

ENCROACHMENT PERMIT

Franklin Porter and Beth Walker, the Owner/Lessee of the property located at 7104 Magnolia Avenue in the City of Riverside, Assessors Parcel No. 230-151-007 hereby requests permission to construct and maintain a **GROUND WATER MONITORING TEST WELLS** within the public right of way of as shown on **EXHIBIT A** attached hereto.

Upon issuance of this permit, I agree to comply with the attached terms and conditions.

Date 9-27-01

BY: *[Signature]*

Date _____

BY: _____

Applicants Address:
Franklin Porter
7104 Magnolia Avenue
Riverside CA.

Representative:
J.D.R. -- Attn: Scott Tingle
1664 Michael Ln.
Pacific Palisades CA. 90272
310-459-7320

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ENCROACHMENT PERMIT APPROVAL

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

- Public Utilities Water - Brian Simpson *[Signature]* ^{SEE NOTE ON PLAT} 9/11/01
- Public Utilities Electric - Pat Hohl *[Signature]* 9/17/01
- Traffic Engineering - Fran Dunajski _____
- Planning - Jeff Belier _____

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

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FINAL APPROVAL

Date 9-18-01

[Signature]
Richard McGrath Public Works Director

TERMS AND CONDITIONS

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 Public Works Director 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 any existing City or utility facilities.
8. Permitted acknowledges that existing city or utility facilities will require future maintenance, reconstruction, and revisions and that facilities may be added, any of which may result in removal or alteration of the permittee's improvements without reimbursement to the permittee.
9. 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.

Special Departmental Conditions Attached: _____

TEST WELL ADDENDUM

General

- 10. Permittee shall obtain a well permit from the County of Riverside, Health Services Agency, Department of Environmental Health. A copy of the County permit shall be incorporated into this permit. **County approval is required prior to issuance of this encroachment permit.**
- 10a. Permittee shall use and occupy the described encroachment only in the manner and for the purposes as follows: To drill, maintain, monitor, remove and close test well(s) for the purpose of Ground Water Monitoring.
- 10b. Permittee agrees to make the results of sampling available to the City.
- 10c. Permittee shall have the right of reasonable access across the City's adjacent right-of-way to drill, monitor, maintain, remove and close the well(s).
- 10d. Permittee shall inspect each well site at least once each month to insure that the lock is locked and not broken.

Well Construction

- 10e. The test well(s) shall be constructed as shown on the attached exhibits.
- 10f. Permittee's contractor shall obtain a **Street Opening Permit** from the City Public Works Department prior to doing any work in the public right-of-way.
- 10g. Permittee's contractor shall review required traffic control and safety measures for each site with the City's Traffic Engineering Division prior to doing any work in the public right-of-way. Permittee's contractor shall be responsible for implementing the required traffic control and safety measures as approved by the City Traffic Engineer.
- 10h. It shall be Permittee's responsibility to determine the location and required clearances from all public and private utility, sewer and drainage facilities prior to drilling and

shall only drill in compliance with such clearance requirements.

- 10i. Permittee shall notify the City of Riverside, California, Public Works Department of the exact drilling date. In residential neighborhoods drilling will not commence prior to 8:30 am and will continue no later than one hour prior to sunset. In all other areas drilling will not commence prior to ____:____ m and continue no later than ____:____ m.
- 10j. During the period of well installation, Permittee's contractor shall keep the site supervised continuously from the beginning of drilling operations until installation of the locked traffic grade "Christy Box" cap marked "Monitor Well". Under no circumstances is the well or borehole to be left unattended when it is unlocked or incapable of being locked. Supervision after dusk includes appropriated lights to make the well visible to the attendants who shall remain awake and observant of the well or borehole.
- 10k. Upon completion of installation, Permittee shall provide to the City an as-built plan showing the exact location of the well(s).

Well Closure

- 10l. In the event the City needs the site prior to completion of monitoring, upon receipt of written notice to this effect from the City, the Permittee agrees to remove, close and abandon the well or wells in a timely manner, in accordance with the procedures specified under Condition 10m below. This permit may then be revised to apply to a new approved site.
- 10m. When the well(s) are no longer needed, the Permittee shall provide written notice to this effect to the City, and the well(s) shall be removed, closed and abandoned to the specifications of the Riverside Public Works Department and the State of California regulations regarding the closure of wells.

Upon closure, Permittee shall provide to the City an as-built plan of the closed well(s).

- 10n. To insure that the removal and closure of the well(s) takes place in a timely manner, the Permittee shall post a cash deposit of \$ 1,000.00 per well. This cash deposit may be used by the City to remove and close the well(s) when not done by permittee. Any cost of closure in excess of the cash deposit shall be paid by Permittee to the City of Riverside and shall constitute a debt owed to the City of Riverside.

