ENCROACHMENT PERMIT

Pursuant to Resolution No. 11065 of the City of Riverside, permission is hereby granted to Western Municipal Water District of Riverside County, California 450 E. Alessandro Blvd. Riverside, CA its heirs and assigns, hereinafter referred to as "Permittee" to use and occupy the following described property.

That portion of the public street right of way of Buchanan Street extending from approximately 50 feet southeasterly of the southeasterly right of way line of the A.T. & S.F. R.R. to 120 feet southeasterly of the centerline intersection of Buchanan Street at Indiana Avenue, as shown by Sewer Plan No. S-1504 on file in the City of Riverside Public Works Department, a copy of said Sewer Plan No. S-1504 being attached hereto as Exhibit "A",

in accordance with the terms hereof.

1. Permittee shall use and occupy the described property only in the manner and for the purposes as follows: Construction and maintenance of an offsite sewer encroaching into said public street right of way as shown by sewer plan No. S-1504 on file in the City Public Works Department.

1a. The permittee shall abide by all rules, regulations, policies and procedures regulating the installation of underground and surface facilities within a public street, including, but not limited to:

a. Acquisition of necessary construction and/or street opening permits.

b. Approval of signing, barricading and detouring to the specifications of the Traffic Engineer.

c. Notification of the appropriate City departments prior to excavation for any purpose or any street closure related thereto.

d. Coordination with and/or subordination to any City project which may take place during the period of this permit.

1b. The permittee shall notify the City, in writing, of any changes in the operation and maintenance responsibility or ownership of the facility. In the event the facility is abandoned, the permittee shall be responsible for disposing of, or transferring ownership of the facility to the specifications of the Public Works Department of the City.

1c. The permittee shall file duplicate reproducibles of the approved design drawings with the City. The City's copy shall include all future revisions made to the original.

2. Permittee, by acceptance of the benefits hereunder, acknowledges title to the property to be in the City of Riverside and waives any right to contest the validity of the dedication or grant.

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3. Permittee acknowledges that the described property is the site of a proposed or planned public improvement and that, accordingly, all rights and privileges of use permitted shall cease and expire upon notice of revocation by the City. Upon the expiration or revocation, Permittee shall, within the time prescribed by the City, remove all improvements or obstructions placed, constructed or maintained by the Permittee. If the Permittee fails to abide by the removal order of the City within the time prescribed, the City shall have the right to remove and destroy the improvements without reimbursement to the Permittee and the cost of such removal shall be paid by the Permittee to the City of Riverside and shall constitute a debt owed to the City of Riverside.

4. Permittee, by acceptance hereof, waives the right of claim, loss, damage or action against the City of Riverside arising out of or resulting from revocation, termination, removal of the improvements or any action of the City of Riverside, its officers, agents or employees taken in accordance with the terms hereof.

5. Finding and determination by the City Council of the City of Riverside that the Permittee, or his heirs and assigns or successors in interest, are in default of the terms hereunder shall be cause for revocation.

6. Permittee herewith agrees to hold the City of Riverside harmless from and against all claims, demands, costs, losses, damages, injuries, action for damages and/or injuries, and liability growing or arising out of or in connection with the construction, encroachment, and/or maintenance to be done by Permittee or his agents, employees or contractors within the described property.

DATED: May 18, 1988

CITY OF RIVERSIDE, a municipal corporation

By _____ Mayor

Attest _____ City Clerk

The foregoing is accepted by:

_____
(Signature(s) of Permittee)
David W. Hansen, Chief Engineer
Western Municipal Water District
P. O. Box 5286
Riverside, CA. 92517-5286

