

ENCROACHMENT PERMIT

Pursuant to Resolution No. 11065 of the City of Riverside, permission is hereby granted to

Mr. John S. Montana

7986 Remington Drive

Riverside, California 92503

his heirs and assigns, hereinafter referred to as "Permittee" to use and occupy the following described property:

A portion of the City of Riverside owned Right of Way on the southerly side of Remington Drive northerly of Lot 55 of Tract No. 4146 as shown by map on file in Book 68 of Maps, at pages 45 thru 48, inclusive thereof, 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 maintenance of an existing 3-foot tall block wall encroaching in the City of Riverside owned Right of Way on the southerly side of Remington Drive as shown on Exhibit "A" attached hereto and made a part of this document.

1A. The Permittee, by acceptance of this Permit, acknowledges the existence of underground electric and telephone facilities beneath or near the footings of the block wall. Should it become necessary to excavate either or both of the existing underground facilities, the City of Riverside shall not be responsible for any damage incurred to the existing block wall.

1B. This Permit is issued for the purpose of allowing an existing block wall, constructed in error, to remain in the City Right of Way until such time that the Right of Way is needed for future improvements. This Permit shall in no way create a precedent for the construction of other private facilities in the same area.

1C. The Permittee hereby agrees to allow ingress and egress to the enclosed Right of Way for access to any existing utilities.

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: June 20, 1973

CITY OF RIVERSIDE, a municipal corporation

By Clayton W. Holcomb Mayor

Attest Virginia J. