

DOC # 2009-0171873

04/08/2009 08:00A Fee:NC

Page 1 of 10

Recorded in Official Records

County of Riverside

Larry W Ward

Assessor, County Clerk & Recorder



When recorded mail to:

City Clerk's Office  
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)

S	R	U	PAGE	SIZE	DA	MISC	LONG	RFD	COPY
/			10						
M	A	L	465	426	PCOR	NCOR	SMF	NCHG	EXAM
NCHGCC					T		CTY	UNI	043

FOR RECORDER'S OFFICE USE ONLY

Project: P08-0293

Parcel Merger  
Arlington & Neil

A.P.N. 189-230-039, 010, 011 & 012

D - 16356



AVIGATION EASEMENT  
(RIVERSIDE MUNICIPAL AIRPORT)

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

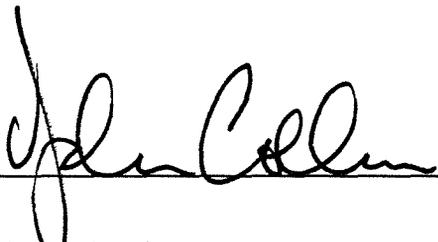
Grantor, on the behalf of Grantor and the successors and assigns of Grantor, agrees not to construct or permit the construction or growth of any structure, tree or other object that obstructs or interferes with the use of the rights herein granted or that creates electrical

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.

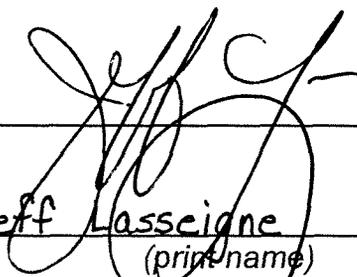
IT IS UNDERSTOOD AND AGREED that this easement and the rights and restrictions herein created shall run with the land and shall be binding upon the Grantor and the heirs, administrators, executors, successors and assigns of Grantor.

Dated March 19, 2009

By   
John Collins  
(print name)

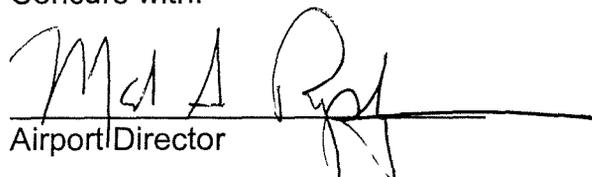
Title Assistant Secretary

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

By   
Jeff Lasseigne  
(print name)

Title Assistant Treasurer

Concurs with:

  
Airport Director

State of California

County of Riverside } ss

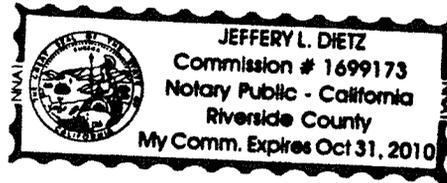
On March 19, 2009, before me, Jeffery L. Dietz, Notary Public,

personally appeared John Collins and Jeff Lasseigne who 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.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Jeffery L. Dietz  
Notary 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 4/7/09

CITY OF RIVERSIDE

By Amelia M. Valeri

APPROVED AS TO FORM  
Susan Wilson  
DEPUTY CITY ATTORNEY

**EXHIBIT "A"**

**PARCEL MERGER NO. P08-0293**

**PARCEL 1**

A portion of Lot "A" together with portions of Lots 50 through 58, inclusive, of Gafford Gardens, as shown by map on file in Book 12, Page 97 of Maps, and a portion of Lot "C" of View Park Tract Unit No. 1, as shown by map on file in Book 39, Pages 55 and 56 of Maps, and a portion of Lot "E" of Tract No. 2327, as shown by map on file in Book 47, Pages 97 through 99, inclusive, of Maps, all records of Riverside County, California, and that portion of the Southwest Quarter of Section 32, Township 2 South, Range 5 West, San Bernardino Meridian, more particularly described as follows:

**BEGINNING** at the Northwest corner of Parcel 1 per Certificate of Compliance, recorded September 23, 2002 as Instrument No. 2002-525103, of Official Records of said County, said corner being at the intersection of the Northerly line of said Gafford Gardens with the West line of the East half of said Lot 50;

THENCE along said Northerly line North 89°48'19" East, a distance of 179.02 feet to the Northeast corner of said Lot "A" as shown by said map of Gafford Gardens;

