

ENCROACHMENT PERMIT

(to be completed by applicant)

CRAIG G. & JUDITH G. RIEMER, the XOwner Lessee of the property located at 5920 SHAKER DR. in the City of Riverside, Assessors Parcel No. 252-102-015 hereby requests permission to CONSTRUCT AND MAINTAIN A CONCRETE PLANK FENCE/WALL 5.5 FEET HIGH

in the public right of way of TIMBERLANE DRIVE / or the \_\_\_\_\_ easement at the \_\_\_\_\_ rear/ \_\_\_\_\_ side/ X front of said property. The attached drawing shows the requested encroachment. Upon issuance of this permit, I agree to comply with the attached terms and conditions.

Date \_\_\_\_\_

X Craig G. Riemer  
X \_\_\_\_\_

.....  
ENCROACHMENT PERMIT APPROVAL

(to be completed by City)

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

- X Public Utilities Water B. Simpson 1/8/97
- X Public Utilities Electric BTM Meiron 1/8/97
- X Planning Craig Arrow 1-10-97
- X Parks and Recreation D. Brown 1/21/97
- \_\_\_\_\_ (other) \_\_\_\_\_
- \_\_\_\_\_ (other) \_\_\_\_\_

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

Date 1/24/97

WMC Burgess  
Public Works Director

Encroachment Permit No. 1388

TERMS AND CONDITIONS

The following indicated terms and conditions apply to encroachment permit no. 1388.

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 City Council 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 existing City or utility facilities. The existing facilities will require future maintenance, reconstruction and revisions and facilities may be added, any of which may result in removal or alteration of the permittee's improvements without

reimbursement to the permittee. 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.

8. Other \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# ROHR

ROHR INDUSTRIES, INC.

