

ENCROACHMENT PERMIT

Rogelio Gutierrez, the Owner of the property located at **9344 Martha Way** in the City of Riverside, Assessors Parcel No. 233-074-005 hereby requests permission to construct and maintain a **4' high block and wrought iron fence** within the public right of way of Martha Way as shown on **EXHIBIT A** attached hereto.

Upon issuance of this permit, I agree to comply with the attached terms and conditions.

Date _____

BY: _____

Date 10/20/00

BY: Rogelio Gutierrez

Applicants Address: 9344 Martha Way
Riverside CA. 92503
909-509-8546

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ENCROACHMENT PERMIT APPROVAL

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, and is only revocable permission to use the land for the purpose described.

- ___ Public Utilities Water - Brian Simpson B. Simpson 10/4/00
- ___ Public Utilities Electric - Bill Mainord Bill Mainord 10/3/00
- ___ Parks and Recreation - Terry Nielsen Terry Nielsen 10/10/00
- ___ Planning - Jeff Belier Jeffery A. Belier 10/10/00

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

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FINAL APPROVAL

Date 10-12-2000

Richard McGrath
Richard McGrath, Public Works Director

TERMS AND CONDITIONS

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 Public Works Director 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 any existing City or utility facilities.
8. Permitted acknowledges that existing city or utility facilities will require future maintenance, reconstruction, and revisions and that facilities may be added, any of which may result in removal or alteration of the permittee's improvements without reimbursement to the permittee.
9. 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.

Special Departmental Conditions Attached: YES

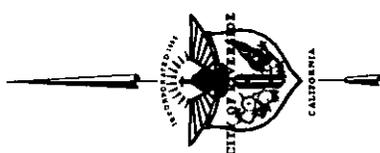
SPECIAL CONDITIONS
Park and Recreation Department
STREET TREE CONDITIONS

- 9a. Being the owner of the property described in the above encroachment permit, I hereby accept responsibility of maintaining the street tree(s) located in my front yard, and I hold the City of Riverside harmless from any damage that may occur to my improvements as detailed in this Encroachment Permit as a result of a limb or the tree falling, or as a result of the natural growth of said tree(s).

In addition, I hereby grant the City of Riverside permission to gain entry to said yard in order to maintain said street tree(s), should the need arise.

DATE 10.20/00

Owner Regelio Gutierrez



1 inch = 40 feet

Symbology

- Structure Outline
- Curb face
- Edge of Pavement
- Unpaved Roadway
- Edge of Pavement / Berm
- Edge of Sidewalk
- City Owned Property
- ROW Line
- Parcel Line
- Assessor Parcel Line
- Project Limits Boundary
- Private Street Centerline
- Proposed Street Centerline
- Lot Line
- Misc. Cadastral Line
- Vacated Street
- ILS Clear Zone
- Adjusted ROW
- Easement Line
- Restricted Access
- Easement Line

Map Produced on:
 September 22, 2000
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