

ENCROACHMENT PERMIT

Pursuant to Resolution No. 11065 of the City of Riverside, permission is hereby granted to Swiss Dairy
4221 Buchanan Street
Riverside, CA 92503

its 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 Buchanan Street adjoining a portion of Lot 4 in Block 50 of Lands of the Riverside Land and Irrigating Company as shown by map on file in Book 1 of Maps at Page 70 thereof, records of Riverside County, California, together with that portion of Section 22, T3S, R6W, San Bernardino Base and Meridian conveyed to the City of Riverside by deed recorded June 26, 1964, Book 3732, Page 299 O.R. Riverside County 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:

1A. Construction and maintenance of a private 18" R.C.P. which will connect a private drainage inlet into an existing catch basin which is a part of the public storm drain system, as shown on the attached Exhibit "A".

1B. Maintenance of an existing building, a portion of which encroaches into said public street right of way as shown on the attached Exhibit "A".

1C. Maintenance of an existing above ground metal storage tank, a portion of which encroaches into said public street right of way as shown on the 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: MAY 30 1990

CITY OF RIVERSIDE, a municipal corporation

By Terry Frazier Mayor

Attest Maria Lane City Clerk

The foregoing is accepted by:

SWISS DAIRY
(Signature(s) of Permittee)

[Handwritten Signature]

By W. D. Richman Title Vice-president

By _____ Title _____

APPROVED AS TO CONTENT

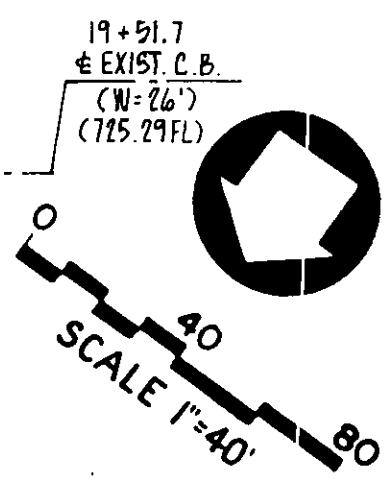
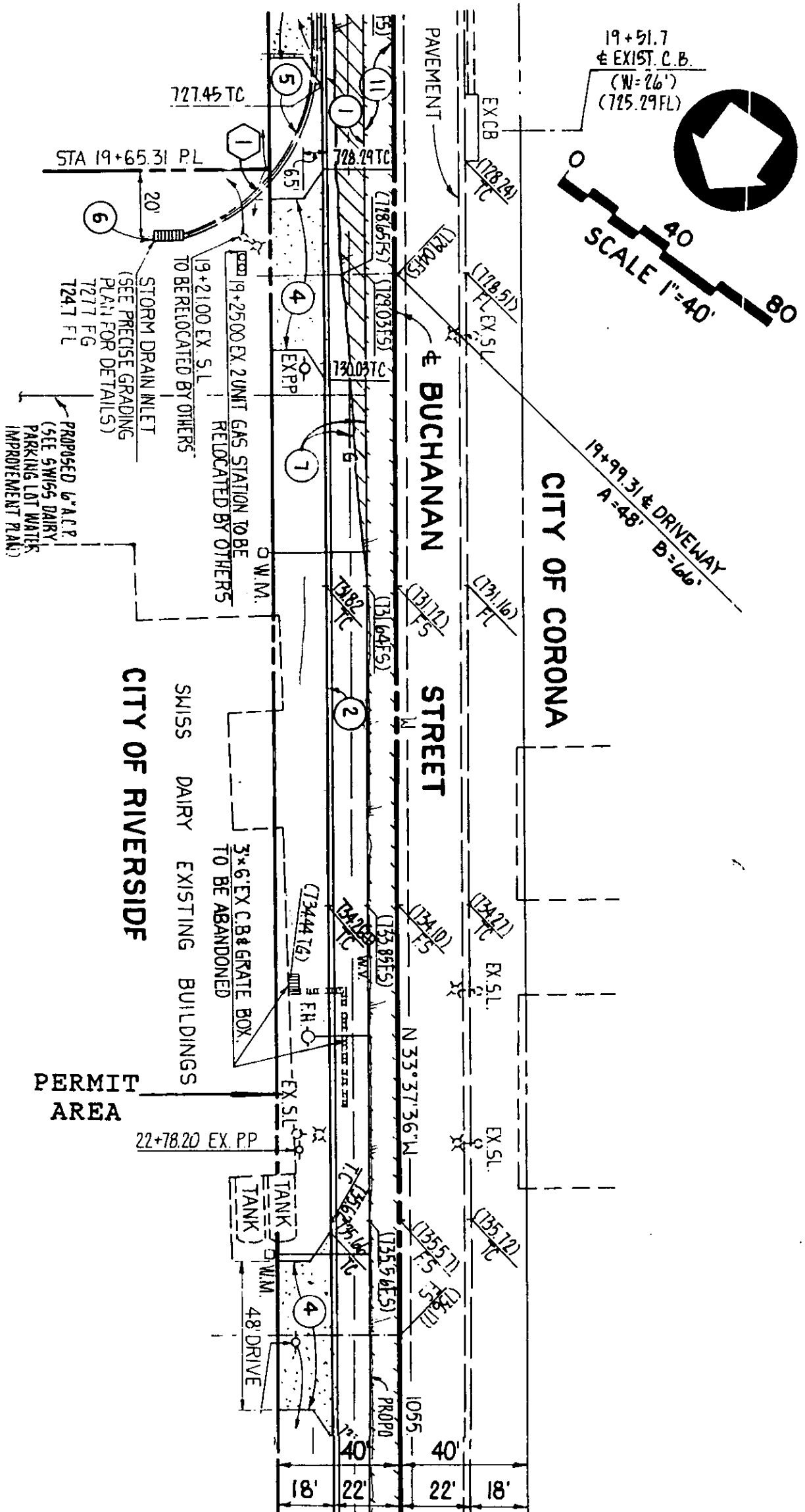
[Handwritten Signature]
Department Head

APPROVED AS TO FORM

[Handwritten Signature]
City Attorney

CITY MANAGER APPROVAL

[Handwritten Signature]
City Manager



ENCROACHMENT PERMIT

EXHIBIT "A"
SHEET 2 OF 2