

When recorded mail to:

City Clerk's Office
City of Riverside
City Hall, 3900 Main Street
Riverside, California 92522

DOC # 2001-546073

11/05/2001 08:00A Fee:NC

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Recorded in Official Records

County of Riverside

Gary L. Orso

Assessor, County Clerk & Recorder



FREE RECORDING

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

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Project: Plot Plan No. 16756

A.P.N. 163-280-081
163-280-004
163-280-276 thru
163-280-081

C
DL

D - 14799

AVIGATION EASEMENT
(RIVERSIDE MUNICIPAL AIRPORT)

WHEREAS Ralph R. Neilson, Henry C. Cox II, Jacqueline N. Cox, John L. West, Beverly J. West & Eddie R. Fischer, hereinafter referred to as the "Grantor", are the owners 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 property of the Grantor"; and

WHEREAS the property of the Grantor 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 property of the Grantor 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 property of the Grantor;

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 and the surface of the property of the Grantor 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 or 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



GENERAL ACKNOWLEDGEMENT

State of California
County of RIVERSIDE } ss

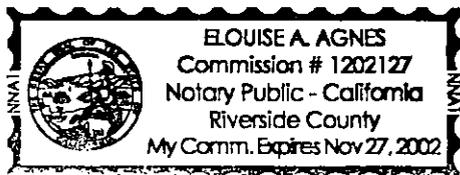
On 10-24-01, before me ELOUISE A. AGNES
(date) (name)

a Notary Public in and for said State, personally appeared
RALPH R. NEILSON, HENRY C. COX II, JACQUELINE U. COX
JOHN F. WEST & BEVERLY J. WEST
Names(s) of Signer(s)

[X] 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.

[Signature]
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 11/2/01

APPROVED AS TO FORM
[Signature]
ASST. CITY ATTORNEY

CITY OF RIVERSIDE

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



OPTIONAL SECTION

CAPACITY CLAIMED BY SIGNER

- () Attorney-in-fact
() Corporate Officer(s)
Title
Title
() Guardian/Conservator
[X] Individual(s)
() Trustee(s)
() Other
() Partner(s)
() General
() Limited

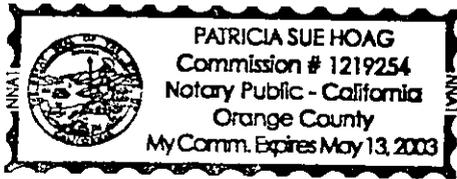
The party(ies) executing this
document is/are representing:

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California }
County of Orange } ss.

On Oct. 29, 2001, before me, PATRICIA SUE HOAG,
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")
personally appeared EDDIE R. FISCHER,
Name(s) of Signer(s)

personally known to me
 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.

Patricia Sue Hoag
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Avigation Easement

Document Date: October 24, 2001 Number of Pages: 4

Signer(s) Other Than Named Above: Ralph R. Neilson, Henry C. Cox II, Jacqueline N. Cox, John L. West and Beverly J. West

Capacity(ies) Claimed by Signer

Signer's Name: Eddie R. Fischer

- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER

Top of thumb here



"EXHIBIT A"

LEGAL DESCRIPTION

IN THE UNINCORPORATED AREA OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

PARCEL A:

PARCELS 2, 3, 4, 5 AND 6 OF PARCEL MAP NO. 21017 IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 140 PAGES 31 AND 32 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

