

ENCROACHMENT PERMIT

Pursuant to Resolution No. 11065 of the City of Riverside, permission is hereby granted to STEVE KOSTEK and EUNICE KOSTEK  
5503 Jurupa Avenue  
Riverside, CA 92504

their heirs and assigns, hereinafter referred to as "Permittee" to use and occupy the following described property. That portion of the Drainage Easement, 5.00 feet in width, lying adjacent to the easterly line of Lot 40 of Sunland Estates, as shown by map on file in Book 36, Pages 69 and 70 of Maps, records of Riverside County, California, as shown by 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 a 5.00' high block wall encroaching into said Drainage Easement, as shown by the attached Exhibit "A".

1a. The Permittee shall maintain a minimum clearance of 3.00 inches from the footing of said block wall to the existing 14" concrete drainage pipe as shown by the attached Exhibit "A".

1b. The Permittee shall be held responsible for any damages incurred to the drainage facility during the construction, maintenance or operation of said footing and block wall.

1c. The Permittee understands and agrees to indemnify and hold harmless the City of Riverside from any and all damages incurred to said footing and block wall as a result of the reconstruction, maintenance, operation, inspection, replacement, relocation or removal of said drainage facilities.

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: September 14, 1988

CITY OF RIVERSIDE, a municipal corporation

By Bob Brown Mayor

Attest Alice A. Havel City Clerk

The foregoing is accepted by:

(Signature(s) of Permittee)  
Steve Kostek  
Quince Kostek

APPROVED AS TO CONTENT

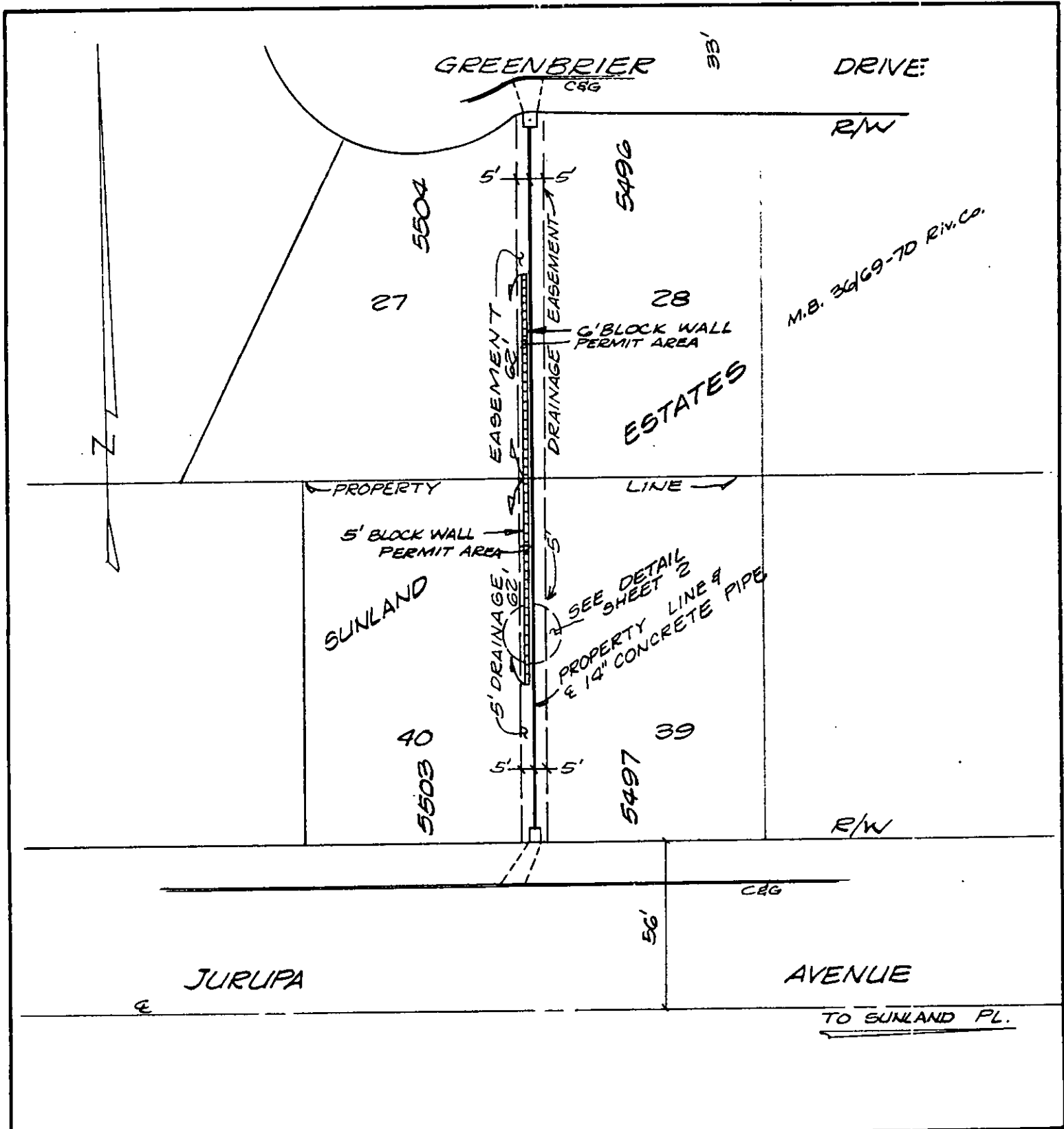
Bury Beck  
Department Head

APPROVED AS TO FORM

John Woodhouse  
City Attorney

CITY MANAGER APPROVAL

Robert E. Leonard  
City Manager



**ENCROACHMENT PERMIT**

**EXHIBIT "A"**

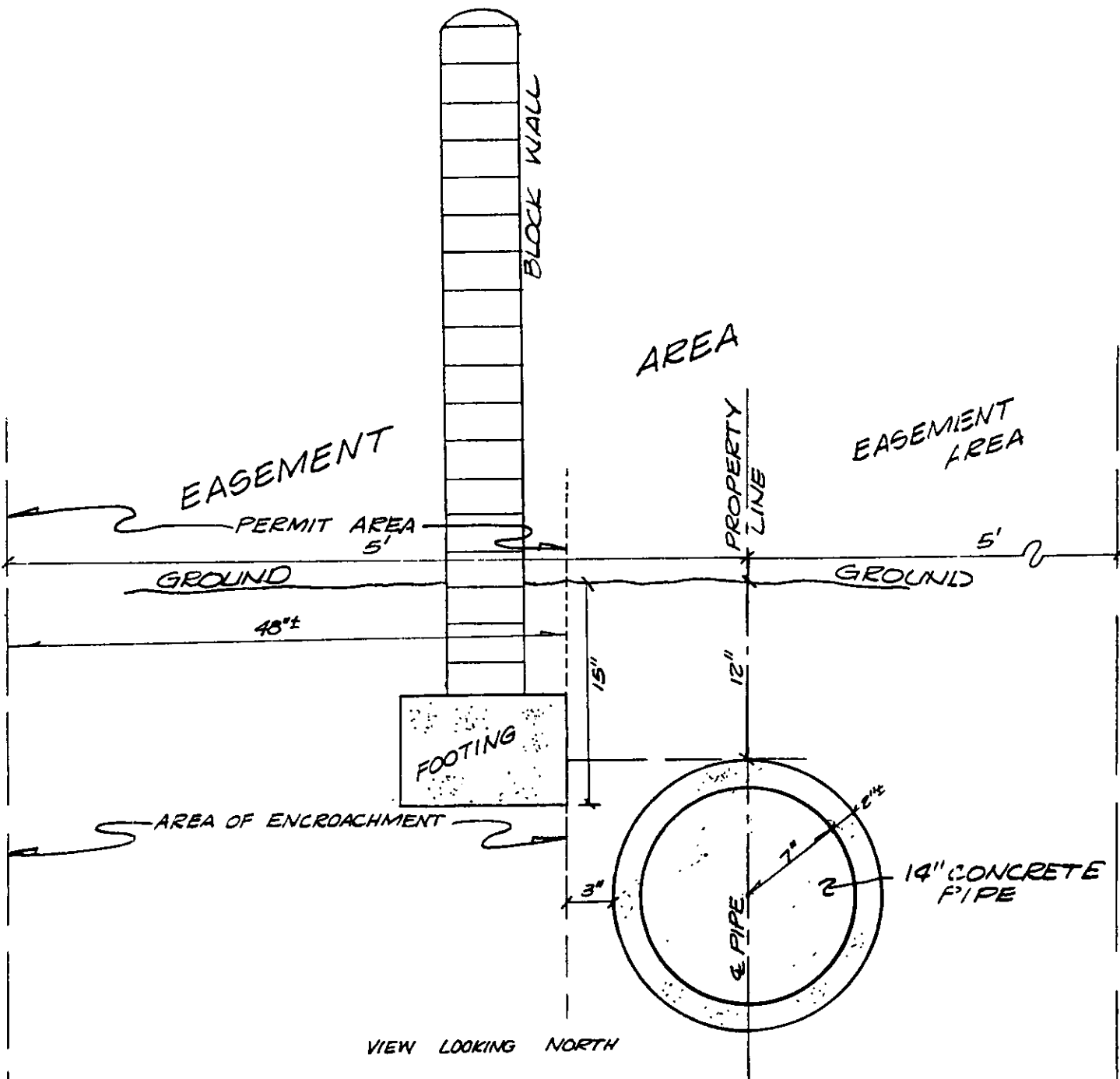
SHEET 1 OF 2

4/1-2

SCALE: 1" = 40'

DRAWN BY \_\_\_\_\_ DATE   /  /  

SUBJECT 5504 GREENBRIER & 5503 JURUPA



**ENCROACHMENT PERMIT**  
**EXHIBIT "A"**