

WHEN RECORDED MAIL TO:

CITY CLERK
City of Riverside
City Hall, 3900 Main Street
Riverside, California 92522

JUN - 9 1995

Recorded in Official Records
of Riverside County, California
Recorder
Fees \$

FREE RECORDING

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

FOR RECORDER'S OFFICE USE ONLY

Project: **PW-009-912**
VC-006-912 Urban Street

AVIGATION EASEMENT

WHEREAS **HARVEST CHRISTIAN FELLOWSHIP**, a California corporation, a non-profit organization, 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 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.

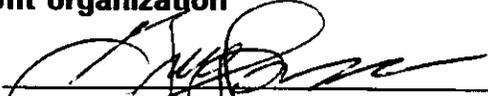
Grantor, on the behalf of Grantor and the successors and assigns of Grantor, agrees not to construct or permit the construction or growth of any structure, tree or other object that obstructs or interferes with the use of the rights herein granted or that creates electrical interference with radio communication 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.

The foregoing grant of easement shall not be considered as otherwise prohibiting the use of the Grantor's property for any lawful purpose below the 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.

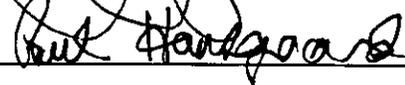
IT IS UNDERSTOOD AND AGREED that this easement and the rights and restrictions herein created shall run with the land and shall be binding upon the Grantor and the heirs, administrators, executors, successors and assigns of Grantor.

Dated MAY 3, 1995

**HARVEST CHRISTIAN FELLOWSHIP, a
California corporation, a non-
profit organization**

by 

title Senior Pastor

by 

title SECRETARY

GENERAL ACKNOWLEDGEMENT

State of California }
County of Riverside }ss

On May 3, 1995, before me Diane Maris, Notary Public
(date) (name)

a Notary Public in and for said State, personally appeared

Greg Laurie and Paul Harsgaard

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.

Diane Maris
Signature

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. 18233 of said City Council adopted May 11, 1993, and the grantee consents to recordation thereof by its duly authorized officer.

Dated 6/6/95

[Signature]
Real Property Services Manager
of the City of Riverside

vc6912.avg

APPROVED AS TO FORM

[Signature]
Stan T. Yamamoto, City Attorney

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:

AVIGATION EASEMENT
VAC-6-912
URBAN STREET

PARCEL 1

LOT "A" TOGETHER WITH THE EASTERLY 8.00 FEET OF LOTS 50 THROUGH 55 INCLUSIVE, AND THE EASTERLY 8.00 FEET OF LOT 58 OF GAFFORD GARDENS, AS SHOWN BY MAP ON FILE IN BOOK 12 OF MAPS AT PAGE 97 THEREOF, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;

EXCEPTING THEREFROM THOSE PORTIONS OF SAID LOT "A" AND LOT 58 LYING 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 BY SAID MAP OF GAFFORD GARDENS.

PARCEL 2

THAT PORTION OF LOT 58 OF GAFFORD GARDENS, ON FILE IN BOOK 12, PAGE 97 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THAT CERTAIN PARCEL OF LAND CONVEYED TO THE CITY OF RIVERSIDE BY DEED RECORDED AUGUST 18, 1978, AS INSTRUMENT No. 175202 OF OFFICIAL RECORDS OF SAID RIVERSIDE COUNTY; SAID CORNER BEING THE INTERSECTION OF A LINE WHICH IS PARALLEL WITH AND DISTANT 55.00 FEET NORTHERLY, AS MEASURED AT RIGHT ANGLE, FROM THE CENTERLINE OF ARLINGTON AVENUE, WITH A LINE WHICH IS PARALLEL WITH AND DISTANT 33.00 FEET WESTERLY, AS MEASURED AT RIGHT ANGLE, FROM THE EASTERLY LINE OF LOT "A" (KNOWN AS URBAN STREET) OF SAID GAFFORD GARDENS;

THENCE NORTH 00°56'30" WEST, ALONG SAID LINE PARALLEL WITH LOT "A", A DISTANCE OF 23.33 FEET;

THENCE SOUTH 40°36'11" WEST, 30.73 FEET TO SAID LINE WHICH IS PARALLEL WITH AND DISTANT 55.00 FEET NORTH, AS MEASURED AT RIGHT ANGLE, FROM SAID CENTERLINE OF ARLINGTON AVENUE;

THENCE EAST, ALONG LAST MENTIONED PARALLEL LINE, 20.38 FEET TO SAID POINT OF BEGINNING.

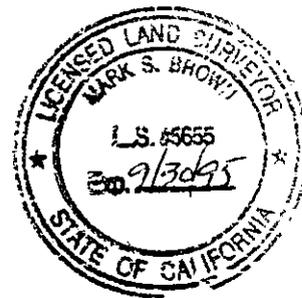
PARCEL 3

THE WEST 33.00 FEET OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 2 SOUTH, RANGE 5 WEST, SAN BERNARDINO MERIDIAN, LYING SOUTH OF THE SOUTHERLY LINE OF THAT CERTAIN PARCEL OF LAND CONVEYED TO THE CITY OF RIVERSIDE BY DEED RECORDED MARCH 17, 1960 IN BOOK 2656 OF OFFICIAL RECORDS, PAGE 428, ET SEQ., RECORDS OF RIVERSIDE COUNTY, AND LYING NORTH OF A

LINE WHICH IS PARALLEL WITH AND DISTANT 55.00 FEET NORTH, AS MEASURED AT RIGHT ANGLE, FROM THE CENTERLINE OF ARLINGTON AVENUE.

This description was prepared by me or under my direction in conformance with the requirements of the Land Surveyors Act.

Mark S. Brown 4/18/95 Prep. WF
Mark S. Brown, L.S. 5655 Date
License Expires 9/30/95



B.2652, P. 428 et seq.
2/12/92

Gafford
50
Gardens

51
M.B. 12/97

52

53

54

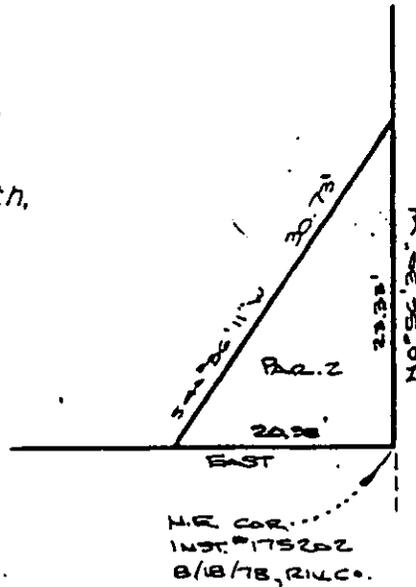
55

57

58

Street PAR. 3
Urban Lot A

Por. of SW 1/4,
Section 32,
Township 2 South,
Range 5 West,
S.B.M.



Arlington Avenue
SM COR.
Sec. 32

X-227: AM. 9.9.12 C-30.682

• CITY OF RIVERSIDE, CALIFORNIA •

51-446

THIS PLAT IS SOLELY AN AID IN LOCATING THE PARCEL(S) DESCRIBED IN THE ATTACHED DOCUMENT. IT IS NOT A PART OF THE WRITTEN DESCRIPTION THEREIN.

SHEET 1 OF 1

4/9
102

SCALE: 1" = 40'

DRAWN BY WE DATE 9/17/92

SUBJECT VAC-G-912