

ENCROACHMENT PERMIT

Pursuant to Resolution No. 11065 of the City of Riverside, permission is hereby granted to Ray Bréiner

5678 La Sierra Ave.

Riverside, Ca. 92505

his heirs and assigns, hereinafter referred to as "Permittee" to use and occupy the following described property: portion of the existing Public right-of-way of LA SIERRA AVENUE (Lot N) of TRACT No. 2 of LA SIERRA HEIGHTS, on file in Book 7 of Maps, at Page 66 thereof, records of Riverside County, California; said right-of-way being located approximately 550 feet northerly of the intersection of said La Sierra Avenue and Campbell Avenue,

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 construction and maintenance of a 2 inch galvanized steel water-line crossing said La Sierra Avenue as shown by Exhibit 'A' attached hereto and made a part of this document.

1A. The above subject water line, in order to avoid conflict with the future pavement grade of La Sierra Avenue, shall be placed at a depth of 4 feet, plus or minus, at the easterly right-of-way line, below the existing 12" irrigation line, ^{AND} at a depth of 4 feet, plus or minus, at the westerly right-of-way line. If the future pavement should be lowered to an elevation that requires the relocation of existing utility facilities, the permittee shall relocate his pipeline at his own expense.

1B. Permittee or his contractor shall obtain all necessary permits including a construction permit from the Public Works Department prior to performing any work within the right-of-way. The pipe shall be placed by boring beneath the pavement and adjacent dirt shoulders. No excavation shall be allowed in or within 10 feet of the existing pavement.

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: March 15, 1976

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

[Signature]
Department Head

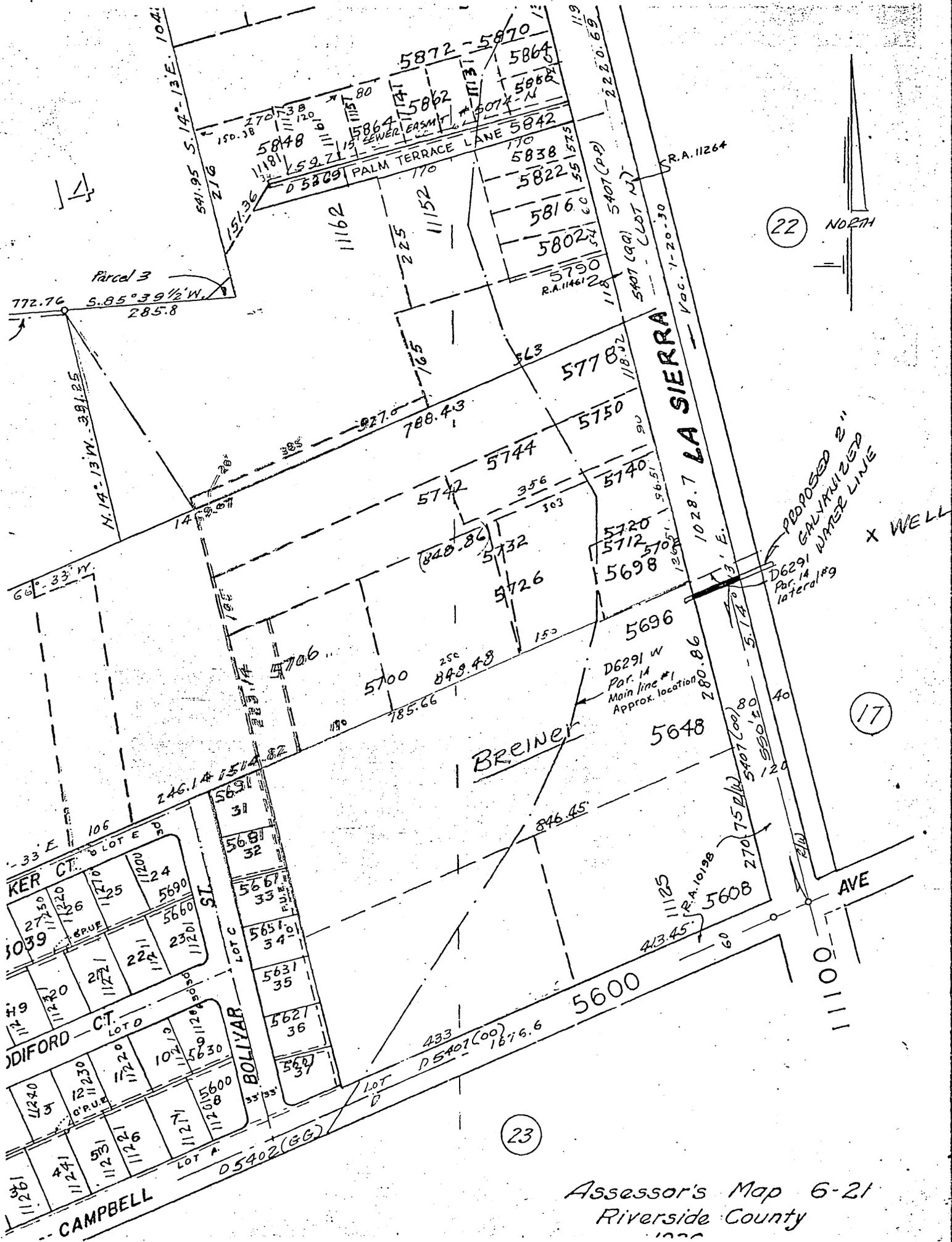
APPROVED AS TO FORM

[Signature]
City Attorney

CITY MANAGER APPROVAL

[Signature]
City Manager

EXHIBIT 'A'



Assessor's Map 6-21
Riverside County

• CITY OF RIVERSIDE, CALIFORNIA •