EXCEPT ALL URANIUM, THORIUM AND OTHER FISSIONABLE MATERIALS, ALL OIL, GAS, PETROLEUM, ASPHALTUM, AND OTHER HYDROCARBON SUBSTANCES AND OTHER MINERALS AND MINERAL ORES OF EVERY KIND AND CHARACTER, WHETHER SIMILAR TO THESE HEREIN SPECIFIED OR NOT, WITHIN OR UNDERLYING, OR WHICH MAY BE PRODUCED FROM THE HEREINBEFORE DESCRIBED LAND, TOGETHER WITH THE RIGHT TO USE THAT PORTION ONLY OF SAID LAND WHICH UNDERLIES A PLANE PARALLEL TO AND 500.00 FEET BELOW THE PRESENT SURFACE OF SAID LAND, FOR THE PURPOSE OF PROSPECTING FOR, DEVELOPING AND/OR EXTRACTING SAID URANIUM, THORIUM, AND OTHER FISSIONABLE MATERIALS, OIL, GAS, PETROLEUM, ASPHALTUM, AND OTHER MINERALS OR HYDROCARBON SUBSTANCES FROM SAID LAND, IT BEING EXPRESSLY UNDERSTOOD AND AGREED THAT MONO POWER COMPANY, AND SOUTHERN SURPLUS REALTY CO., THEIR SUCCESSORS AND ASSIGNS SHALL HAVE NO RIGHT TO ENTER UPON THE SURFACE OF SAID LAND, OR TO USE SAID LAND OR ANY PORTION THEREOF TO SAID DEPTH OF 500.00 FEET, FOR ANY PURPOSE WHATSOEVER, AS RESERVED BY MONO POWER COMPANY, A CORPORATION, IN DEED RECORDED SEPTEMBER 18, 1972 AS INSTRUMENT NO. 123977, AND AS RESERVED BY SOUTHERN SURPLUS REALTY CO., A CALIFORNIA CORPORATION IN DEED RECORDED APRIL 10, 1979 AS INSTRUMENT NO. 71165 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

PARCEL B:

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 24 AND THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 2 SOUTH, RANGE 6 WEST, SAN BERNARDINO BASE AND MERIDIAN, AS SHOWN BY SECTIONALIZED SURVEY OR THE JURUPA RANCHO, AS SHOWN BY MAP ON FILE IN BOOK 9 PAGE(S) 26 OF MAPS, RECORDS OF SAN BERNARDINO COUNTY, CALIFORNIA, AND THAT PORTION OF BLOCK 1, JURUPA HEIGHTS, AS SHOWN BY MAP ON FILE IN BOOK 3 PAGE(S) 1 AND 2 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON INTERSECTION OF THE WEST LINE OF CLAY STREET, 88.00 FEET WIDE, AS SHOWN BY RECORD OF SURVEY ON FILE IN BOOK 51 PAGE(S) 40 OF RECORDS OF SURVEYS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, WITH A LINE PARALLEL WITH AND 175.00 FEET SOUTHERLY, MEASURED AT RIGHT ANGLES FROM THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 24, SAID POINT ALSO BEING SOUTH 00° 01' 00" EAST, 175.00 FEET, MEASURED ON SAID WEST LINE OF CLAY STREET FROM A FOUND ONE AND ONE-HALF (1-1/2") INCH IRON PIPE WITH BRASS DISC MARKED "R.E. 1229-C.E.P. CO." SET AT THE SOUTH QUARTER CORNER OF SAID SECTION 24;

THENCE NORTH 00° 01' 00" WEST ON THE WESTERLY LINE OF CLAY STREET, 346.67 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 956.00 FEET;



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THENCE NORTHERLY ON SAID CURVE AND SAID WESTERLY LINE, THROUGH A CENTRAL ANGLE OF 21° 41' 30", 361.93 FEET TO ITS INTERSECTION WITH THE SOUTHEASTERLY LINE OF LIMONITE AVENUE AS DESCRIBED IN DEED TO THE COUNTY OF RIVERSIDE RECORDED AUGUST 19, 1960 AS INSTRUMENT NO. 73108 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;

THENCE SOUTH 68° 14' 50" WEST ON SAID SOUTHEASTERLY LINE OF LIMONITE AVENUE, 1,185.80 FEET;

THENCE NORTH 21° 45' 10" WEST, 4.00 FEET;

THENCE SOUTHWESTERLY ON A CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 2,044.00 FEET AND NORMAL TO SAID LAST MENTIONED COURSE, THROUGH A CENTRAL ANGLE OF 05° 27' 29" (SAID LAST MENTIONED CENTRAL ANGLE BEING RECITED AS 05° 27' 09" IN DEED RECORDED OCTOBER 21, 1965 AS INSTRUMENT NO. 120207 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, 194.71 FEET TO A POINT OF REVERSE CURVE, SAID REVERSE CURVE, SAID REVERSE CURVE BEING CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 30.00 FEET, A RADIAL LINE FROM SAID POINT BEARS SOUTH 16° 17' 14" EAST;

