

When recorded mail to:

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

DOC # 2007-0696716

11/16/2007 08:00A Fee:NC

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Recorded in Official Records

County of Riverside

Larry W. Ward

Assessor, County Clerk & Recorder



FREE RECORDING

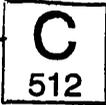
This instrument is for the benefit of the City of Riverside and is entitled to be recorded without fee (Government Code §6103)

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512

FOR RECORDER'S OFFICE USE ONLY

Project: P06-1442 LLA Case
Wilderness & Jurupa
A.P.N. 189-190-001 & 002

D_16127  

AVIGATION EASEMENT
(RIVERSIDE MUNICIPAL AIRPORT)

WHEREAS JURUPA INDUSTRIAL GROUP, LLC, a California limited liability company, hereinafter referred to as the "Grantor", is/are the owner(s) 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 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 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

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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 property of the Grantor for any lawful purpose below 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.

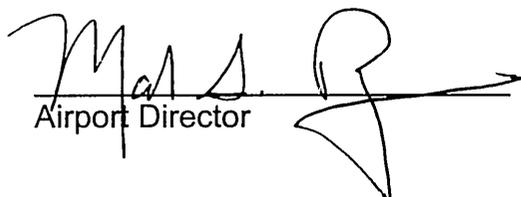
Dated NOVEMBER 12, 2007

JURUPA INDUSTRIAL GROUP, LLC, a California limited liability company

By: **DEL AMO DEVELOPMENT GROUP, LLC, a California limited liability company, its manager**

By: 
JERRY DONAHUE, its manager

Concurs with:


Airport Director



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GENERAL ACKNOWLEDGEMENT

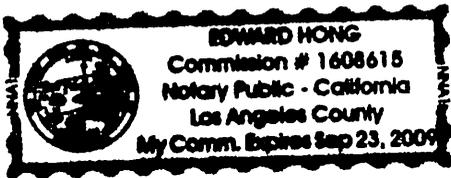
State of California

County of Los Angeles } ss

On November 12, 2007, before me Edward Hong
(date) (name)

a Notary Public in and for said State, personally appeared
Jerry Donahue
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.

Edward Hong
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. 21027 of said City Council adopted September 6, 2005, and the grantee consents to recordation thereof by its duly authorized officer.

Dated 11/13/07

CITY OF RIVERSIDE

By Amelia M. Varlani

APPROVED AS TO FORM
CITY ATTORNEY'S OFFICE

BY [Signature]
City Attorney

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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:



EXHIBIT "A"

LOT LINE ADJUSTMENT
WILDERNESS & JURUPA

That certain real property, located in the City of Riverside, Riverside County California, described as follows:

PARCEL 1

That portion of Lot 14 *together with* that portion of Lots 15 through 18 all in Block 33 of Tract No. 5 of the Riverview Addition to the City of Riverside, as shown by map on file in Map Book 7, Page 7, records of Riverside County, California, described as follows:

COMMENCING at the southwesterly corner of said Lot 18;

THENCE along the southerly line of said Lot 18, South 89°54'51" East, a distance of 3.00 feet to a line that is parallel with and distant 3.00 feet easterly, as measured at right angles, from the centerline of Wilderness Avenue as shown by Parcel Map on file in Parcel Map Book 9, Page 19, records of Riverside County, California, and the POINT OF BEGINNING of the parcel of land to be described;

THENCE along said parallel line, North 0°06'43" East, a distance of 122.02 feet;

THENCE North 47°13'15" East, a distance of 19.10 feet to a line that is parallel with and distant 55.00 feet southerly, as measured at right angles, from the centerline of Jurupa Avenue as shown by Record of Survey filed in Record of Survey Book 47, Page 64, records of Riverside County, California;

THENCE along said last mentioned parallel line, South 89°54'51" East, a distance of 213.10 feet;

THENCE at right angle to said centerline of Jurupa Avenue, South 0°05'09" West, a distance of 96.50 feet;

THENCE along a line parallel with said centerline of Jurupa Avenue, North 89°54'51" West, 41.49 feet;

THENCE at right angle to said centerline of Jurupa Avenue, South 0°05'09" West, a distance of 38.50 feet to a point in the southerly line of said Lot 15, distant 188.67 feet easterly from said southwesterly corner of Lot 18;

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THENCE along the southerly line of said Lots 15 through 18, North 89°54'51" West, a distance of 185.67 feet to the POINT OF BEGINNING.

