

145783

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 §6103)

Project: C-30-656

RECEIVED FOR RECORD
AT 1:00 O'CLOCK

APR 23 1992

Recorded in Official Records
of Riverside County, California

Recorder
Fees \$

13226

AVIGATION EASEMENT

WHEREAS HARVEST CHRISTIAN FELLOWSHIP, a California non-profit corporation, formerly known as CALVARY CHAPEL OF RIVERSIDE, INC., a California 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 in Exhibit "A", attached hereto and incorporated herein by this reference, 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 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, 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

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the passage of aircraft by whomsoever owned and operated in the airspace above the surface of the Grantor's property 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.

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 1-15-92

HARVEST CHRISTIAN FELLOWSHIP,
a California non-profit corporation,

By Paul O. Haugegard
Title Secretary

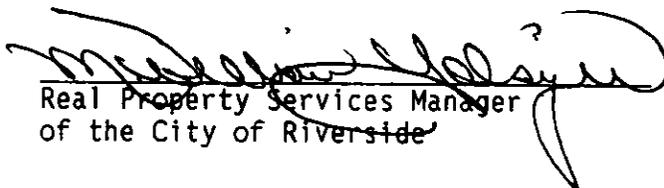
By [Signature]
Title President

APPROVED AS TO FORM
[Signature]
CHIEF ASSISTANT CITY ATTORNEY

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 April 23, 1992


Real Property Services Manager
of the City of Riverside

1215u/c

CSL ENGINEERING, INC.
2900 ADAMS STREET, SUITE A25
RIVERSIDE, CALIFORNIA 92504
DATE: January 8, 1992
FILE: 301AVG.LGL.1

SHEET 1 OF 4 SHEETS

145783

JOB NUMBER 301

EXHIBIT "A"

LEGAL DESCRIPTION FOR
HARVEST CHRISTIAN FELLOWSHIP
AVIGATION EASEMENT

LOTS 51, 53 THROUGH 58, INCLUSIVE, THE EAST HALF OF LOT 50, THE EASTERLY 156.8 FEET OF LOT 52 AND LOT "A" ALL OF GAFFORD GARDENS TRACT, IN THE CITY OF RIVERSIDE, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN ON A MAP IN BOOK 12, PAGE 97, OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, TOGETHER WITH THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 2 SOUTH, RANGE 5 WEST, SAN BERNARDINO MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF A LINE WHICH IS PARALLEL WITH AND DISTANT 25.00 FEET EASTERLY AS MEASURED AT RIGHT ANGLE FROM THE WESTERLY LINE OF SAID SECTION 32, WITH A LINE WHICH IS PARALLEL WITH AND DISTANT 33.00 FEET NORTHERLY AS MEASURED AT RIGHT ANGLE FROM THE SOUTHERLY LINE OF SAID SECTION 32; SAID INTERSECTION ALSO BEING THE SOUTHWESTERLY CORNER OF THAT CERTAIN PARCEL OF LAND CONVEYED TO CALVARY CHAPEL OF RIVERSIDE, INC., BY DEED RECORDED JUNE 10, 1977 AS INSTRUMENT NO. 107406, OFFICIAL RECORDS OF SAID RIVERSIDE COUNTY;

THENCE NORTH 00°10'20" WEST ALONG THE WESTERLY LINE OF SAID PARCEL SO CONVEYED, AND PARALLEL WITH THE WESTERLY LINE OF SAID SECTION 32, A DISTANCE OF 167 FEET;

THENCE SOUTH 89°32'10" WEST, PARALLEL WITH THE SOUTH LINE OF SAID SECTION 32 A DISTANCE OF 25.00 FEET TO THE WESTERLY LINE OF SAID SECTION;

THENCE NORTH 00° 10'20" WEST ALONG LAST SAID WESTERLY LINE TO THE SOUTHWESTERLY CORNER OF THAT CERTAIN PARCEL OF LAND CONVEYED TO THE CITY OF RIVERSIDE BY DEED RECORDED MARCH 17, 1960, IN BOOK 2656 AS PAGE 428 ET SEQ., OFFICIAL RECORDS OF SAID RIVERSIDE COUNTY;

THENCE NORTH 89° 46'45" EAST ALONG THE SOUTHERLY LINE OF LAST SAID PARCEL OF LAND A DISTANCE OF 409.13 FEET TO AN ANGLE POINT THEREIN;

THENCE SOUTH 70°48'30" EAST ALONG SAID LAST SAID SOUTHERLY LINE A DISTANCE OF 145.28 FEET TO THE NORTHWESTERLY LINE OF PARCEL 1 OF RECORD OF SURVEY ON FILE IN BOOK 29 OF RECORD OF SURVEYS AT PAGE 95 THEREOF, RECORDS OF SAID RIVERSIDE COUNTY, CALIFORNIA;

-continued-

PREPARED UNDER THE SUPERVISION OF
DATE: 1-8-92


DAVID E. CORYELL, RCE 31574
EXPIRES: DEC. 31, 1992



DESCRIPTION APPROVAL 1/10/92
George P. Hutchinson by LF
SURVEYOR, CITY OF RIVERSIDE