THENCE SOUTHWESTERLY ON SAID REVERSE CURVE, THROUGH AS CENTRAL ANGLE OF 00° 53' 22", 0.47 FEET TO A POINT IN THE EASTERLY LINE OF BALDWIN AVENUE AS DESCRIBED IN DEED TO THE COUNTY OF RIVERSIDE RECORDED JANUARY 7, 1942 IN BOOK 526 PAGE 297 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, A RADIAL LINE OF SAID CURVE FROM SAID POINT BEARS SOUTH 17° 11' 03" EAST;

THENCE CONTINUING ON SAID LAST MENTIONED CURVE, THROUGH A CENTRAL ANGLE OF 87° 27' 10" 45.79 FEET;

THENCE SOUTH 14° 38' 13" EAST, TANGENT TO SAID CURVE, 53.38 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 630.00 FEET;

THENCE SOUTHERLY ON SAID CURVE, THROUGH A CENTRAL ANGLE OF 10° 28' 43" FEET TO ITS INTERSECTION WITH THE HEREINBEFORE REFERRED TO LINE THAT IS PARALLEL WITH AND 175.00 FEET SOUTHERLY, MEASURED AT RIGHT ANGLES FROM THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 24;

THENCE NORTH 89° 58' 05" EAST, ON SAID PARALLEL LINE 1,343.36 FEET, TO THE POINT OF BEGINNING;

EXCEPT THAT PORTION SHOWN AS PARCEL MAP NO. 21017, AS SHOWN BY MAP ON FILE IN BOOK 140 PAGE(S) 31 AND 32 OF PARCEL MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;

ALSO EXCEPT ALL URANIUM, THORIUM AND OTHER FISSIONABLE MATERIAL, ALL OIL, GAS, PETROLEUM, ASPHALTUM, AND OTHER HYDROCARBON SUBSTANCES AND OTHER MINERALS AND MINERAL ORES OF EVERY KIND AND CHARACTER, WHETHER SIMILAR TO THESE HEREIN SPECIFIED OR NOT, WITHIN OR UNDERLYING, OR WHICH MAY BE PRODUCED FROM THE HEREINBEFORE DESCRIBED LAND, TOGETHER WITH THE RIGHT TO USE THAT PORTION ONLY OF SAID LAND WHICH UNDERLIES A PLANE PARALLEL TO AND 500.00 FEET BELOW



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THE PRESENT SURFACE OF SAID LAND, FOR THE PURPOSE OF PROSPECTING FOR, DEVELOPING AND/OR EXTRACTING SAID URANIUM, THORIUM, AND OTHER FISSIONABLE MATERIALS, OIL, GAS, PETROLEUM, ASPHALTUM, AND OTHER MINERAL; OR HYDROCARBON SUBSTANCES FROM SAID LAND, IT BEING EXPRESSLY UNDERSTOOD AND AGREED THAT SOUTHERN SURPLUS REALTY CO., ITS SUCCESSORS AND ASSIGNS, SHALL HAVE NO RIGHT TO ENTER UPON THE SURFACE OF SAID LAND, OR TO USE SAID LAND OR ANY PORTION THEREOF TO SAID DEPTH OF 500.00 FEET, FOR ANY PURPOSE WHATSOEVER, AS RESERVED BY SOUTHERN SURPLUS REALTY CO., A CALIFORNIA CORPORATION, IN DEED RECORDED APRIL 10, 1979 AS INSTRUMENT NO. 71165 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

PARCEL C:

