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WHEN RECORDED MAIL TO:

CITY CLERK
City of Riverside
City Hall, California 92522
Riverside, CA 92522
FREE RECORDING (GOVT CODE 6103)
PROJECT: TRACT 20393-3

RECEIVED FOR RECORD
AT 1:00 O'CLOCK

NOV 13 1992

Recorded in Official Records
of Riverside County, California

Recorder
Fees \$

434786

13421

AVIGATION EASEMENT

WHEREAS Van Daele/Fieldstone Riverside Partners, Ltd., a California Limited Partnership (hereinafter referred to as "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:

Lots 1 through 117, inclusive of Tract No. 20393-3 as shown by map on file in Book 219 of Maps at pages 76 - 78 inclusive thereof, Records of Riverside County, California.

hereinafter called "Grantor's Property"; and

WHEREAS the Grantor's Property is located within the Air Installation Compatible Use Zone (AICUZ) for March Air Force Base, operated by the Department of Defense of the United States of America, and within the flight path of aircraft operating from said Air Force Base; 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

DESCRIPTION APPROVAL 11/3/92
George R. White
SURVEYOR, CITY OF RIVERSIDE

13421

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, 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 Grantor's Property described hereinabove, together with the right to cause in said airspace such noise, vibrations, dust, smoke, fumes, and other related conditions that may be caused by 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 the March Air Force Base is an operating airport subject to increases in the intensity of use and operation, including present and future noise, vibrations, dust, smoke, fumes and related conditions, and Grantor hereby fully waives, remise and releases any right or cause of action which Grantor may now or in the future have against Grantee, its

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: *Nov. 13, 1992*

[Signature]
TITLE *Real Property Services Agr.*

[Signature]
APPROVED AS TO FORM
CHIEF ASSISTANT CITY ATTORNEY

11/13921