BY \_\_\_\_\_ DATE \_\_\_\_\_

CH'KD. \_\_\_\_\_ DATE \_\_\_\_\_

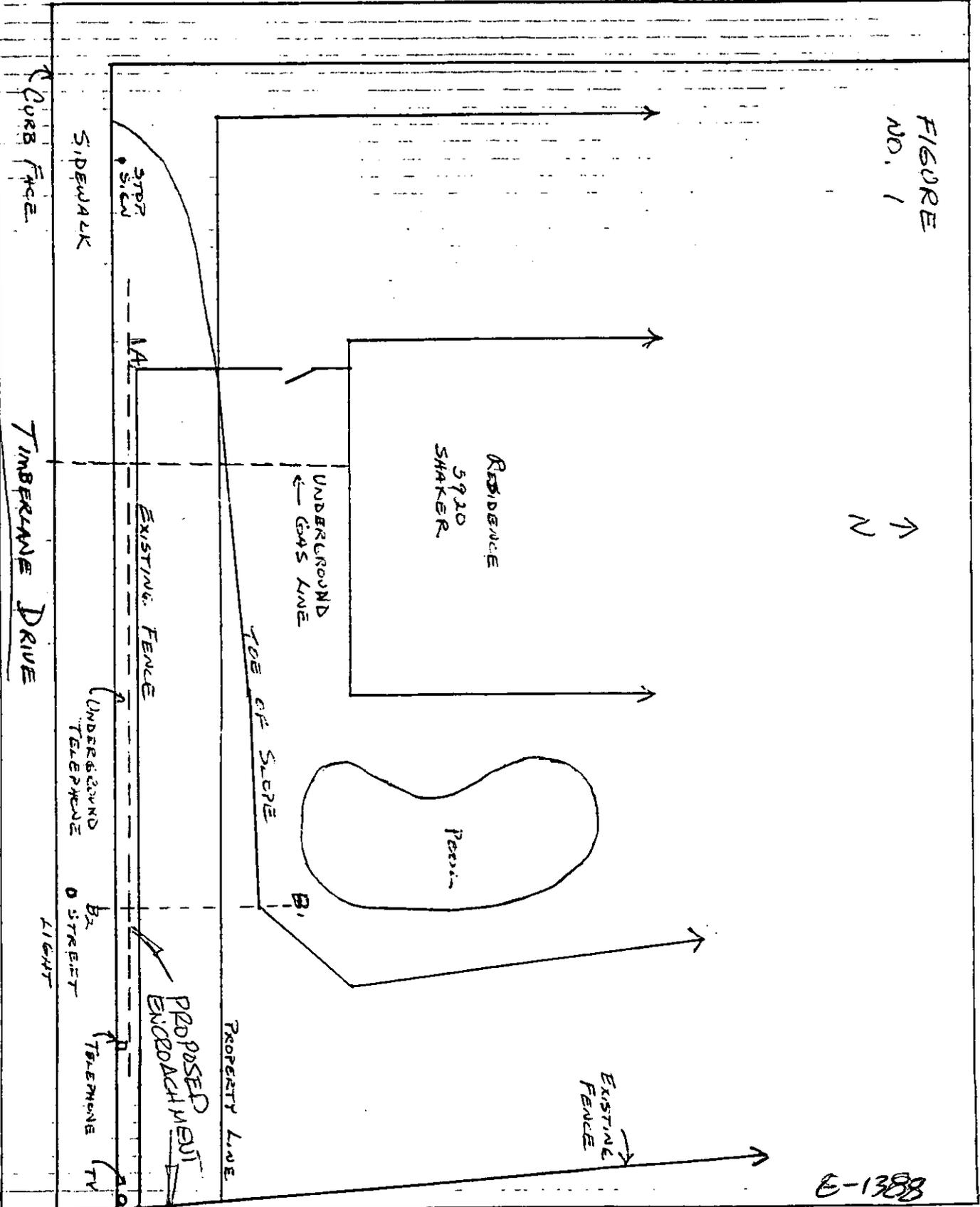
PAGE \_\_\_\_\_

TITLE \_\_\_\_\_

## SHAKER DRIVE

FIGURE  
NO. 1

↑  
N



Scale = 1 foot to 1/4 inch  
FOR EASE OF DRAWING,  
CURVATURE OF STREETS

PLOT PLAN, SOUTHERN PORTION OF LOT  
5920 SHAKER DRIVE, RIVERSIDE

E-1388

BY \_\_\_\_\_ DATE \_\_\_\_\_

CH'KD. \_\_\_\_\_ DATE \_\_\_\_\_

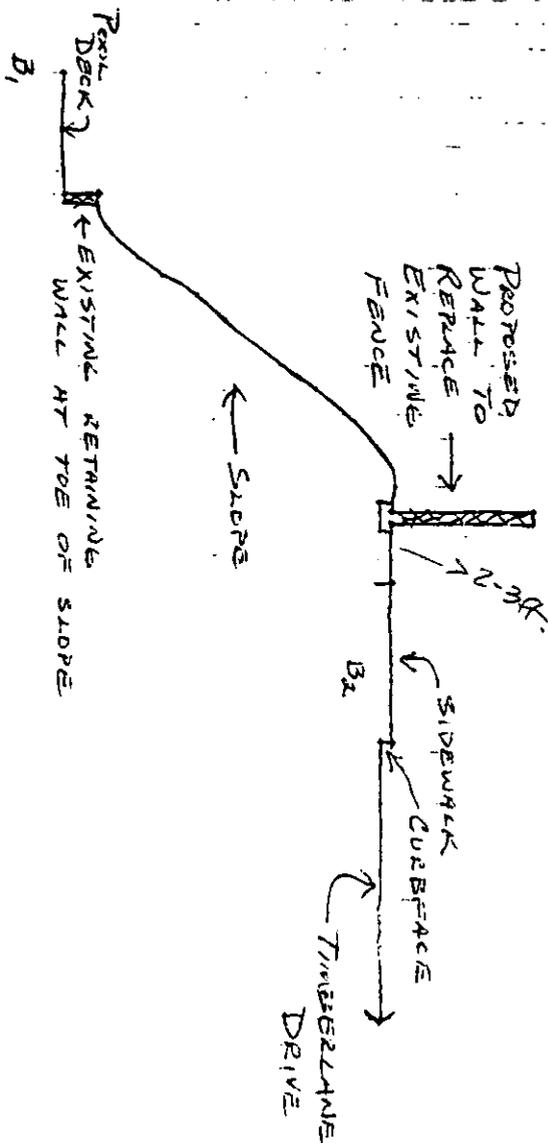
# ROHR

ROHR INDUSTRIES, INC.

