



E-106

ENCROACHMENT PERMIT

Permission is hereby granted to Russ Marquis, 3192 Mary Street, Riverside, California, his heirs and assigns, hereinafter referred to as "Permittee" to use and occupy the following described property: 3192 Mary Street, Riverside, California, 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:

Due to a flat grade on the driveway approach and the sharp grade of the driveway from the property line to the garage entrance, it is impossible for Permittee to drive cars into the garage. Permission is hereby granted for Permittee to raise grade of driveway approach with plant mix surfacing starting 5' from face of curb to approximately 3' from the entrance to the garage. The sides of the driveway approach shall be graded to a 3:1 slope for pedestrian traffic. In case of a future sidewalk construction, Permittee shall remove temporary fill and construct driveway approach in accordance with City of Riverside Standard Drawing No. 302.

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.

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.

DATED June 7, 1963 CITY OF RIVERSIDE, a municipal corporation

By J. F. Martinek

J. F. Martinek, Director of Public Works

The foregoing is accepted by:

Russ Marquis