

ENCROACHMENT PERMIT

Pursuant to Resolution No. 11065 of the City of Riverside, permission is hereby granted to JAMES M. KIMMEL AND DEBORAH L. KIMMEL  
7257 Boice Lane  
Riverside, CA 92506

their heirs and assigns, hereinafter referred to as "Permittee" to use and occupy the following described property.

That portion of the public street right-of-way of Boice Lane adjoining Lot 3 of Tract No. 19176 as shown by map on file in Book 178, pages 19 through 25 of Maps, records of Riverside County, California and as shown on the attached Exhibit "A",

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: Construction and maintenance of the following items encroaching into said public street right of way a maximum of 7.5 feet as shown on the attached Exhibit "A"

- 1) brick header
- 2) 2' high retaining wall
- 3) 2' high brick planter

1a. Issuance of this permit shall not constitute any approvals by the Planning Department for variances, setbacks, building permits, design review, etc.

1b. Prior to construction, Permittee shall contact all utility companies with facilities in the permit area to determine if the proposed encroachment permit will conflict with any existing or proposed facilities.

1c. Prior to any construction taking place, Permittee shall obtain a "street opening" permit from the Public Works Department.

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: APR. 16 1990

CITY OF RIVERSIDE, a municipal corporation

By Terry Frenzel Mayor

Attest Alicia Lane City Clerk

The foregoing is accepted by:

(Signature(s) of Permittee)

[Signature]  
JAMES M. KIMMEL  
[Signature]  
DEBORAH L. KIMMEL

APPROVED AS TO CONTENT

[Signature]  
Department Head

CONCURS WITH

[Signature]  
Planning Department

APPROVED AS TO FORM

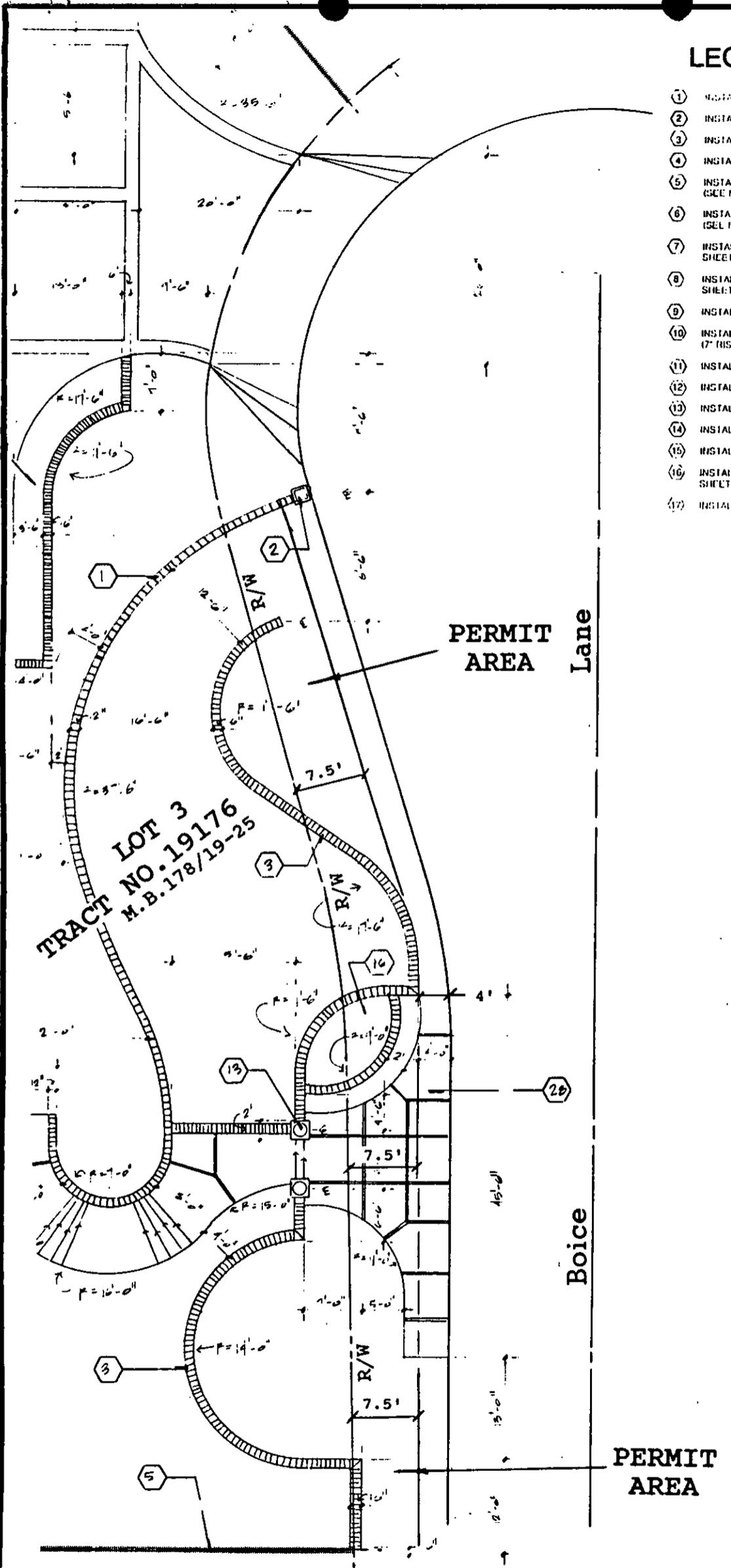
[Signature]  
City Attorney

CITY MANAGER APPROVAL

[Signature]  
City Manager

# LEGEND

- ① INSTALL PERGOLA PER DETAIL 'E' SHEET C-2
- ② INSTALL MAILBOX PER DETAIL 'M' SHEET C-2
- ③ INSTALL RETAINING WALL PER DETAIL 'L' SHEET C-2
- ④ INSTALL W.I. FENCE PER DETAIL 'C' SHEET C-3
- ⑤ INSTALL BRICK WALL PER DETAIL 'D' SHEET C-2 (SEE NOTES)
- ⑥ INSTALL W.I. BRICK WALL PER DETAIL 'D' SHEET C-2 (SEE NOTES)
- ⑦ INSTALL CONCRETE DRIVEWAY PER DETAIL 'G' SHEET C-3, 'H' & 'J' SHEET C-2
- ⑧ INSTALL POOL AREA DECK PER DETAIL 'K' & 'J' SHEET C-2
- ⑨ INSTALL BRICK COLUMN PER DETAIL 'A' SHEET C-2
- ⑩ INSTALL STEPS PER DETAIL 'G' SHEET C-3 (7" RISE, 12" RUN)
- ⑪ INSTALL SPA PER DETAIL 'L' SHEET C-2
- ⑫ INSTALL POOL PER DETAIL 'K' SHEET C-2
- ⑬ INSTALL 12" DUAL COLUMN PER DETAIL 'A' SHEET C-2
- ⑭ INSTALL STONE EDGE PER DETAIL 'J' SHEET C-3
- ⑮ INSTALL BBQ PER DETAIL 'W' SHEET C-3
- ⑯ INSTALL A 2" RAISED PLANTER PER DETAIL 'U' SHEET C-3
- ⑰ INSTALL STORAGE GATE PER DETAIL 'T' SHEET C-3



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EXHIBIT "A"  
SHEET 1 OF 3