THENCE South 89°17'06" East, a distance of 20.31 feet to the Southwest corner of that certain parcel of land described in deed to the City of Riverside by document recorded March 17, 1960, as Instrument No. 23746 of Official Records of said Riverside County;

THENCE along the Southerly line of said parcel of land North 89°46'45" East, a distance of 409.13 feet to an angle point in said Southerly line;

THENCE continuing along said Southerly line South 70°48'30" East, a distance of 145.28 feet to the Westerly line of Parcel 1 as shown on Record of Survey, filed in Book 29, Pages 95 through 98, inclusive, in the Office of Recorder, records of said Riverside County, said Westerly line also being the Westerly line of that certain parcel of land described in deed to Harvest Christian Fellowship recorded July 1, 1999, as Instrument No. 1999-294557 of Official Records of said Riverside County;

THENCE along said Westerly line of said Parcel 1 and Westerly line of said parcel of land North 14°49'35" East, a distance of 199.13 feet to the Northwesterly corner of said Parcel 1;

THENCE along the Northerly line of said Parcel 1 South 76°53'45" East, a distance of 124.85 feet to a point on the Westerly line of said Lot "C" as shown on said View Park Tract Unit No. 1;

THENCE along said Westerly line of said Lot "C" South 13°06'43" West, a distance of 238.74 feet to the Northwesterly corner of that certain parcel of land described in deed to

Harvest Christian Fellowship by document recorded November 28, 2001 as Instrument No. 2001-584267 of Official Records of said Riverside County;

THENCE along the Northerly line of said parcel of land South  $76^{\circ}53'17''$  East, a distance of 18.06 feet to a point on the Westerly line of Lot 36 of View Park Tract Unit No. 1, as shown by map on file in Book 39, Pages 55 and 56 of Maps, records of said Riverside County;

THENCE along said Westerly line of said Lot 36, and along the Westerly line of that certain parcel of land described in deed to Chris A. Moore, et ux., by document recorded July 29, 2002 as Instrument No. 2002-413369 of Official Records of said Riverside County, and along the Westerly line of Lots 50 and 51 of Tract No. 2327, as shown by map on file in Book 47, Pages 97 through 99, inclusive, of Maps, records of said Riverside County, and along the Easterly line of those certain parcels of land described in deed to Harvest Christian Fellowship by documents recorded November 28, 2001 as Instrument No. 2001-584266 and Instrument No. 2001-584265 of Official Records of said Riverside County South  $14^{\circ}49'45''$  West, a distance of 268.10 feet to the most Westerly corner of said Lot 50 as shown on said Tract No. 2327, said corner being a point on the Southerly line of said parcel of land described in said Instrument No. 2001-584265;

THENCE along said Southerly line of said parcel of land North  $76^{\circ}53'17''$  West, a distance of 10.03 feet to a point on the Westerly line of said Lot "E" as shown on said Tract No. 2327;

THENCE along said Westerly line of said Lot "E" South  $13^{\circ}06'43''$  West, a distance of 38.88 feet;

THENCE continuing along said Westerly line South  $10^{\circ}27'50''$  East, a distance of 20.73 feet to a point on the Easterly line of said Parcel 1 as shown on Record of Survey, filed in Book 29, Pages 95 through 98, inclusive, in the Office of Recorder, records of said Riverside County;

THENCE along the Easterly line of said Parcel 1 South  $14^{\circ}49'45''$  West, a distance of 182.75 feet to the beginning of a tangent 985.00 foot radius curve concave Easterly;

THENCE Southerly, along the arc of said curve, through a central angle of  $15^{\circ}56'29''$  a distance of 274.06 feet, the preceding three courses also being along the Easterly boundary of that certain parcel of land described in deed to Harvest Christian Fellowship recorded July 1, 1999, as Instrument No. 1999-294557 of Official Records of said Riverside County;

THENCE continuing along said Easterly line of said Parcel 1 South  $45^{\circ}28'37''$  East, a distance of 69.29 feet to a line lying parallel with and 55.00 feet Northerly of, as measured at right angles to the centerline of Arlington Avenue as shown on said Record of Survey;

THENCE along said parallel line, South 89°32'15" West, a distance of 566.09 feet to an angle point in said parallel line;

THENCE continuing along said parallel line, South 89°35'40" West, a distance of 321.66 feet to an angle point in the Northerly boundary of that certain parcel of land described in deed to the City of Riverside by document recorded August 18, 1978, as Instrument No. 175202 of Official Records of said Riverside County;

