

ENCROACHMENT PERMIT

Pursuant to Resolution No. 11065 of the City of Riverside, permission is hereby granted to Mr. Ray M. Fisher  
4207 Miramonte Place  
Riverside, California 92501

his heirs and assigns, hereinafter referred to as "Permittee" to use and occupy the following described property. A portion of the existing public right of way on the northerly side of Miramonte Place adjacent to Lot 17 of MOUNT RUBIDOUX PARK UNIT NO. 4 as shown by map on file in Book 28 of Maps, at pages 37 and 38, inclusive thereof, records of Riverside County, 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: For maintenance of an existing 8" thick, variable height, concrete block wall encroaching into the existing public right of way of Miramonte Place as shown by Exhibit "A" attached hereto and made a part of this document.

1A. By acceptance of this permit, permittee further agrees to:

- a. Maintain the block wall at permittee's expense;
- b. Assume all liability;
- c. Remove said wall at permittee's expense in the event of future sidewalk construction;
- d. Cause no interference with street light operation and maintenance;
- e. Permittee shall box around water meter to provide access from street. Wall shall be no closer than 1' from outside edge of existing meter box.

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.

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: Jan 7, 1974

CITY OF RIVERSIDE, a municipal corporation

By [Signature] Mayor

Attest [Signature] City Clerk

The foregoing is accepted by:

[Signature]  
(Signature(s) of Permittee)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

APPROVED AS TO CONTENT

William D. Gardner  
for Department Head

APPROVED AS TO FORM

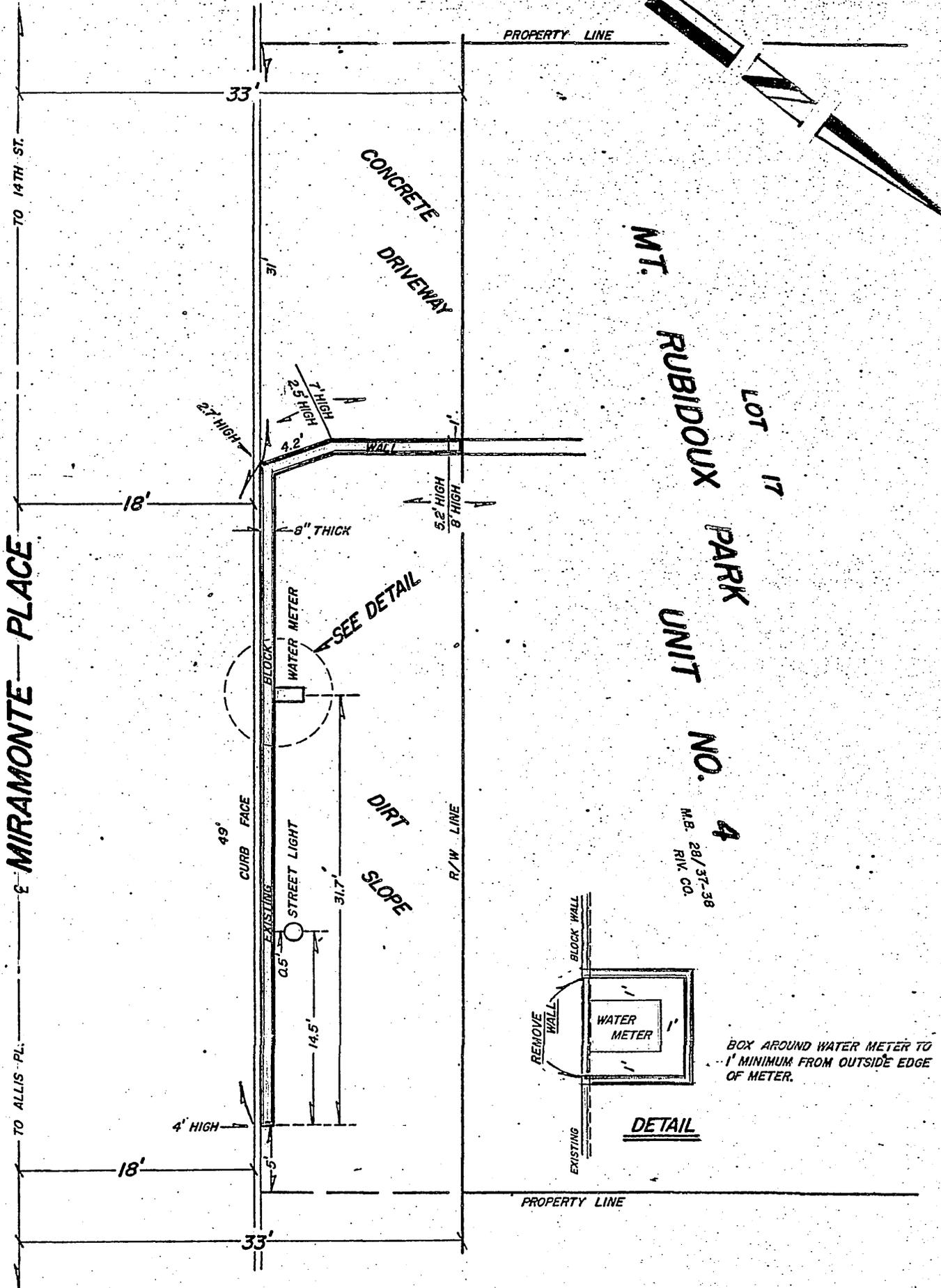
John Woodhead  
City Attorney

CITY MANAGER APPROVAL

David J. [Signature]  
City Manager

# 66 99 exhibit A

no scale



CITY OF RIVERSIDE, CALIFORNIA

SHEET 1 OF 1

1/19

SCALE: 1" = NONE

DRAWN BY W.E. DATE 12 / 5 / 73

SUBJECT ENCROACHMENT PERMIT 4207 MIRAMONTE PLACE

E-440