PAGE \_\_\_\_\_

TITLE \_\_\_\_\_

FIGURE  
NO. 3



CROSS-SECTION OF PROPOSED WALL  
5920 SHAKER DRIVE, RIVERSIDE  
(B1 - B2 ON PLOT PLAN)

SCALE: 1/8 INCH = 1 FOOT

E-1388

BY \_\_\_\_\_ DATE \_\_\_\_\_

CH'KD. \_\_\_\_\_ DATE \_\_\_\_\_

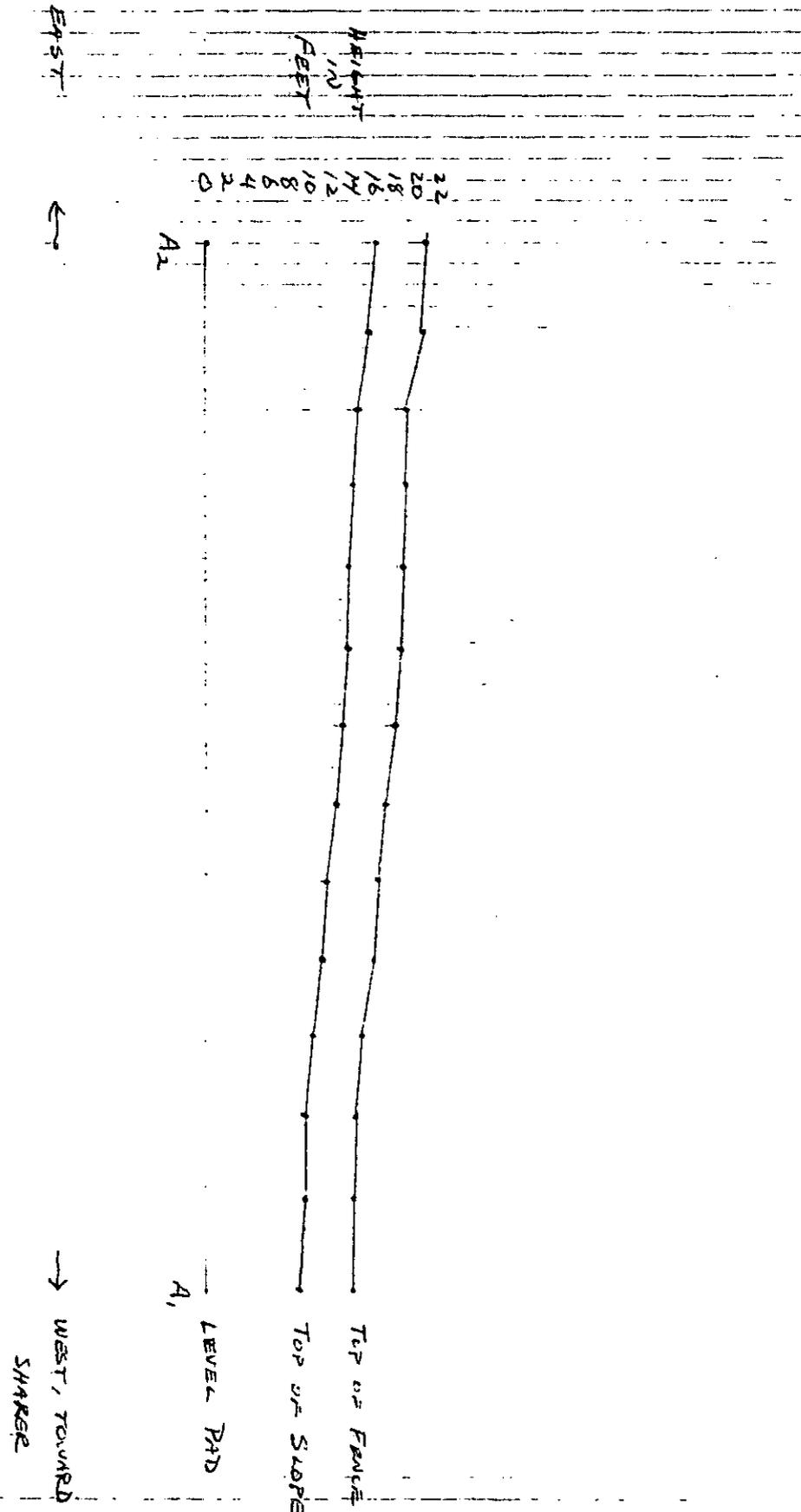
# ROHR

ROHR INDUSTRIES, INC.