THENCE along said Northerly boundary, North 41°24'34" West, a distance of 30.48 feet to a line lying parallel with and 33.00 feet Easterly of, as measured at right angles, to the centerline of Neil Street as shown by said map of Gafford Gardens;

THENCE along said parallel line, North 0°23'51" West, a distance of 493.55 feet to a point on the Southerly line of Parcel C of those certain parcels of land described in deed to Harvest Christian Fellowship by document recorded July 27, 2007 as Instrument No. 2007-0488281, of Official Records of said Riverside County;

THENCE along the Southerly line of said parcel, North 89°46'53" East, a distance of 142.00 feet to the Easterly line of said parcel;

THENCE along said Easterly line of said parcel, North 0°23'51" West, a distance of 59.97 feet to a point on the Northerly line of said Lot 53;

THENCE along said Northerly line, North 89°46'53" East, a distance of 7.19 feet to the Westerly line of the Easterly 156.80 feet of Lot 52 as shown by said map of Gafford Gardens;

THENCE along said Westerly line, North 1°20'49" West, a distance of 119.95 feet to a point on Northerly line of Lot 51 as shown by said map of Gafford Gardens;

THENCE along said Northerly line, South 89°47'21" West, a distance of 5.21 feet to the Easterly line of the Westerly 150.00 feet of said Lot 51;

THENCE along said Easterly line, North 0°23'51" West, a distance of 119.93 feet to a point on the Northerly line of said Lot 51;

THENCE along said Northerly line, North 89°47'50" East, a distance of 5.01 feet to a point on the West line of the East half of Lot 50 as shown by said map of Gafford Gardens;

THENCE along said West line, North 0°52'20" West, a distance of 119.94 feet to the **TRUE POINT OF BEGINNING.**

Containing 19.01 acres, more or less.

  
Robert A. Stockton, RCE 33591



3/17/19  
Date

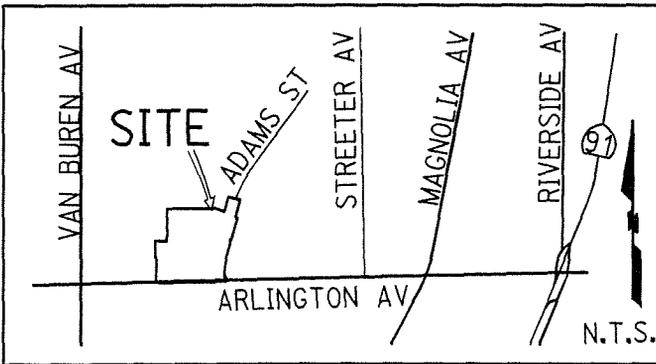
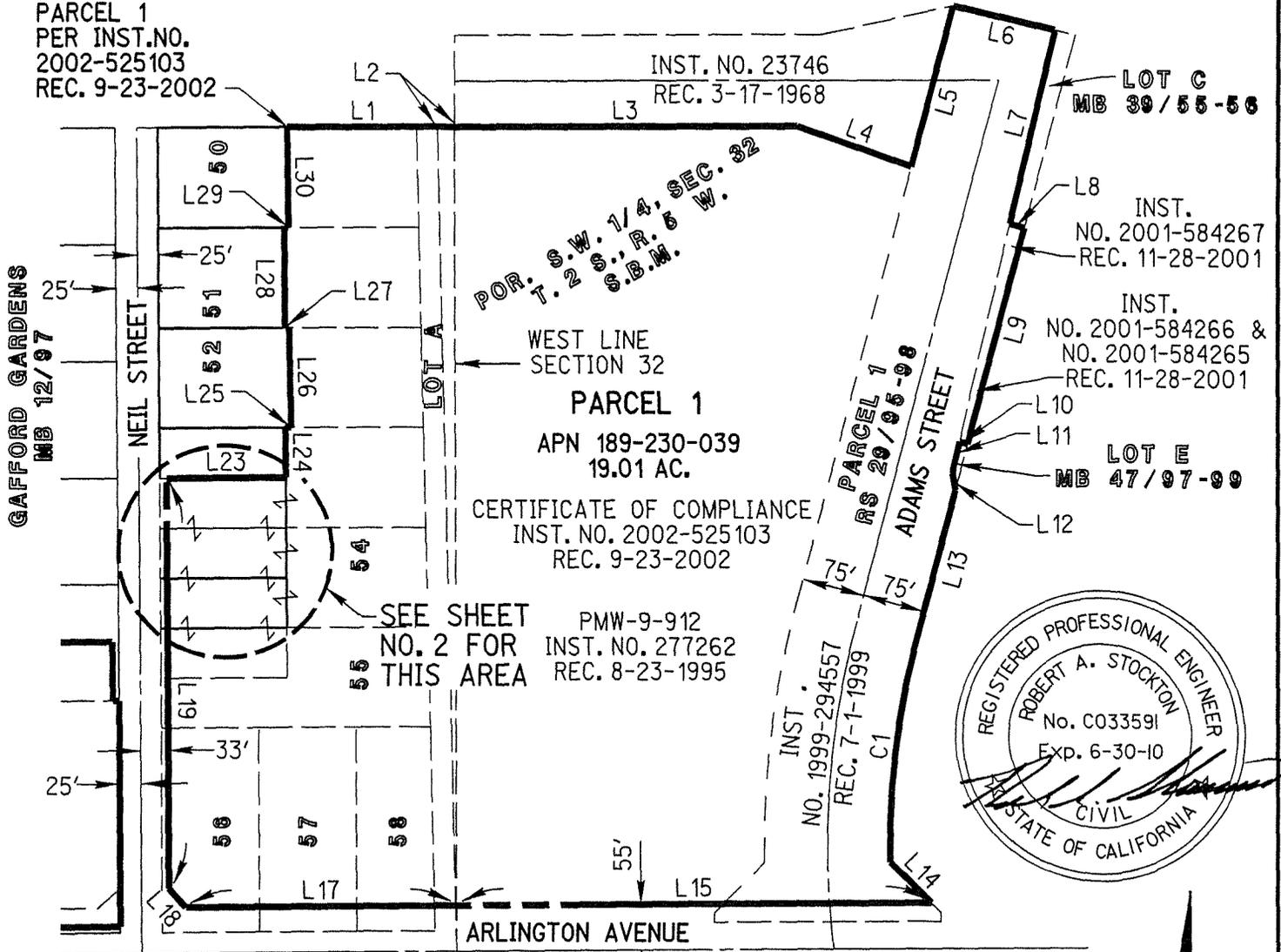
F:\14012\14012c\Legals\Lot Merger 012plt01 doc

