

WHEN RECORDED MAIL:

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 §6103)

Project: Conditional Use Permit C-5-767  
5570 Tyler Avenue  
Riverside, California

RECEIVED FOR RECORD  
Mr. Post 2 o'clock P.M.

OCT 19 1990

Recorded in Official Records  
of Riverside County, California

W. J. [Signature]  
Recorder  
Fees \$

12800

AVIGATION EASEMENT

WHEREAS ST. IGNATIUS OF ANTIOCH ANGLICAN CATHOLIC CHURCH, a non-profit religious 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:

Parcel 1

That portion of Lot 8 in Block 6 of La Granada, as shown by map on file in Book 12, Pages 42 to 51 inclusive, of maps, records of Riverside County, California, described as follows:

Beginning at a point on the southeasterly line, distant northeasterly thereon 141.39 feet from the southwesterly corner thereof;

Thence northeasterly along said last mentioned southeasterly line to the most easterly corner;

Thence Northwesterly along the northeasterly line, a distance of 100.00 feet;

Thence southwesterly and parallel with the southeasterly line, to a line that is parallel with the southwesterly line and passes through the point of beginning;

Thence southeasterly along said last mentioned parallel line to the point of beginning.

Parcel 2

That portion of Lot 8 in Block 6 of La Granada, as shown by map on file in Book 12, Pages 42 to 51 inclusive, of maps, records of Riverside County, California, described as follows:

385695

Beginning at a point on the northeasterly line, a distance northwesterly thereon, 100.00 feet from the most easterly corner thereof;

Thence southwesterly and parallel with the southeasterly line, to a line that is parallel with the southwesterly line distant northeasterly (as measured along the southeasterly line) 141.39 feet from the southwest corner thereof;

Thence northwesterly along said last mentioned parallel line to the northerly line;

Thence easterly, along the northerly line, to the northeast corner thereof;

Thence easterly, along the northerly line, to the northeast corner thereof;

Thence southeasterly along the northeasterly line to the point of beginning.

DESCRIPTION APPROVAL:

10/11/90  
George P. Whitehouse

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 aviation 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.

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: 10-16-90

ST. IGNATIUS OF ANTIOCH  
 ANGLICAN CATHOLIC CHURCH,  
 a non-profit religious corporation

By Rev Walter R Burger, M.D.  
 Title Rector and President

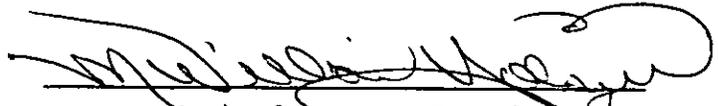
By \_\_\_\_\_ *Mia*  
 Title \_\_\_\_\_

BP/2786A/h  
 10-11-90

CONSENT TO RECORDATION

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. 14883 of said City Council adopted January 25, 1983, and the Grantee consents to recordation thereof by its duly authorized officer.

Dated: 10-19-90

  
Title Real Property Services Manager

ST. IGNATIUS of ANTIOCH  
ANGLICAN CATHOLIC CHURCH

5570 TYLER STREET  
RIVERSIDE, 92503  
(P.O. Box 7045 - RIVERSIDE 92513)

The Very Rev. Walter R. Buerger, M.D.  
(714) 687-3732

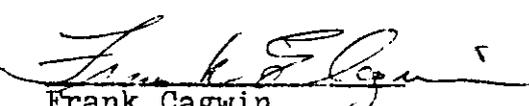
ST. IGNATIUS OF ANTIOCH  
Vestry Meeting 10/10/90

This will certfy that the following resolution was passed unanimously  
by the Vestry at this meeting:

WHEREAS it is important that one person be designated to sign all  
required permits and easements for the procuring of a permit to  
install the mobile unit as swiftly as possible;

THEREFORE BE IT RESOLVED that the Rector, as President of the  
Corporation, shall continue to be authorized to sign such permits,  
declarations and easements as may be required in the process of  
procuring a permit for the installation of the mobile unit and  
for the completion of the project.

  
Rev. Walter R. Buerger, M. D.  
Rector

  
Frank Cagwin  
Warden