PAGE \_\_\_\_\_

TITLE \_\_\_\_\_

FIGURE  
NO. 2



~~SOUTH~~ SOUTH-FACING VIEW OF SLOPE AND EXISTING FENCE

SCALE: 1 FOOT = 1/16 INCH  
(A-A. ON PLOT PLAN)

E-1388

*Craig & Judy Riemer*

5920 Shaker Drive  
Riverside, California 92506  
voice (909) 383-2465  
fax (909) 383-4660

January 8, 1997

Kenneth Strout  
Land Records Technician  
Engineering Division  
Department of Public Works  
City of Riverside  
Riverside City Hall  
3900 Main Street  
Riverside, CA 92522

Re: Amendment to Application for Encroachment Permit

Dear Mr. Strout:

As you may recall, by a letter dated July 9, 1996, I applied for an encroachment permit for the purpose of replacing an existing, 30-year-old wooden fence in the City's right-of-way at 5920 Shaker Drive with a concrete block or plank wall. In September, Mr. William Maynard in the Public Utilities Department informed me that no wall with a continuous footing would be permitted in the desired location because of its proximity to buried electrical lines.

To resolve his objection, I have decided to install a concrete plank fence. It is similar to a typical wooden fence in that it does not have a continuous footing. Instead, the planks slide horizontally between upright members spaced six feet apart. Each upright is sunk into the ground between 2 and 2.5 feet deep, and set into place with a poured concrete footing approximately 12 inches in diameter. The footings will not approach within a one-foot radius of the high voltage electrical cables buried nearby.

I have discussed this alternative with Mr. Maynard, and he has no objections. However, he asked me to amend my original application to specifically identify the type of fence to be constructed. Accordingly, I withdraw my application to the extent it referred to a concrete block wall, and restrict my request solely to an encroachment by a concrete plank fence as described in the preceding paragraph. The location of the fence will be the same as described in my original application.

E-1388

Please call me at the phone number listed above if you have any questions. Otherwise, I look forward to hearing from you when the necessary approvals have been given so that we may discuss the details of the issuance of the permit. We would appreciate whatever can be done to expedite this process. More pieces of the existing fence fell down over the last several weeks.

Yours very truly,

A handwritten signature in cursive script that reads "Craig Riemer". The signature is fluid and extends to the right.

Craig G. Riemer

**CRAIG G. & JUDITH G. RIEMER**

5920 Shaker Drive  
Riverside, CA 92506  
(h) 909-682-0477  
(w) 909-383-2465

July 9, 1996

Mr. Ken Strout  
Land Records Technician  
Department of Public Works,  
Engineering Division  
City of Riverside  
City Hall  
3900 Main Street  
Riverside, CA 92522

Re: Application for Encroachment Permit

Dear Mr. Strout:

For 30 years, a fence has encroached into the City's right-of-way at the northeastern corner of Shaker Drive and Timberlane Drive. Craig G. Riemer and Judith G. Riemer hereby apply for a permit to authorize the encroachment of that fence and its replacement with a concrete block or concrete plank wall within the City's right-of-way at the location and to the extent described below. We understand that when our application is ready for approval by the Director of Public Works, a fee of approximately \$93.50 will be due.

Location of Encroachment

Since 1985, we have owned and resided in the single family residence at 5920 Shaker Drive, Riverside, California 92506-4034. It is a corner lot which faces Shaker Drive but which is bounded on the south by Timberlane Drive. The legal description of the property is Lot 38 of Tract 2591, as shown on map recorded in Book 48, page 6, of the Official Records of Riverside County. (For your convenience, a copy of the relevant portion of that tract map is enclosed.) The assessor's parcel number is 252-102-015-0.

Need for Encroachment

In 1966, the property was improved with a swimming pool, thus requiring that the back yard be surrounded by a barrier at least 48 inches high. On the south side of the property, that barrier is a 5-foot-high wooden fence which parallels Timberlane Drive.

On that side of the property, there is a steep slope leading from the level of the sidewalk along Timberlane Drive down to the level building pad on which both the pool and house are built.