BEING A PORTION OF SECTION 25, TOWNSHIP 2 SOUTH, RANGE 6 WEST, AS SHOWN ON THE SUBDIVISION OF A PORTION OF THE JURUPA RANCHO ON FILE IN BOOK 9 PAGE(S) 25 OF MAPS, RECORDS OF SAN BERNARDINO COUNTY, CALIFORNIA, AND OF BLOCK LAND 3 OF JURUPA HEIGHTS, AS SHOWN BY MAP ON FILE IN BOOK 3 PAGE(S) 1 AND 2 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF PARCEL MAP NO. 21017 AS SHOWN BY MAP ON FILE IN BOOK 140 PAGE(S) 31 AND 32 OF PARCEL MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, SAID POINT LIES ON THE WEST LINE OF CLAY STREET, FORTY-FOUR (44) FOOT HALF WIDTH;

THENCE, NORTH 89° 59' 52" WEST, ALONG THE SOUTHERLY LINE OF SAID PARCEL MAP, 249.07 FEET, TO THE TRUE POINT OF BEGINNING;
THENCE, SOUTH 31° 38' 10" WEST, 117.45 FEET;

THENCE SOUTH 68° 17' 06" WEST, 1080.66 FEET, TO THE EASTERLY RIGHT-OF-WAY OF BALDWIN AVENUE, THIRTY (30) FOOT HALF-WIDTH;

THENCE, NORTH 03° 23' 51" WEST, ALONG SAID EASTERLY RIGHT-OF-WAY, 493.08 FEET, TO THE BEGINNING OF A TANGENT CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 630.00 FEET;

THENCE, NORTHERLY ALONG SAID CURVE AN ARC DISTANCE OF 7.65 FEET, THROUGH A CENTRAL ANGLE OF 00° 41' 46", TO THE WESTERLY PROLONGATION OF THE SOUTHERLY LINE OF SAID PARCEL MAP;

THENCE, SOUTH 89° 59' 52" EAST, ALONG SAID SOUTH LINE, 1094.76 FEET TO THE TRUE POINT OF BEGINNING;

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PORTION;

COMMENCING AT THE INTERSECTION OF THE CENTERLINE OF LIMONITE AVENUE, 80 FEET WIDE, AS CONVEYED TO THE COUNTY OF RIVERSIDE BY DEED RECORDED JANUARY 16, 1934 IN BOOK 151 PAGE 301 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, WITH THE CENTERLINE OF BALDWIN AVENUE, 60 FEET WIDE, CONVEYED TO THE COUNTY OF RIVERSIDE BY DEED RECORDED JANUARY 7, 1942 IN BOOK 526 PAGE 297 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;

THENCE SOUTH 03° 23' 51" EAST, ON THE CENTERLINE OF BALDWIN AVENUE, 592.44 FEET;



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THENCE, NORTH 86° 36' 09" EAST, 30 FEET TO THE EAST LINE OF BALDWIN AVENUE, THE TRUE POINT OF BEGINNING;

THENCE, CONTINUING NORTH 86° 36' 09" EAST, 65 FEET;

THENCE, SOUTH 003° 23' 51" EAST, 166.48 FEET;

THENCE, NORTH 67° 37' 46" WEST, 72.22 FEET, TO THE EAST LINE OF BALDWIN AVENUE;

THENCE, NORTH 003° 23' 51" WEST, ALONG THE EAST LINE OF BALDWIN AVENUE, 135 FEET, TO THE TRUE POINT OF BEGINNING.



Edy Powell
11-1-01



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ADKON
ENGINEERS
 CIVIL ENGINEERING • SURVEYING • LAND PLANNING
 8020 AIRPORT DRIVE, RIVERSIDE, CA 92504
 TEL: (909) 688-0241 • FAX: (909) 688-0599