APPROVED AS TO CONTENT

_____
Department Head (Public Works)

_____
Department Head (Public Utilities)

APPROVED AS TO FORM

_____
City Attorney

CITY MANAGER APPROVAL

_____
for City Manager

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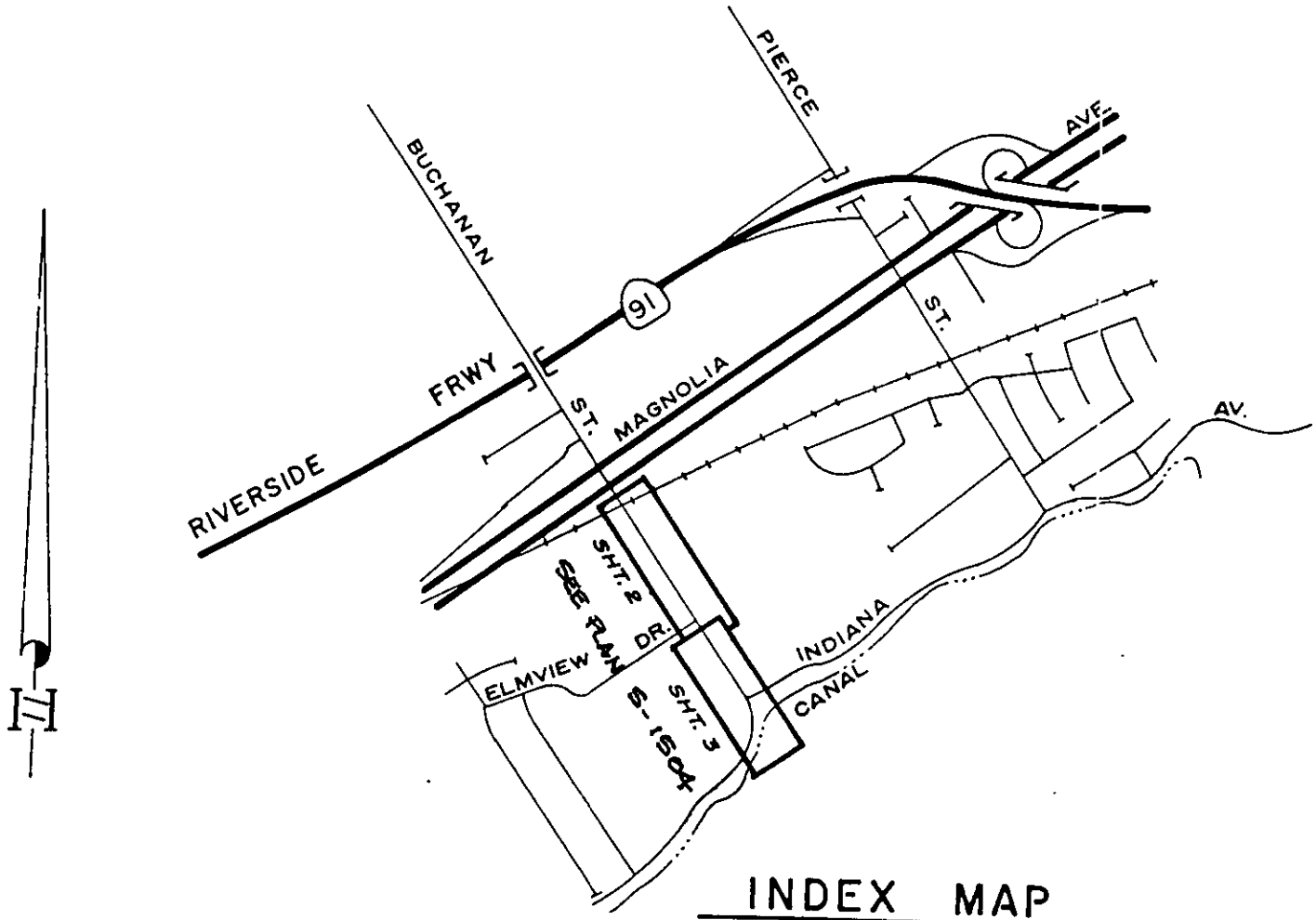

INDEX MAP

EXHIBIT "A"
SHEET 1 OF 3