The height of the slope varies from approximately 9 feet above the pad on the western end to approximately 16 feet above the pad on the eastern end. Had the fence been placed at the true property line, which is at or near the toe of the slope, it would have provided neither privacy nor security. Accordingly, when prior owners built the fence (presumably in 1966), they placed it at the top of the slope, in the City's right-of-way, instead of on the property line.

#### Extent of Encroachment

We are informed by your department that the property line is 15 feet from the curb face along Timberlane Drive. Immediately behind the curb is a sidewalk, which extends from 0.5 to 6.5 feet from the curb face. The southern (street-facing) side of the existing fence ranges from 26 to 30 inches beyond the northern edge of the sidewalk. Therefore, the fence currently encroaches (and for the last 30 years, has encroached) between 6 and 7 feet into the City's right-of-way. A plot plan (Figure No. 1) showing the southern portion of the property, together with the approximate location of the relevant improvements and nearby utility services, is enclosed. (For ease of drafting, Timberlane Drive has been depicted as a straight line, although it actually curves.)

#### Nature of the Encroaching Improvement

Up to now, the encroachment has been in the form of the wooden fence. Due to its advanced age, portions of that fence between our property and the Holmblads' property (lot 37 of our tract) are falling down. Accordingly, we would like to replace the fence with a concrete block (or possibly concrete plank) wall as soon as possible. The wall will be built in the same location as the existing fence, with a maximum height above the grade of the sidewalk of 6 feet. (Because the bottom of the existing fence is up to one foot above the grade of the sidewalk in places, the total effective height of the wall will be no higher than the maximum effective height of the existing fence.)

#### Supporting Documents

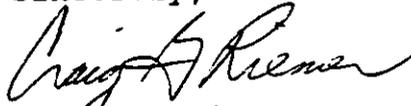
In support of our application, the following documents are enclosed:

1. A copy of the relevant portion of the map of Tract 2591.
2. A plot plan of the southern portion of our property. (Figure No. 1.)
3. A diagram of the slope and existing fence, viewed from our back yard while looking south. (Figure No. 2.)
4. A diagram of a cross-section of a representative portion of the slope and proposed wall. (Figure No. 3.)
5. A statement by our closest neighbors to the east, the Holmblads, indicating their consent to the granting of the encroachment permit.

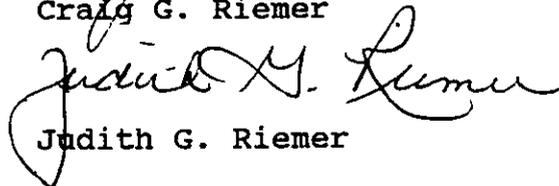
6. A statement by our closest neighbors to the south, the Warrens, indicating their consent to the granting of the encroachment permit.

Please contact Craig Riemer at 383-2465 if there is any additional information required in order to process this application.

Sincerely,



Craig G. Riemer



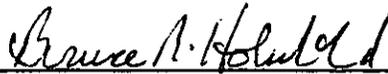
Judith G. Riemer

Enclosures (6)

STATEMENT OF CONSENT

We own and reside at 1499 Timberlane Drive, Riverside. That property includes lot 37 of tract 2591. The Riemers' property, lot 38, is immediately to the west of ours. We have read the Riemers' application for an encroachment permit. We have no objection to the City granting that permit. Moreover, to the extent that any portion of that wall may extend onto our property, we join in that application.

Date: July 2, 1996

  
Bruce Holmblad

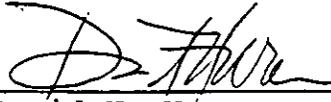
Date: July 6, 1996

  
Elizabeth Gardner Holmblad

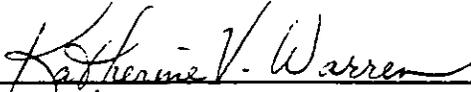
STATEMENT OF CONSENT

We own and reside at 5940 Shaker Drive, Riverside, also known as lot 34 of tract 2591. Our property is south of and directly across Timberlane Drive from the Riemers' property. We have read the Riemers' application for an encroachment permit, and have no objection to that application being granted by the City.

Date: July 7, 1996

  
\_\_\_\_\_  
David H. Warren

Date: July 7, 1996

  
\_\_\_\_\_  
Katherine V. Warren