Well Monitoring

- 10o. Prior to periodic monitoring and ground water sampling Permittee must contact TRAFFIC ENGINEERING for review and approval of traffic control or lane closures. Traffic Engineering (909) 782-5366.

- 10p. Permittee must notify PUBLIC WORKS INSPECTION 48 hours in advance of the anticipated date and time of all ground water sampling requiring traffic control or lane closures. Refer to Street Opening Permit No. _____.
Public Works Inspection (909) 782-5341.

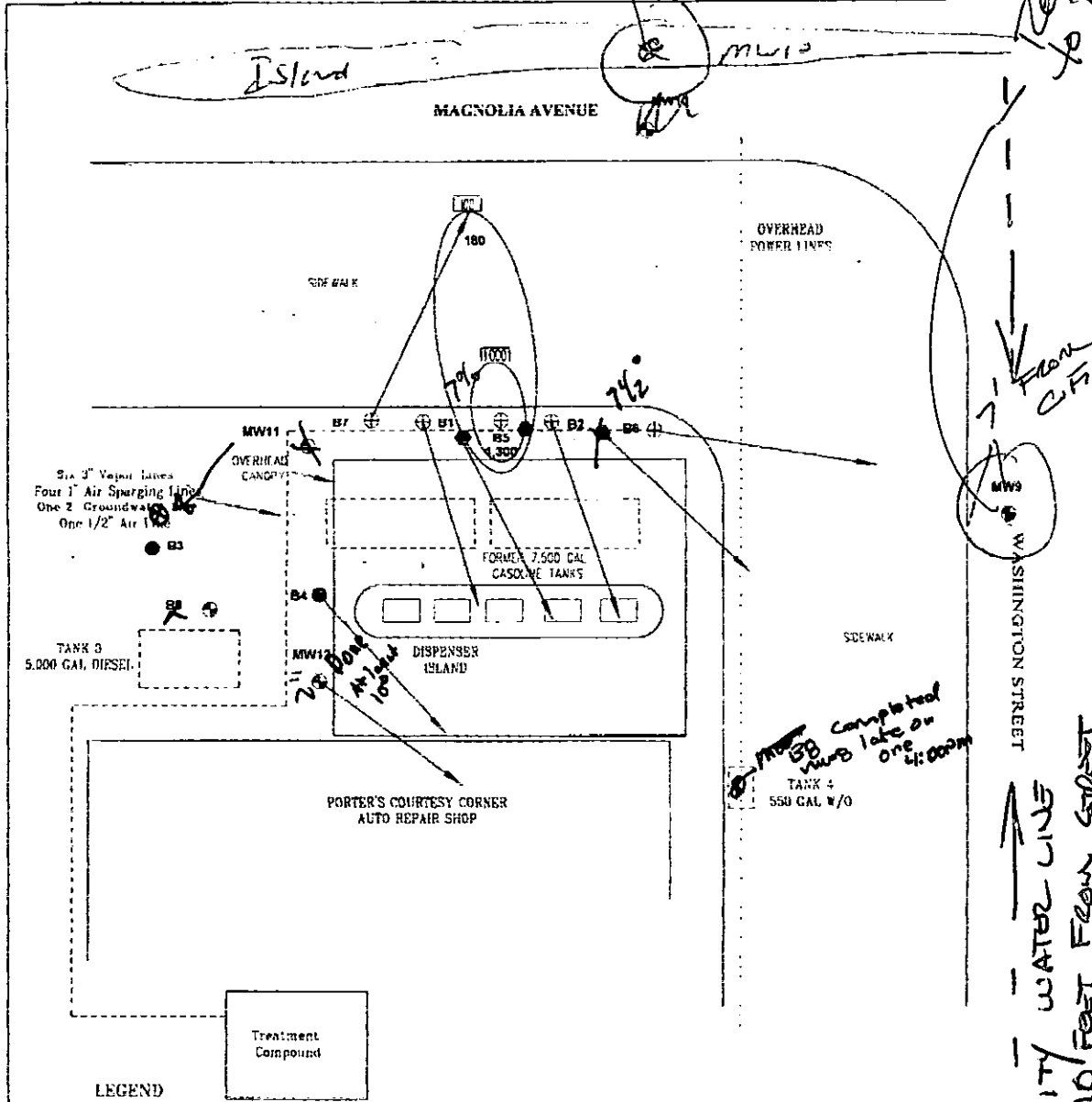


FIGURE 1
 Proposed Well Locations and System Schematic
 PORTER'S COURTESY CORNER
 7104 Magnolia Avenue
 Riverside, California
 Dissolved MTBE Concentrations Shown ug/l.

SCALE	APPROXIMATE SCALE IN FEET		NORTH N W E S	JOB NUMBER
DRAWN BY	J. NICOLICH	6/9/00		
CHECKED BY	D. LOUKS	6/12/00	<h1 style="text-align: center;">JDR</h1>	
REVISED BY	J. NICOLICH	9/2/00		

E-1504