

ENCROACHMENT PERMIT

Alfonso Muniz, the Owner of the property located at 3321 Arapahoe Street in the City of Riverside, hereby requests permission to construct and maintain a SWIMMING POOL within the right of way of a 10' PUBLIC UTILITIES EASEMENT as shown on EXHIBIT A attached hereto.

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

Date 11/6/01

BY: [Signature]

Date 11/7/01

BY: Camdace Gougland

Applicant: Alfonso Muniz
3321 Arapahoe Street
Riverside CA. 92503
909-359-1511

Developer : Sun-Up Pools
750 N Archibald Ave, Ste 1
Ontario, CA 91764
909-481-6464

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 B. Simpson 10/30/01

Public Utilities Electric - Pat Hohl P. Hohl 10-29-01

~~Parks and Recreation - Terry Nielson~~

Planning - Jeff Belier Jeff A. Belier 11/01/01

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

FINAL APPROVAL

Date 11/2/01

Thomas Boyd
Thomas Boyd, Interim Public Works Director

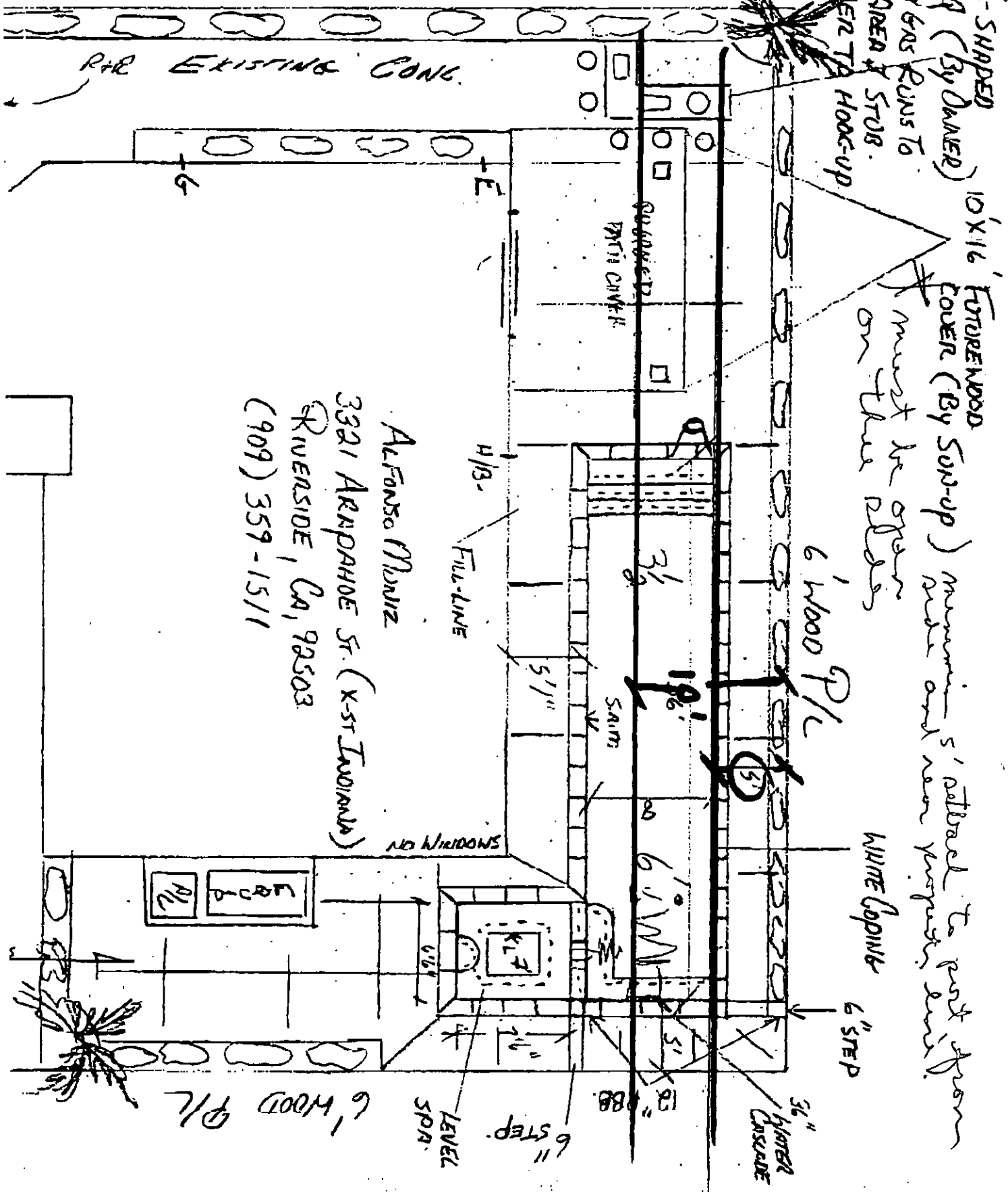
TERMS AND CONDITIONS

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. Permittee 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. 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.

NOTE: SEWER AND STORM DRAIN FACILITIES ARE NOT MARKED AS PART OF THE DIG ALERT PROGRAM. IT IS THE RESPONSIBILITY OF THE APPLICANT TO DETERMINE THE ACTUAL LOCATION OF THESE FACILITIES.

Special Departmental Conditions Attached: YES

6' WOOD P/L



L-SHAPED
 B.B.Q (By Owner)
 ELECT 3 GAS RUNS TO
 BARBQ AREA & STUB.
 OWNER TO
 HOOK-UP

10'X16' FUTURE WOOD
 COVER (By Sun-up) minimum 5' setback to post from
 must be open
 on the sides

ALFONSO MORAIZ
 3321 ARAPAHOE ST. (X-ST INDIANA)
 RIVERSIDE, CA, 92503
 (909) 359-1511

E-1508