

WHEN RECORDED MAIL TO:

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

DOC # 2000-205173

05/31/2000 08:00A Fee:NC

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Recorded in Official Records

County of Riverside

Gary L. Orso

Assessor, County Clerk & Recorder



Project: CU-007-990

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AVIGATION EASEMENT D- 14578

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WHEREAS A to Z Printing Company, a California Corporation, ("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, ("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, ("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

14578

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 17, 2000

A to Z Printing, a California Corporation

By: Allison Dale President

By: Leslie Dale Secretary

APPROVED AS TO FORM

Kathleen M. Amaze
ASST. CITY ATTORNEY

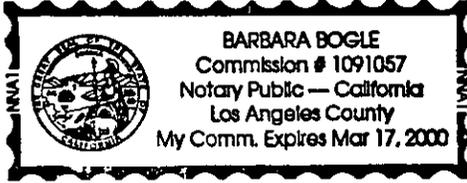


STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

)
) SS.

On January 27, 2000 before me, Allison Dale

personally appeared -OR- proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person or the entity upon behalf of which the person acted, executed the instrument.



WITNESS my hand and official seal.

Barbara Bogle

Notary Public



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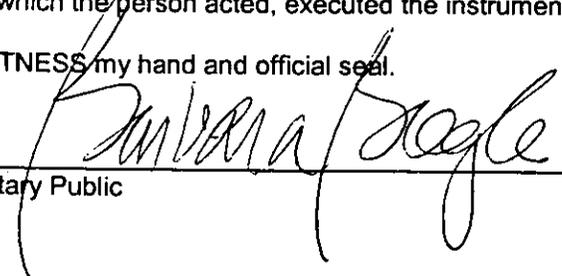
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COUNTY OF LOS ANGELES

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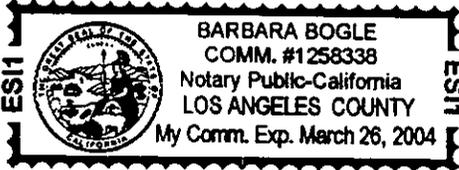
On May 17, 2000 before me, Leslie Dale

personally appeared -OR- proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.



Notary Public



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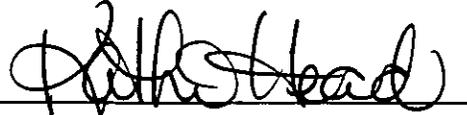
CERTIFICATE OF ACCEPTANCE

(Government Code §27281)

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

Dated:

5/23/00



Real Property Services Manager
of the City of Riverside

COV00016601.KG



EXHIBIT "A"
DESCRIPTION

at

That certain property situated in the State of California, County of Riverside, City of Riverside, described as follows:

That portion of Lots 9 and 16 in Block 10 of the Lands of the Riverside Land and Irrigating Company, as shown by map on file in book 1 page 70 of maps, Records of San Bernardino County, California, and a portion of the northeast quarter of Section 12, Township 3 south, Range 6 west, San Bernardino Base and Meridian, described as follows:

Commencing at the intersection of the northwesterly line of California Avenue and the southwesterly line of Van Buren Street;
Thence north 34 degrees 22' west, along the southwesterly line of Van Buren Street, 315 feet, to the true point of beginning;
Thence south 55 degrees 40' west, parallel with the northwesterly line of California Avenue, 566.90 feet;
Thence north 37 degrees 31' west 588.29 feet;
Thence north 0 degrees 16' 30" east, 55.19 feet;
Thence north 55 degrees 15' 30" east 567.95 feet, to the southwesterly line of Van Buren Street;
Thence south 34 degrees 22' east, along the southwesterly line of Van Buren Street, 636.90 feet, to the true point of beginning;

Excepting therefrom that portion thereof described as follows:

Commencing at the intersection of the northwesterly line of California Avenue and the southwesterly line of Van Buren Street;
Thence north 34 degrees 22' west, along the southwesterly line of Van Buren Street, 315 feet to the true point of beginning;
Thence south 55° 40' west, parallel with the northwesterly line of California Avenue, 566.90 feet;
Thence north 37 degrees 31' west, 436.9 feet;
Thence north 55° 40' east, parallel with the northwesterly line of California Avenue, 566.90 feet to the southwesterly line of Van Buren Street;
Thence south 34 degrees 22' east, 436.9 feet along the southwesterly line of Van Buren Street to the true point of beginning;

Also Excepting therefrom that portion thereof described as follows:

Commencing at the intersection of the southwesterly line of Van Buren Street with the southeasterly line of Challen Avenue, as shown by map on file in book 20 page 66 thereof of records of survey, Records of Riverside County, California;
Thence south 55 degrees 14' 30" west along the southeasterly line of said Challen Avenue, 506.50 feet;
Thence southwesterly, continuing along the southeasterly line of Challen Avenue, on a curve concave to the northwest, having radius of 340.0 feet, through an angle of 06 degrees 01' 40", an arc length of 35.77 feet to the point of beginning of the parcel of land to be described;
Thence southwesterly, continuing along the southeasterly line of said Challen Avenue, on a



curve concave to the northwest, having a radius of 340.0 feet, through an angle of 02 degrees 47' 10", an arc length of 22.47 feet (the initial radial line bears south 28 degrees 42' 50" east);
Thence south 00 degrees 16' 30" west, 61.27 feet;
Thence south 37 degrees 31' 00" east, 154.98 feet to the most southerly corner of that certain parcel of land conveyed to Marco N. Charles, et ux, by deed filed for record December 28, 1956 as instrument no. 87548 of Official Records of Riverside County, California;
Thence north 55 degrees 14' 30" east, along the southeasterly line of said parcel conveyed to March N. Charles, et ux, 20.02 feet;
Thence north 37 degrees 31' 00" west, 149.10 feet;
Thence north 00 degrees 16' 30" east, 64.66 feet to the point of beginning.

Excepting therefrom that portion as conveyed to the City of Riverside by Grant Deed recorded July 10, 1981 as instrument no. 131038 of Official Records, Records of Riverside County, California.

at

DESCRIPTION APPROVAL 512100
K. Stuart
for SURVEYOR, CITY OF RIVERSIDE

