

ENCROACHMENT PERMIT

Pursuant to Resolution No. 11065 of the City of Riverside, permission is hereby granted to Walter's Auto Sales & Service, Inc.  
6634 Indiana Avenue  
Riverside, CA 92506

its heirs and assigns, hereinafter referred to as "Permittee" to use and occupy the following described property: That portion of Indiana Avenue (a Public Right of way) as shown on map of Orange Acres No. 3 filed in Book 16 of Maps at page 47 thereof Records of Riverside County, California. Also that portion of Indiana Avenue (a Public right of way) as described by deed recorded August 10, 1962 as Instrument No. 75607 of Official Records, Riverside County, also that portion of Indiana Avenue (a Public right of way) as described by deed recorded May 23, 1969 as Instrument No. 51262 of Official Records of Riverside County, California as shown on attached Exhibit "A" and made a part of this document.

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: To construct and maintain a concrete block retaining wall up to 18" high, and parking lot lights encroaching up to 5.5 feet into Indiana Avenue ( a Public right of way) as shown on attached Exhibit "A".

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 24, 1977 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

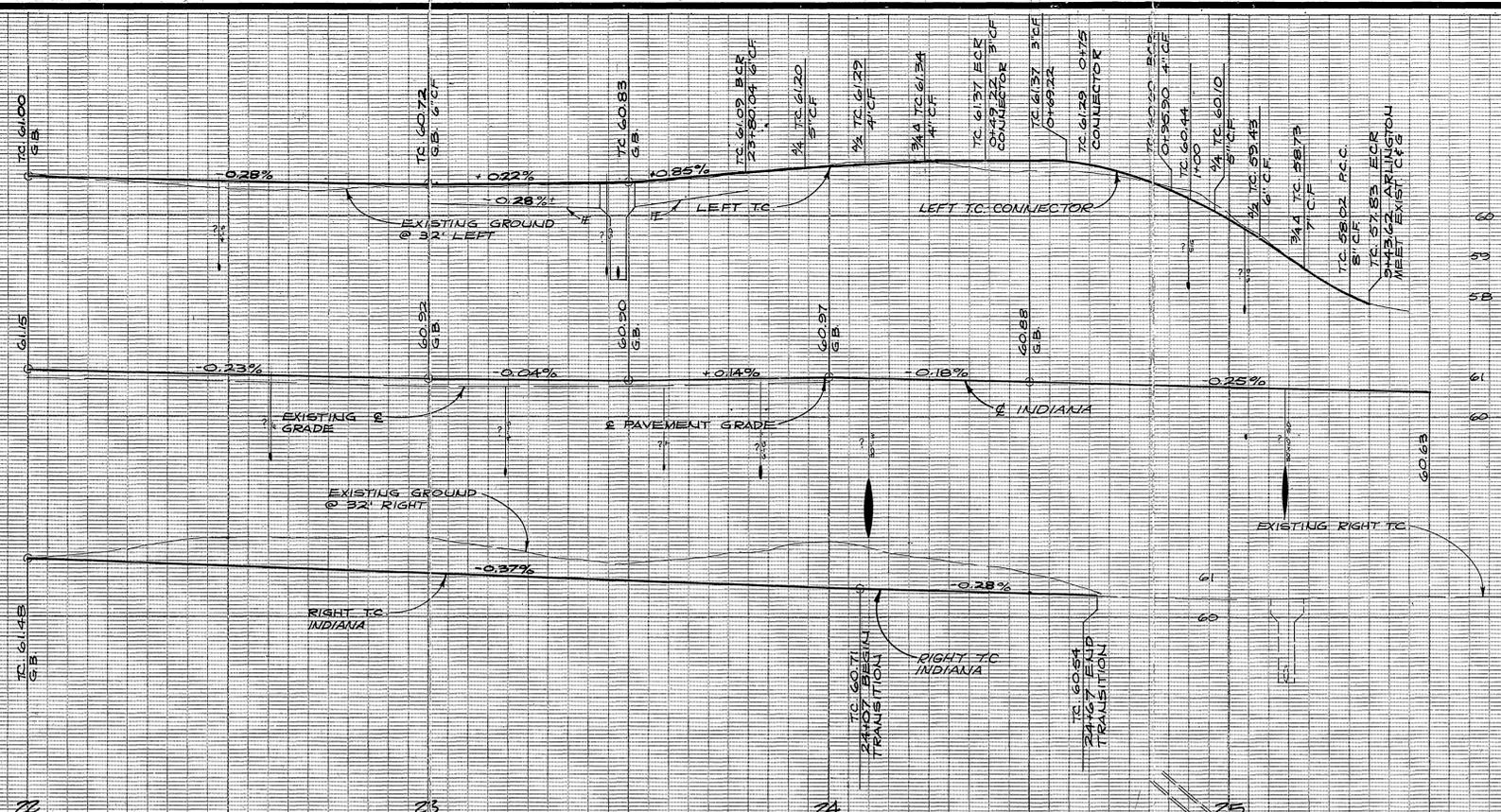
[Signature]  
Department Head

APPROVED AS TO FORM

[Signature]  
City Attorney

CITY MANAGER APPROVAL

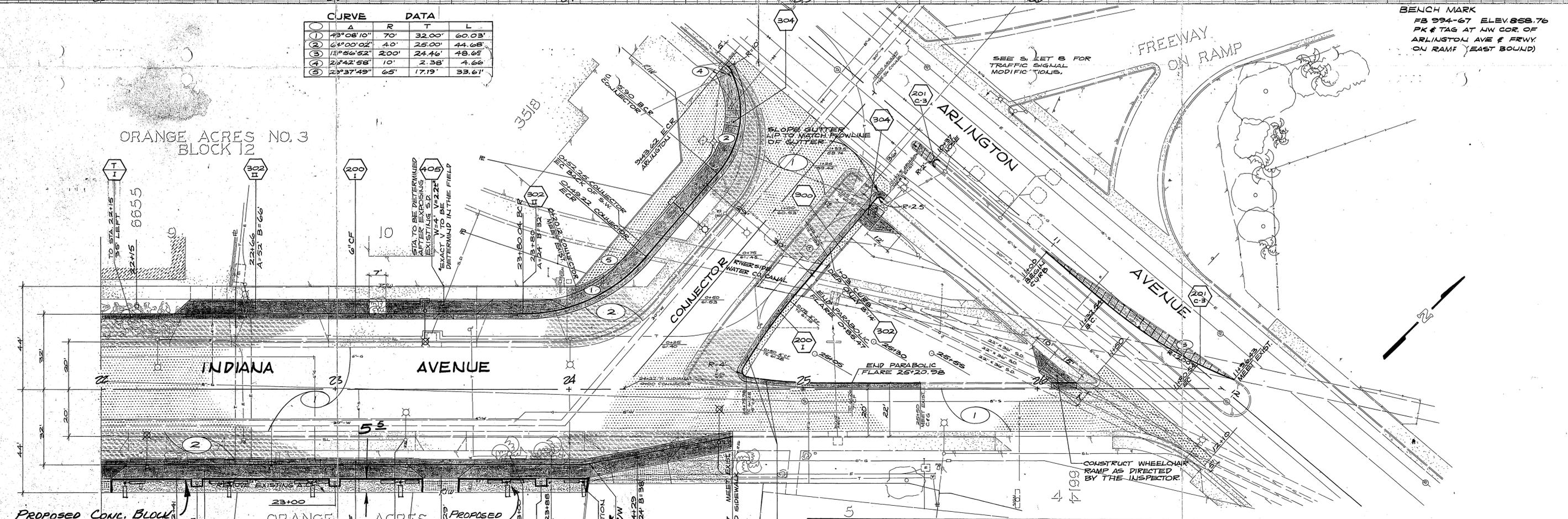
[Signature]  
City Manager



**CURVE DATA**

Δ	R	T	L
1) 43°08'10"	70'	32.00'	60.03'
2) 64°00'02"	40'	25.00'	44.68'
3) 13°56'52"	200'	24.46'	48.65'
4) 23°42'58"	10'	2.38'	4.66'
5) 23°37'49"	65'	17.19'	33.61'

