

**ENCROACHMENT PERMIT**

(to be completed by applicant)

KELLOW TRUST

~~GREEN PASTORAL DRIVE~~ \_\_\_\_\_, the X Owner Lessee of the property located at ± 3380 TYLER ST in the City of Riverside, Assessors Parcel No. 138-110-023 hereby requests permission to CONSTRUCT AND MAINTAIN AN ADVERTISING SIGN ENCRACHING 5' INTO \_\_\_\_\_

~~is~~ the public right of way of TYLER STREET /or the \_\_\_\_\_ easement at the \_\_\_\_\_ rear/ \_\_\_\_\_ side/ \_\_\_\_\_ front of said property. The attached drawing shows the requested encroachment. Upon issuance of this permit, I agree to comply with the attached terms and conditions.

Date \_\_\_\_\_

Jill Gwaltney, Trustee  
Jill Gwaltney, Trustee

**ENCROACHMENT PERMIT APPROVAL**

(to be completed by City)

This permit shall become effective upon the approval of the Departments listed below. Issuance of this permit shall not be construed as a waiver of any other applicable permit or requirement, but is only revocable permission to use the land for the purpose described.

- Public Utilities Water B. Simpson 3/27/96
- Public Utilities Electric Buttman 4-1-96
- Planning Craig Aaron 2-29-96
- Parks and Recreation Tony Nelson 4-2-96
- (other) TRAFFIC ENG. Manager
- \_\_\_\_\_ (other) \_\_\_\_\_

Upon obtaining the above signatures, return this permit to the Public Works Department for final approval.

Date 4/11/96

Darryl  
Public Works Director

Encroachment Permit No. 1341

E-1341

### TERMS AND CONDITIONS

The following indicated terms and conditions apply to encroachment permit no. 1341.

1. Permittee acknowledges that the area of encroachment is owned or controlled by the City of Riverside.
2. Permittee acknowledges that the described property could be needed for a proposed or planned public improvement and the City may revoke this permit. Upon written notice of revocation, the permittee shall, within the time prescribed by the City, remove all improvements placed, constructed or maintained. If the permittee fails to abide by the removal order of the City, the City shall have the right to remove and destroy the improvements without reimbursement to the permittee. The cost of such removal shall be paid by the permittee to the City and shall constitute a debt owed to the City.
3. Permittee waives the right of claim, loss, damage or action against the City resulting from revocation, termination, removal of improvements or any action of the City, its officers, agents or employees taken in accordance with the terms herein.
4. If the City Council of the City of Riverside finds that the permittee is in default of the terms of this permit, that shall be cause for revocation.
5. Permittee herewith agrees to hold the City of Riverside harmless from and against all claims demands, costs, losses, damages, injuries, actions for damages and/or injuries, and liability in connection with the construction, encroachment, and/or maintenance to be done by permittee within the described property.
6. Prior to any construction taking place on City controlled property, permittee shall obtain a Construction Permit or Street Opening Permit from the City Public Works Department.
7. The permittee agrees to insure that construction of their improvements will not interfere in any way with existing City or utility facilities. The existing facilities will require future maintenance, reconstruction and facilities may be added, any of which may result in removal or alteration of the permittee's improvements without

reimbursement to the permittee. Prior to construction, Permittee shall contact Underground Service Alert to field locate existing utility lines. Any conflicts discovered will void the permit until acceptable revisions are made.

8. Other \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

N 55° 58' 55 E

SEWER M.H.

INDIANA AVE.

C.B. M.H. 25366J

SIGN

TRAFFIC SIGNAL

TRAFFIC SIGNAL BOX

W. VAULTS

C.B. M.H.

TRAFFIC CONTROL PANEL

TRAFFIC SIGNAL BOX

TEL. M.H.