13226

EXHIBIT "A"
-continued-

THENCE SOUTH 14°49'45" WEST ALONG LAST SAID NORTHWESTERLY LINE A DISTANCE OF 543.93 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 1135 FEET;

THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 15°51'20" AN ARC LENGTH OF 314.09 FEET TO AN ANGLE POINT IN LAST SAID NORTHWESTERLY LINE;

THENCE SOUTH 44°32'10" WEST ALONG LAST SAID NORTHWESTERLY LINE A DISTANCE OF 84.85 FEET;

THENCE SOUTH 00°27'50" EAST A DISTANCE OF 11.00 FEET TO THE NORTHERLY LINE OF ARLINGTON AVENUE;

THENCE SOUTH 89°32'10" WEST ALONG LAST SAID NORTHERLY LINE A DISTANCE OF 282.20 FEET TO THE POINT OF BEGINNING;

ALSO THAT PORTION OF URBAN STREET NOW VACATED DESCRIBED BEING A PORTION OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 2 SOUTH, RANGE 5 WEST, SAN BERNARDINO MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF A LINE WHICH IS PARALLEL WITH AND DISTANT 25.00 FEET EASTERLY AS MEASURED AT RIGHT ANGLE FROM THE WESTERLY LINE OF SAID SECTION 32, WITH A LINE WHICH IS PARALLEL WITH AND DISTANT 33.00 FEET NORTHERLY AS MEASURED AT RIGHT ANGLE FROM THE SOUTHERLY LINE OF SAID SECTION 32; SAID INTERSECTION ALSO BEING THE SOUTHWESTERLY CORNER OF THAT CERTAIN PARCEL OF LAND CONVEYED TO CALVARY CHAPEL OF RIVERSIDE, INC., BY DEED RECORDED JUNE 10, 1977 AS INSTRUMENT NO. 107406, OFFICIAL RECORDS OF SAID RIVERSIDE COUNTY;

THENCE NORTH 00°10'20" WEST ALONG THE WESTERLY LINE OF SAID PARCEL SO CONVEYED, AND PARALLEL WITH THE WESTERLY LINE OF SAID SECTION 32, A DISTANCE OF 167 FEET;

THENCE SOUTH 89°32'10" WEST, PARALLEL WITH THE SOUTH LINE OF SAID SECTION 32 A DISTANCE OF 25.00 FEET TO THE WESTERLY LINE OF SAID SECTION;

THENCE SOUTH 00° 10'20" EAST ALONG LAST SAID WESTERLY LINE TO THE SAID LINE WHICH IS PARALLEL WITH AND DISTANT 33.00 FEET NORTHERLY AS MEASURED AT RIGHT ANGLE FROM THE SOUTHERLY LINE OF SAID SECTION 32;

-continued-

PREPARED UNDER THE SUPERVISION OF
DATE: 1-8-92

David E. Coryell
DAVID E. CORYELL, RCE 31574
EXPIRES: DEC. 31, 1992



DESCRIPTION APPROVAL L/10/92
George P. Hutchinson by WE
SURVEYOR, CITY OF RIVERSIDE

EXHIBIT "A"
-continued-

THENCE NORTH 89°32'10" EAST, PARALLEL WITH THE SOUTH LINE OF SAID SECTION 32 A DISTANCE OF 25.00 FEET TO THE POINT OF BEGINNING;

EXCEPTING THEREFROM THE EASTERLY 8 FEET OF LOTS 55 AND 58 OF SAID GAFFORD GARDENS TRACT, CONVEYED TO THE CITY OF RIVERSIDE, BY DEED RECORDED JULY 22, 1955 AS INSTRUMENT NUMBER 47820, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY AND STATE;

ALSO EXCEPTING THEREFROM THOSE PORTIONS OF LOTS 50 THROUGH 55 INCLUSIVE OF SAID GAFFORD GARDENS TRACT, CONVEYED TO THE CITY OF RIVERSIDE, BY DEED RECORDED AUGUST 1, 1955 AS IN BOOK 1775, PAGE 18, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY AND STATE;

ALSO EXCEPTING THEREFROM THE WESTERLY 150.00 FEET OF LOTS 51, 53, 54 AND THE NORTH HALF OF THE WESTERLY 150.00 FEET OF LOT 55, ALL OF SAID GAFFORD GARDENS;

ALSO EXCEPTING THEREFROM THOSE PORTIONS THEREOF CONVEYED TO THE CITY OF RIVERSIDE BY DEEDS RECORDED AUGUST 18, 1978 AS INSTRUMENT NO'S 175202, AND 175204, AND OCTOBER 28, 1988 AS INSTRUMENT NO. 315152 AND BY DEED RECORDED SEPTEMBER 13, 1963 IN BOOK 3486, PAGE 248 ET SEQ., AND THE NORTHERLY 11 FEET OF THE SOUTHERLY 19 FEET OF LOTS 56, 57 AND 58 OF SAID GAFFORD GARDENS TRACT BY DEED RECORDED IN BOOK 1770, PAGE 236 ET SEQ., ALL INCLUSIVE OF OFFICIAL RECORDS OF SAID RIVERSIDE COUNTY, CALIFORNIA;