**BENCH MARK**  
 FB 994-67 ELEV. 858.76  
 PK # TAG AT NW COR. OF  
 ARLINGTON AVE & FRWY  
 ON RAMP (EAST BOUND)



PROPOSED CONC. BLOCK RETAINING WALL  
 ORANGE ACRES NO. 3 BLOCK 12  
 EXHIBIT A  
 PROPOSED PARKING LOT LIGHTS  
 BEGIN TRANSITION RELOCATE CURBER FELICE POST TO RW LINE  
 6620 24+67 MEET EXIST. CEG AND SIDEWALK

<b>CITY OF RIVERSIDE</b> PUBLIC WORKS DEPARTMENT		<b>Indiana Avenue</b> Widening Mary to Arlington		ACCOUNT NO. 30 575 356 07 <b>R-1852</b> SHEET 7 OF 10 FILE NO.
APPROVED BY PRINCIPAL ENGINEER PARK DEPARTMENT TRAFFIC DIVISION CHIEF P. W. ENGINEER		APPROVED BY PUBLIC WORKS DIRECTOR		DATE
MARK	REVISIONS	APPR. DATE	HORIZ. SCALE: 1" = 20' VERT. SCALE: 1" = 2'	
DESIGNED BY: GWS DRAWN BY: SRW CHECKED BY: DR BAK				



JOHN WOODHEAD  
City Attorney

RECEIVED

DEC 5 1977

DEPT. OF PUBLIC WORKS

December 2, 1977

PUB. WORKS DEPT.	
Assistant	<i>[Signature]</i>
Traffic	
Transp.	
Cap. Proj.	<i>[Signature]</i>
Off. Eng.	
1911 Acts	
Plan & R.	
Land R. c.	
Inspection	
San. Eng.	
Clerical	
File: Encroachment Permits	<i>[Signature]</i>
X-Ref: # E-594	
F.U. Date	

Mr. Walter Kienle  
Walter's Auto Sales & Service, Inc.  
6634 Indiana Avenue  
Riverside, California 92506

Re: Encroachment Permit No. E-594  
Indiana Avenue Widening, Mary to Arlington

Dear Mr. Kienle:

On March 24, 1977, the City of Riverside issued to Walter's Auto Sales & Service, Inc. an encroachment permit to construct and maintain a concrete block retaining wall up to 18 inches high, and parking lot lights encroaching up to 5.5 feet into the Indiana Avenue right-of-way. Said wall and lights were to be installed in accordance with the plans attached to the encroachment permit as Exhibit A.

*Indiana Ave widening Mary to Arlington*

The City's Chief Public Works Engineer has indicated that you have failed to comply with the terms of the encroachment permit as you did not jog the wall at specified locations to allow for tree wells.

Please be advised that pursuant to the provisions of Paragraph 5 of the encroachment permit, the City Council of the City of Riverside retains the right and power to declare you in default of the terms and conditions of the permit and to order the removal of the entire wall on the City's right-of-way.

In the event the necessary corrective action as outlined in the October 26, 1977 letter and drawing sent to you by the Chief Public Works Engineer is not commenced within fifteen days from the date of this letter, and completed within fifteen days after commencement, this office will have no recourse other than to recommend that the City Council find you in default of your encroachment permit.

Your cooperation to avoid the declaration of default and any subsequent legal action would be greatly appreciated.

Very truly yours,

BARBARA PURVIS  
Assistant City Attorney

BP/1c

cc: William Gardner, Public Works Dept.  
Rommie Davenport, Park & Recreation Dept.