

ENCROACHMENT PERMIT

Pursuant to Resolution No. 11065 of the City of Riverside, permission is hereby granted to DIANNE M. KITCHEN, ET UX

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her heirs and assigns, hereinafter referred to as "Permittee" to use and occupy the following described property. A portion of that certain strip of land, 25' wide, commonly known as the Twin Buttes Water Company Canal No. 1, as quitclaimed to the City of Riverside by Deed Recorded January 24, 1968 as Instrument No. 7097, subject to an easement to the City of Riverside as conveyed by Deed recorded April 7, 1967 as Instrument No. 29733, both of Records of Riverside County, California.

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: For construction and maintenance of a private sewer lateral within the above described canal right of way as shown on Exhibit "A", attached hereto and made a part of this document.

1A. The private lateral shall be constructed to the specifications of the Public Works and Public Utilities Department, including:

- a. The Public Utilities Department shall inspect the line prior to backfilling.
- b. No cleanouts shall be placed within the canal right of way.
- c. The buried portion of pipe shall be no closer than 2 feet to the canal lining and at a minimum depth of 2 feet.
- d. The portion crossing the canal shall be steel or cast iron, self-supported at least 6 inches above the canal overflow line, and shall have no joints within 2 feet horizontally of the canal lining.

1B. The permittee shall also have the option of burying the line beneath the canal, subject to revised specifications of the Public Utilities Department.

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: Nov. 24, 1970

CITY OF RIVERSIDE, a municipal corporation

By [Signature] Mayor

Attest [Signature] City Clerk

The foregoing is accepted by:

[Signature]  
(Signature(s) of Permittee)

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APPROVED AS TO CONTENT

[Signature]  
Department Head

APPROVED AS TO FORM

[Signature]  
City Attorney

CITY MANAGER APPROVAL

[Signature]  
City Manager