DESCRIPTION APPROVAL

BY K. Stout 3/19/2009  
DATE

FOR MARK S. BROWN  
CITY SURVEYOR

POB N.W. CORNER  
 PARCEL 1  
 PER INST.NO.  
 2002-525103  
 REC. 9-23-2002



VICINITY MAP

**NOTES**

1. SEE SHEET NO. 2 FOR DATA TABLE.

**CITY OF RIVERSIDE**

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

**RICK**  
 ENGINEERING COMPANY

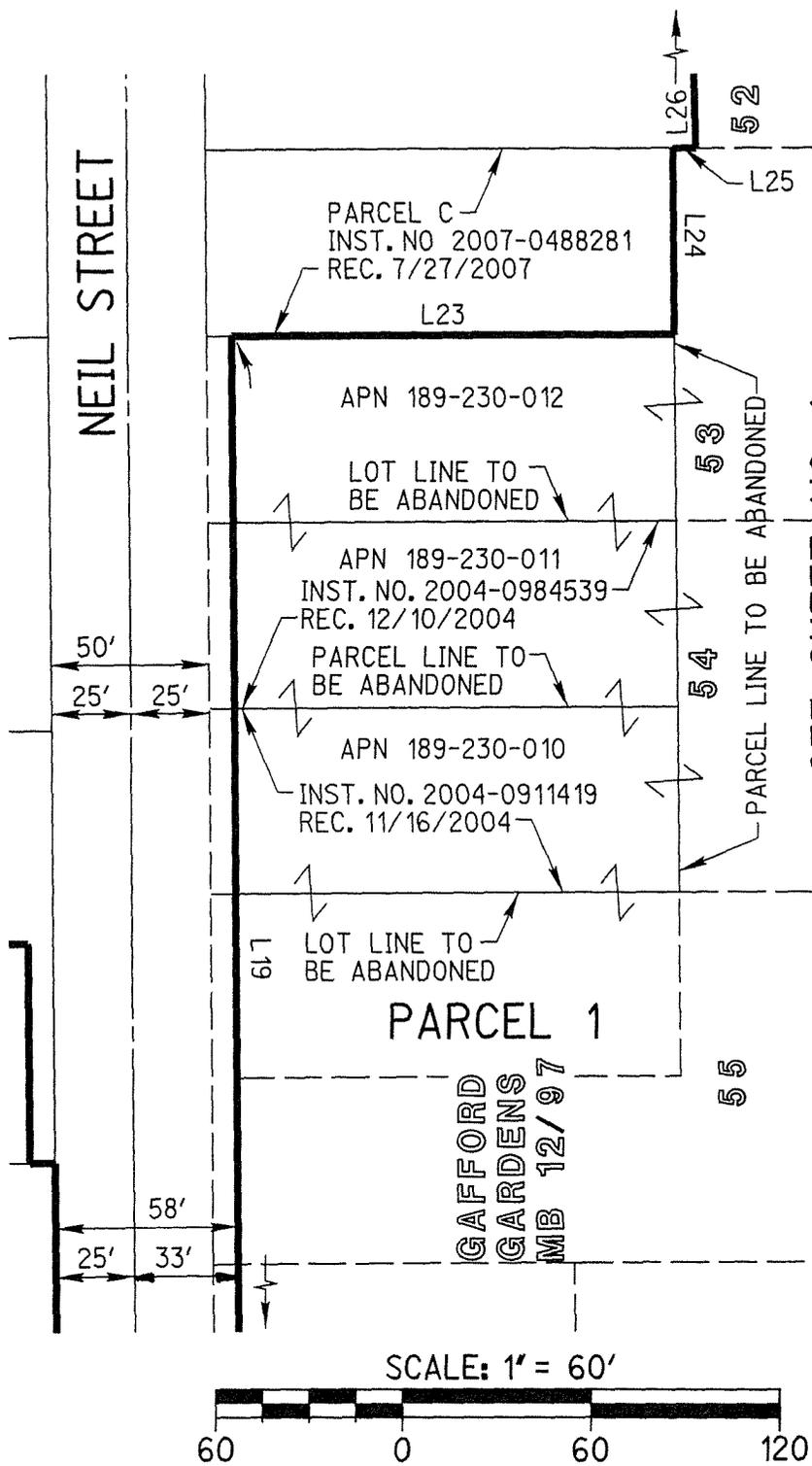
1223 UNIVERSITY AVENUE - SUITE 240  
 RIVERSIDE, CA 92507  
 951 782 0707  
 (FAX)951 782 0723

rckengineering.com

Riverside San Diego Orange Sacramento Phoenix Tucson

EXHIBIT 'B'  
 PARCEL MERGER NO. P08-0293  
 HARVEST CHRISTIAN FELLOWSHIP

SCALE: 1"=200' DATE: MAR. 9, 2009



NAME	DIRECTION	LENGTH
L1	N 89° 48' 19" E	179.02'
L2	N 89° 17' 06" W	20.31'
L3	N 89° 46' 45" E	409.13'
L4	N 70° 48' 30" W	145.28'
L5	N 14° 49' 35" E	199.13'
L6	N 76° 53' 45" W	124.85'
L7	N 13° 06' 43" E	238.74'
L8	N 76° 53' 17" W	18.06'
L9	N 14° 49' 45" E	268.10'
