

218117

WHEN RECORDED MAIL TO:

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

FREE RECORDING

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

Project: PMW-37-901
Arlington Avenue & Valencia Street
A.P.N. 226-195-009

RECEIVED FOR RECORD
Min. Past 10 o'clock P.M.

JUN 27 1991

Recorded in Official Records
of Riverside County, California

Recorder
Fees \$

13006

AVIGATION EASEMENT

WHEREAS NEIL FRANK TROQUATO also known as and who acquired title as NEIL F. TROQUATO and JOYCE ANN TROQUATO also known as and who acquired title as JOYCE A. TROQUATO, husband and wife as joint tenants, hereinafter called the "Grantors", are the owners in fee of that certain real property situated in the City of Riverside, County of Riverside, State of California, described as follows:

That portion of the Southwest Quarter of Section 33 of map entitled, "Plan Showing Subdivisions of Sect. 33 and Fr1 Sec. 28 Town 2 S Range 5 W. SBM," on file in Book 2, Page 2 of Maps, records of San Bernardino County, California, described as follows:

BEGINNING at the northeast corner of Parcel 2 of Record of Survey on file in Book 24, Page 27 of Record of Surveys, records of Riverside County, California;

THENCE North along the east line of Parcel 1 of said Record of Survey, a distance of 3.00 feet to a line parallel with and distant 3.00 feet northerly, as measured at right angles, from the south line of said Parcel 1;

THENCE South 89° 21' 30" West, along said parallel line, a distance of 99.44 feet to a point in a line parallel with and distant 6.00 feet easterly, as measured at right angles, from the westerly line of said Parcels 1 and 2; said point being the beginning of a non-tangent curve concaving westerly, having a radius of 4033.00 feet and to which the radial line bears North 89° 08' 30" East;

THENCE southerly to the right along said curve and along said last mentioned parallel line through a central angle of 0° 51' 30" an arc length of 60.41 feet;

THENCE South continuing along said parallel line, a distance of 1.26 feet to the beginning of a non-tangent curve concaving northeasterly having a radius of 41.50 feet and to which the radial line bears South 58° 40' 17" West;

THENCE southeasterly to the left along said last mentioned curve through a central angle of 37° 23' 38" an arc length of 27.08 feet to a line parallel with and distant 60.00 feet northerly, as measured at right angles, from the centerline of Arlington Avenue as shown by said map;

THENCE North 89° 21' 30" East, along said parallel line, a distance of 78.59 feet to the east line of said Parcel 2;

THENCE North along said east line, a distance of 76.00 feet to the POINT OF BEGINNING.

hereinafter called "the Grantors' property"; and

WHEREAS the Grantors' property is located within the Airport Influence Area for the Riverside Municipal Airport operated by the City of Riverside; and

WHEREAS the Grantors have sought approval from the City of Riverside for the development of the Grantors' 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 Grantors' property;

NOW, THEREFORE FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, GRANTORS do 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 Grantors' 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 as any contrivance now known or hereinafter invented, used or designed for navigation of or flight in the air.

Grantors hereby acknowledge 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 Grantors hereby fully waive, remise and release any right or cause of action which Grantors 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.

Grantors, on the behalf of Grantors and the successors and assigns of Grantors, agree 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.

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 Grantors and the heirs, administrators, executors, successors and assigns of Grantors.

Dated 6/24/91

Neil Frank Troquato
NEIL FRANK TROQUATO

DESCRIPTION APPROVAL 6/19/91
George P. Hutchinson by KP
SURVEYOR, CITY OF RIVERSIDE