ALSO EXCEPTING THEREFROM THOSE PORTIONS SOUTHERLY OF A LINE WHICH IS PARALLEL WITH AND DISTANT 55.00 FEET NORTHERLY AS MEASURED AT RIGHT ANGLE FROM THE CENTERLINE OF ARLINGTON AVENUE AS SHOWN ON RECORD OF SURVEY ON FILE IN BOOK 29 OF RECORD OF SURVEYS AT PAGE 95 THEREOF, RECORDS OF SAID RIVERSIDE COUNTY, CALIFORNIA;



EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF.

PREPARED UNDER THE SUPERVISION OF
DATE: 1-8-92

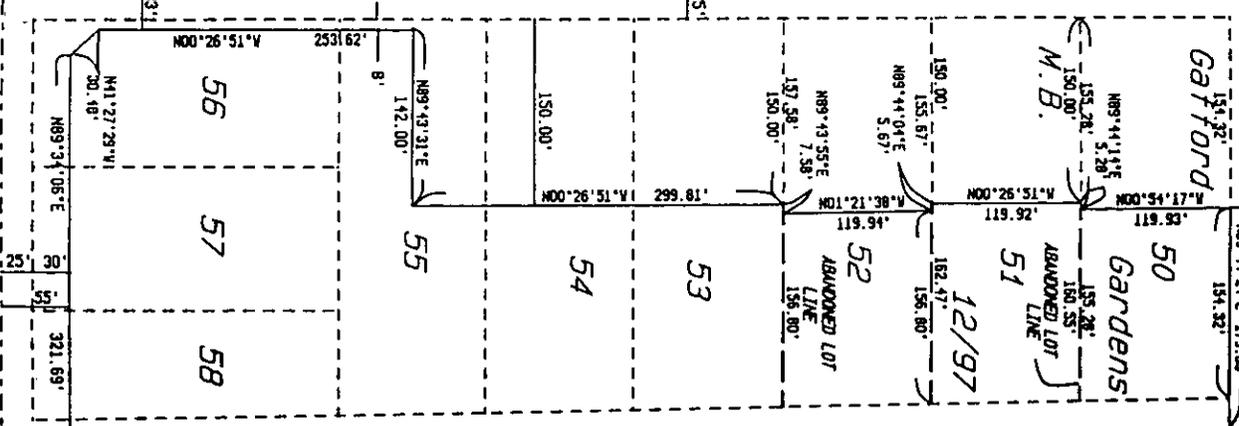
David E. Coryell
DAVID E. CORYELL, RCE 31574
EXPIRES: DEC. 31, 1992

DESCRIPTION APPROVAL 1/10/92
George P. Hutchinson
SURVEYOR, CITY OF RIVERSIDE

Neil Street

Arlington

Gatford



SW COR. SEC. 32

AVENUE

POP. OF SW 1/4,
SECTION 32,
TOWNSHIP 2 SOUTH,
RANGE 5 WEST,
S. B. M.

(Proposed)

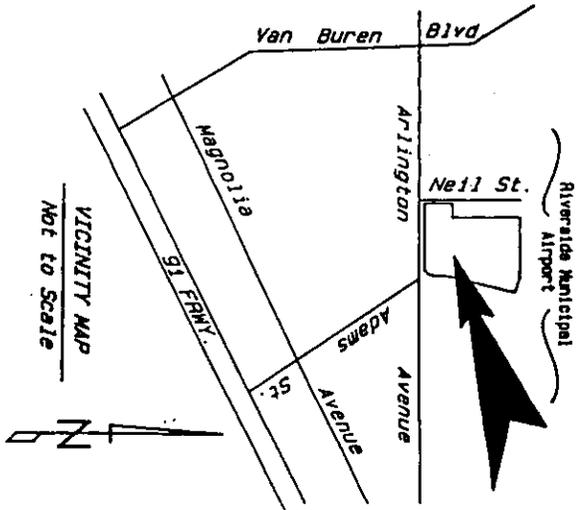
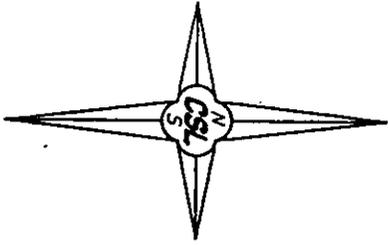
River

Road

EXHIBIT B

CSL ENGINEERING, INC.
2800 Adams Street, Suite 425
Riverside, California 92504

SCALE: 1" = 100'



VICINITY MAP
Not to Scale

JN301/301PM, 2d/10-22-91

SHEET 4 OF 4 SHEETS

4/9,10,13,22,6