P.P. \* 25366J

ST. L.T.G. / TRAFFIC SIGNALS SERVICES

W/ CONDUIT TO ST. L.T.G. BOX

SIGNAL BOX

STATE R/W

3" G

55' R/W

10' W

43'

0+88.55

MATCH EXIST.  
SEE SHEETS 5 & 6  
FOR CONSTRUCTION  
INSIDE CALTRANS  
RIGHT OF WAY

3" G

2" W

12" IRR.

12" W

Asph

W. VAULT

TRAFFIC SIGNAL

TRAFFIC SIGNAL BOX

TRAFFIC SIGNAL

W.M.

PROPOSED  
3' ENCROACHMENT

Asph

W/METER

STATE R/W

P.P. #

Conc

A.R.V.

TRAFFIC SIGNAL

TRAFFIC SIGNAL BOX

400

C.B. CLEAN OUT

SIGN

2900

N.E. OFF RAMP

LAYOUT LINE

SEE SHEET

OF 2

2900

N.E. ON RAMP

Asph

D.I.

TRAFFIC SIGNAL BOX

TRAFFIC SIGNAL

SIGN

1341

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SEYFARTH, SHAW, FAIRWEATHER & GERALDSON  
STEPHEN A. BAUMAN, ESQ. (STATE BAR NO. 30033)  
One Century Plaza - Suite 3300  
2029 Century Park East  
Los Angeles, California 90067-3063

**FILED**

**MAY 31 1991**

(213) 277-7200

Attorneys for Petitioner

GARY L. GRANVILLE, County Clerk

By  DEPUTY

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF ORANGE

In the Matter of

No. A158481

The Trust of W.G. KELLOW,  
created by the Declaration  
of Trust dated  
December 15, 1930.

ORDER APPOINTING SUCCESSOR  
TRUSTEE (Probate Code §17000  
et seq.)

The Petition For Appointment of Successor Trustee  
(Probate Code §17000 et seq.) of BARBARA JUNE CORNELL, formerly  
BARBARA JUNE KELLOW ("BARBARA"), came on regularly to be heard  
on the 22nd day of May, 1991, in Department 3 of the above-  
entitled court, the Honorable Tully H. Seymour, Judge presiding.  
SEYFARTH, SHAW, FAIRWEATHER & GERALDSON, by STEPHEN A. BAUMAN  
appearing for Petitioner. No person appeared to contest the  
Petition and no person filed objections to the granting of it.  
On proof made to the satisfaction of the Court, the Court finds  
that:

1. Due notice of hearing of the Petition has been  
regularly given as required by law.
2. That JILL GWALTNEY, who was nominated to act as  
Successor Trustee, is a fit and proper person to be appointed.

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and the Court is satisfied that it is necessary that a Successor  
Trustee be appointed.

3. The Petition is granted as set forth below.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that:

1. Notice has been given as required by law;

2. JILL GWALTNEY is hereby appointed as Successor  
Trustee of that certain Declaration of Trust dated December 21,  
1930, established by W.G. Kellow, to fill the vacancy created by  
the resignation of WARREN BRADFORD CORNELL and that said JILL  
GWALTNEY shall have the powers of said Trustee and is entitled  
to receive distribution of the property belonging to the Trust  
from WARREN BRADFORD CORNELL; and

3. Bond is hereby waived.

DATED:           MAY 29 1991          , 1991

*Tully H. Seymour*

JUDGE OF THE SUPERIOR COURT

TULLY H. SEYMOUR

LSA1013\KELLOW2.PLE

THIS INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL  
ON FILE IN THIS OFFICE  
JUN 10 1991

ATTEST:

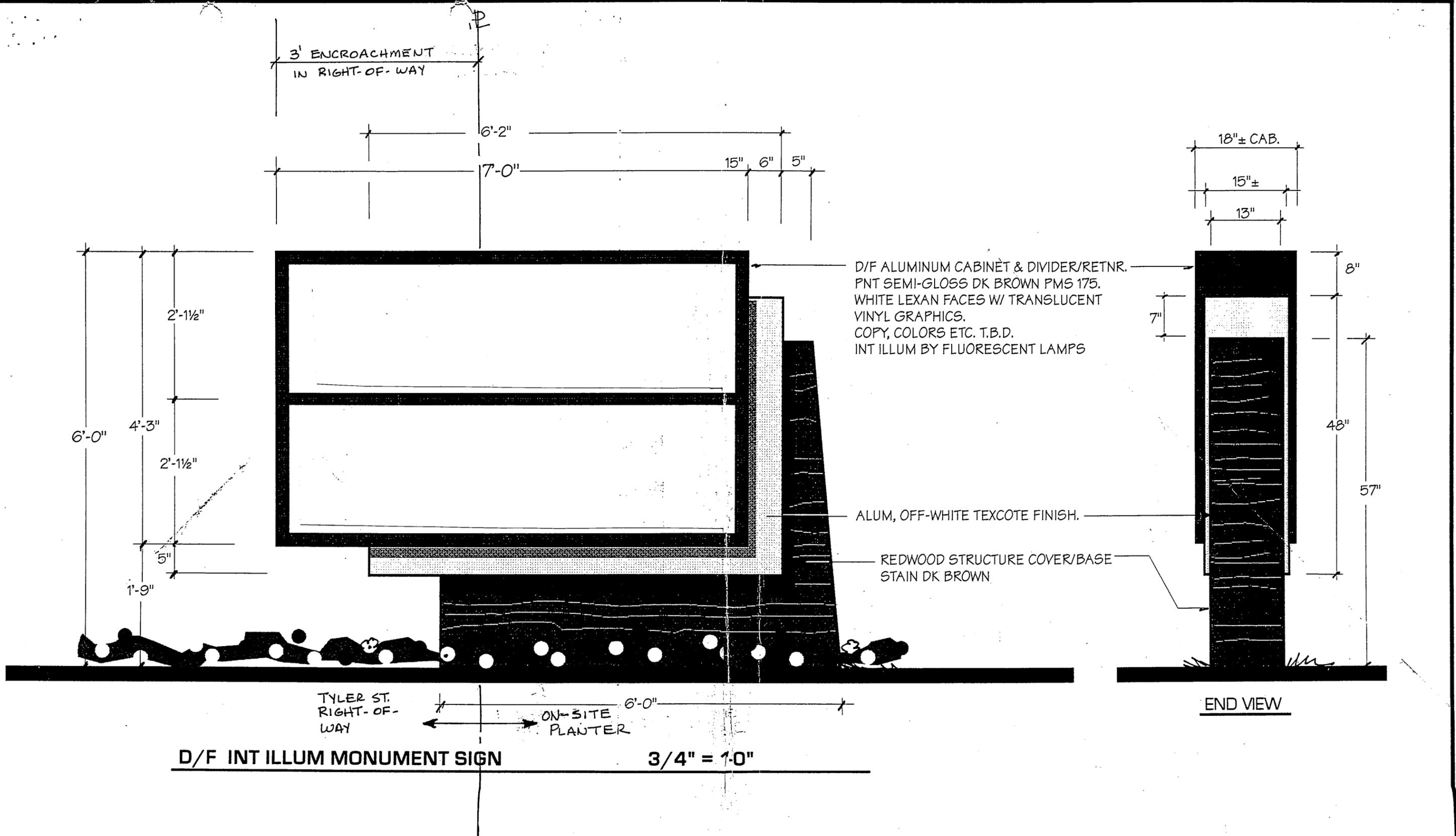
GARY L. GRANVILLE

County Clerk and Clerk of the  
Superior Court of the State of California  
in and for the County of Orange

BY *Ruthie Veyna* DEPUTY  
RUTHIE VEYNA







|          |                               |
|----------|-------------------------------|
| CLIENT   | DUNN & CO.                    |
| JOB SITE | 3396 TYLER ST. RIVERSIDE, CA. |

E-1341