Joyce Ann Troquato
JOYCE ANN TROQUATO



CONSENT TO RECORDATION

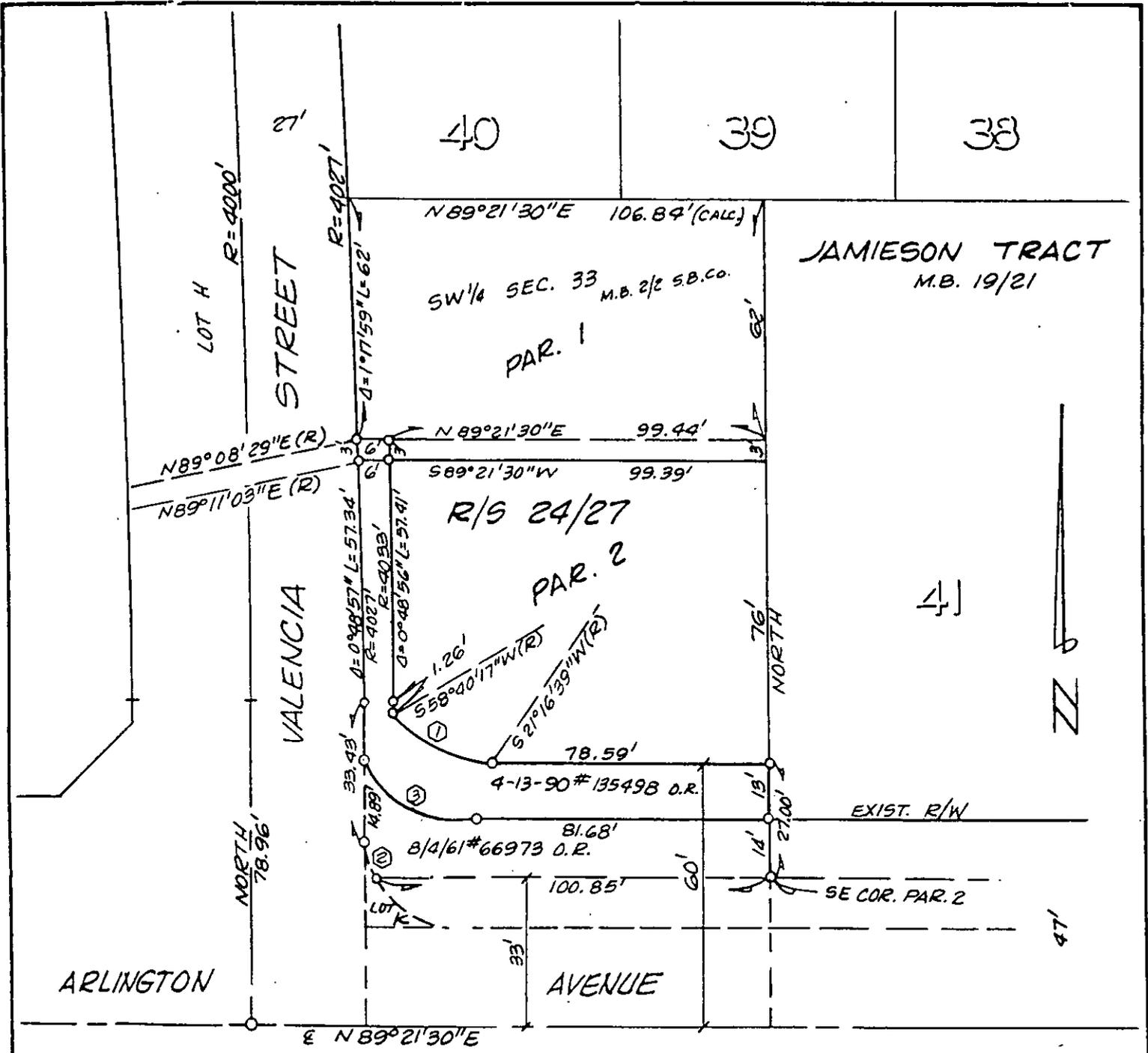
THIS IS TO CERTIFY that the interest in real property conveyed by the within instrument to the City of Riverside, a municipal corporation, is hereby accepted by the undersigned officer on behalf of the City Council of said City pursuant to authority conferred by Resolution No. 14883 of said City Council adopted January 25, 1983, and the Grantee consents to recordation thereof by its duly authorized officer.

Dated June 27, 1991

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

1674u/a

APPROVED AS TO FORM
John Well



| CURVE No. | R | Δ | DATA L |
|-----------|--------|-----------|--------|
| 1 | 41.50' | 37°23'38" | 27.08' |
| 2 | 20' | 37°30'42" | 19.09' |
| 3 | 27' | 59°02'50" | 27.83' |

• CITY OF RIVERSIDE, CALIFORNIA •

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

4/15

SCALE: 1" = 20' NTS DRAWN BY K95 DATE 3/22/90 SUBJECT R-29-890