Containing 28,974 square feet, more or less.

PARCEL 2

That portion of Lot 8 *together with* that portion of Lots 9 through 15 all in Block 33 of Tract No. 5 of the Riverview Addition to the City of Riverside, as shown by map on file in Map Book 7, Page 7, records of Riverside County, California, described as follows:

COMMENCING at the southwesterly corner of Lot 18 of said map;

THENCE along the southerly line of said Lot 18, South 89°54'51" East, a distance of 3.00 feet to a line that is parallel with and distant 3.00 feet easterly, as measured at right angles, from the centerline of Wilderness Avenue as shown by Parcel Map on file in Parcel Map Book 9, Page 19, records of Riverside County, California;

THENCE along said parallel line, North 0°06'43" East, a distance of 122.02 feet;

THENCE North 47°13'15" East, a distance of 19.10 feet to a line that is parallel with and distant 55.00 feet southerly, as measured at right angles, from the centerline of Jurupa Avenue as shown by Record of Survey filed in Record of Survey Book 47, Page 64, records of Riverside County, California;

THENCE along said last mentioned parallel line, South 89°54'51" East, a distance of 213.10 feet to the POINT OF BEGINNING of the parcel of land to be described;

THENCE continuing along said last mentioned parallel line, South 89°54'51" East, a distance of 277.24 feet to a point in the northwesterly line of the Railroad Right-of-Way as shown on said Record of Survey; said point being in a non-tangent curve concaving northwesterly, having a radius of 1407.69 feet and the radial line to said point bears South 48°30'52" East;

THENCE southwesterly to the right along said curve and along said Railroad Right-of-Way through a central angle of 7°49'09" an arc length of 192.11 feet to the southerly line of said Lot 11;

THENCE along the southerly line of said Lots 11 through 15, North 89°54'51" West, a distance of 182.26 feet to a point distant 188.67 feet easterly from said southwesterly

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corner of Lot 18;

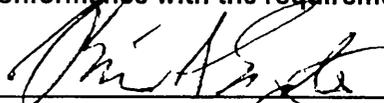
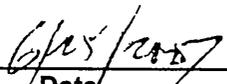
THENCE at right angle to said centerline of Jurupa Avenue, North 0°05'09" East, a distance of 38.50 feet;

THENCE along a line parallel with said centerline of Jurupa Avenue, South 89°54'51" East, a distance of 41.49 feet;

THENCE North 0°05'09" East, a distance of 96.50 feet to the POINT OF BEGINNING.

Containing 30,233 square feet, more or less.

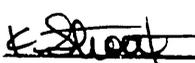
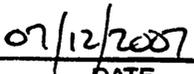
This description was prepared by me or under my direction in conformance with the requirements of the Land Surveyors Act.

Brian G. Esgate, R.C.E. No. 21884
License Expires 9-30-2007



DESCRIPTION APPROVAL

BY  
DATE

FOR: MARK S. BROWN
CITY SURVEYOR

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RECORD OF SURVEY
R/S 47/64

JURUPA AVENUE

PARCEL MAP
P.M.B. 9/19

WILDERNESS AVENUE

SPUR TRACK R/W

PARCEL 1
AREA=28974 SQFT

PARCEL 2
AREA=30233 SQFT

BLOCK 33

CO-P04-0277
PAR A

6120

6160



Esgate
ENGINEERING

3351 PACHAPPA HILL
RIVERSIDE, CALIFORNIA
92506
(909) 313-2058

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

PREPARED BY: *[Signature]* P.C.E. NO. 21884

DATE: 4/5/08

LOT LINE ADJUSTMENT - _____
SCALE: N.T.S.

36-7



16127



LARRY W. WARD
COUNTY OF RIVERSIDE
ASSESSOR-COUNTY CLERK-RECORDER

Recorder
P O Box 751
Riverside, CA 92502-0751
(951) 486-7000

www.riversideacr.com

NOTARY CLARITY

Under the provisions of Government Code 27361.7, I certify under the penalty of perjury that the notary seal on the document to which this statement is attached reads as follows:

Name of Notary: EDWARD HONG

Commission #: 1608615

Place of Execution: ~~9-23-09~~ RIVERSIDE CA

Date Commission Expires: 9-23-09

Date: 11-16-07

Signature: M J Lewis

Print Name: M J LEWIS