L10	N 76° 53' 17" W	10.03'
L11	N 13° 06' 43" E	38.88'
L12	N 10° 27' 50" W	20.73'
L13	N 14° 49' 45" E	182.75'
L14	N 45° 28' 37" W	69.29'
L15	N 89° 32' 15" E	566.09'
L17	N 89° 35' 40" E	321.66'
L18	N 41° 24' 34" W	30.48'
L19	N 0° 23' 51" W	493.55'
L23	N 89° 46' 53" E	142.00'
L24	N 0° 23' 51" W	59.97'
L25	N 89° 46' 53" E	7.19'
L26	N 1° 20' 49" W	119.95'
L27	N 89° 47' 21" E	5.21'
L28	N 0° 23' 51" W	119.93'
L29	N 89° 47' 50" E	5.01'
L30	N 0° 52' 20" W	119.94'

NAME	DELTA	RADIUS	ARC
C1	15° 56' 29"	985.00'	274.06'



# CITY OF RIVERSIDE

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

**RICK**  
ENGINEERING COMPANY  
Riverside

1223 UNIVERSITY AVENUE - SUITE 240  
RIVERSIDE, CA 92507  
951 782 0707  
(FAX) 951 782 0723

rickengineering.com

San Diego Orange Sacramento Phoenix Tucson

EXHIBIT 'B'  
PARCEL MERGER NO. P08-0293  
HARVEST CHRISTIAN FELLOWSHIP

SCALE: 1"=60' | DATE: MAR. 9, 2009