ. FT. - 0.644 ACRES  
 PARCEL C - 27,127 SQ. FT. - 0.623 ACRES  
 PARCEL D - 37,912 SQ. FT. - 0.870 ACRES

LEGEND

- LOT LINE TO BE REMOVED
- PROPOSED LOT LINE
- LOT LINE TO REMAIN

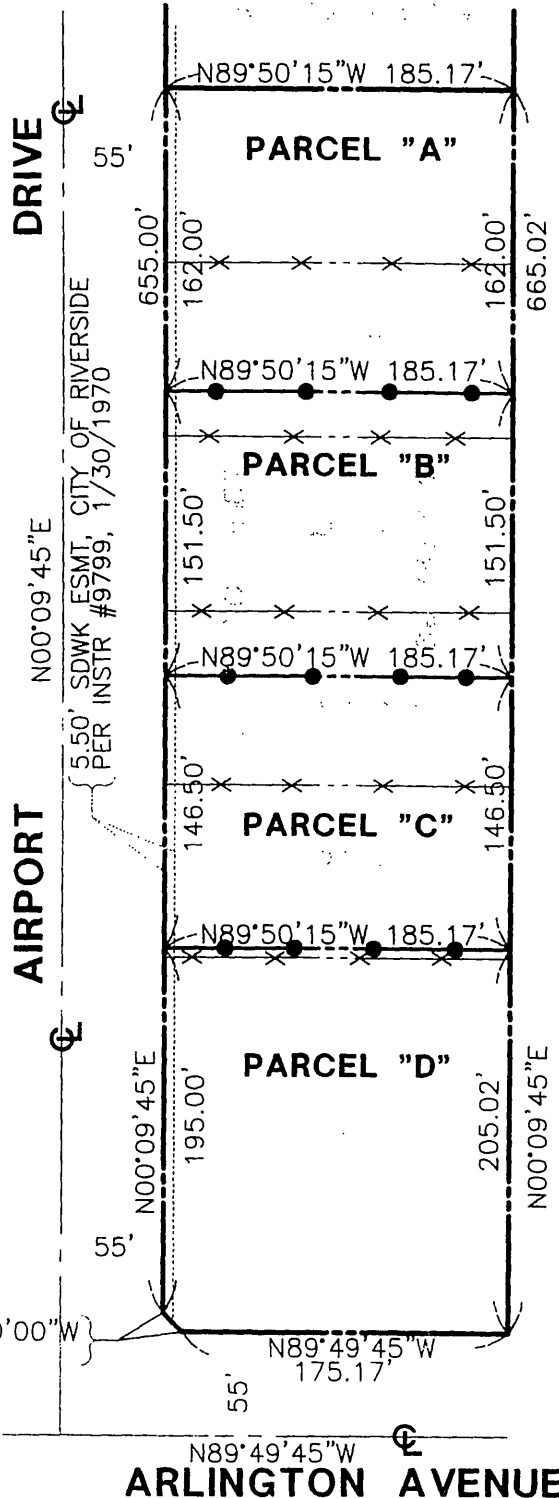
NOTE

ALL EASEMENTS ARE TO REMAIN



*Mark P. Pfeiler*  
 MARK P. PFEILER L.S. 5959  
 EXPIRES 12-31-06

7/12/06  
 DATE



N89°49'45"W  
**ARLINGTON AVENUE**

51/365

SHEET 2 OF 2

05-380/LLA-07-10-06

**R.B. ENGINEERING**  
 3198 N. ASHWOOD STREET  
 ORANGE, CA 92865  
 TELE: (714) 637-8100

PLAT FOR  
 LOT LINE ADJUSTMENT  
~~LLA 06-XXXX~~  
 RIVERSIDE, CALIFORNIA



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P06-0935

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LARRY W. WARD  
COUNTY OF RIVERSIDE  
ASSESSOR-COUNTY CLERK-RECORDER

Recorder  
P.O. Box 751  
Riverside, CA 92502-0751  
(951) 486-7000

<http://riverside.asrcrkrec.com>

CERTIFICATION

Pursuant to 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):

DARRELL A BUTLER  
MANAGING MEMBER

RUFUS C. BARKLEY III

Date: 2-23-07      2 23 07

Signature: M J Lewis      M J Lewis

Print Name: M J Lewis      M J Lewis