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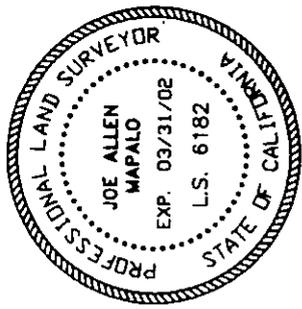
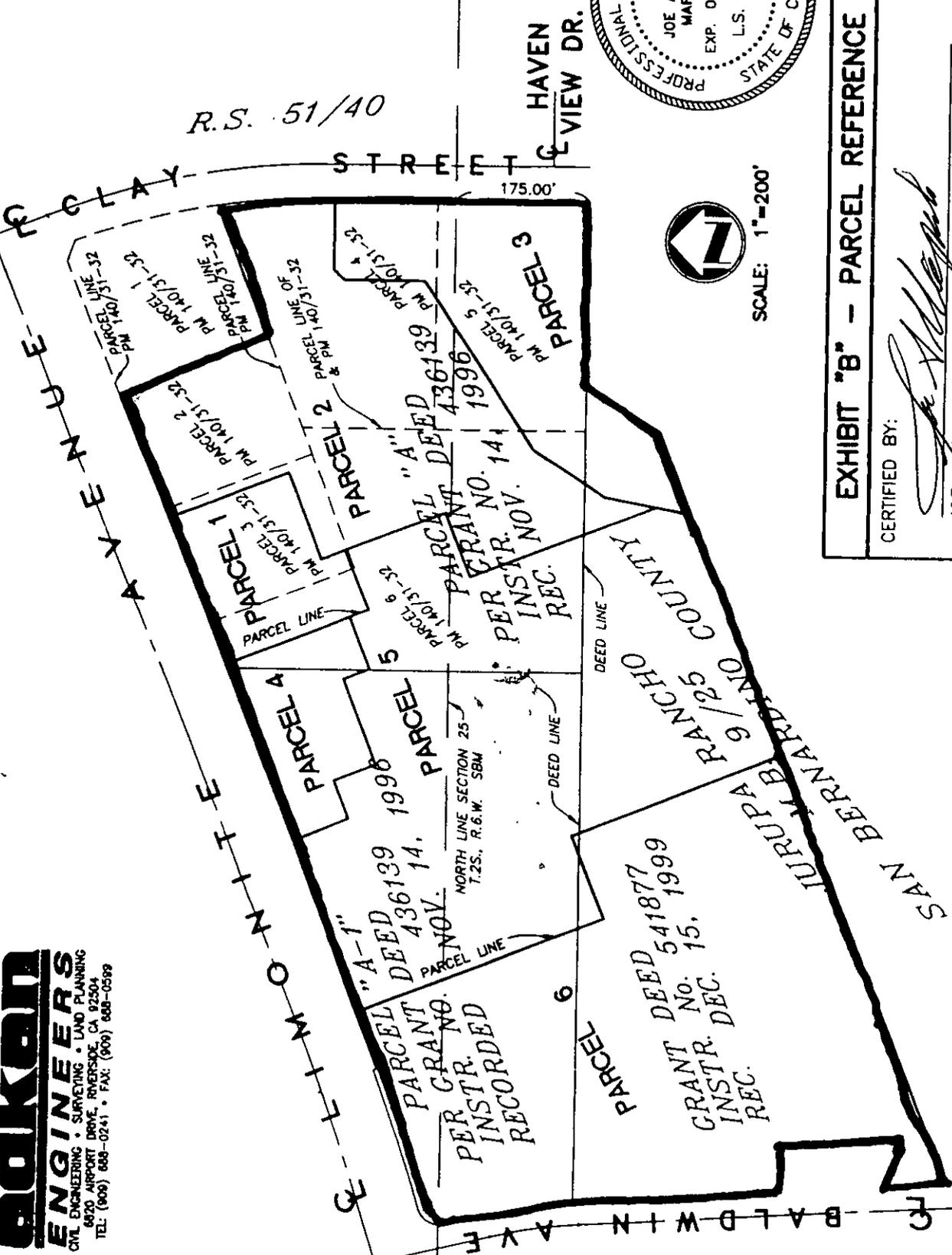


EXHIBIT "B" - PARCEL REFERENCE MAP	
CERTIFIED BY:	<i>Joe Allen Mapalo</i>
JOE ALLEN MAPALO	L.S. 6182, EXPIRES 3/31/02
COUNTY OF: RIVERSIDE	LOCATION: SEC. 24 & 25, T.2.S., R.6.W.
PREPARED FOR: RALPH NEILSON	SCALE: 1"=200'
	DATE: 11/1/01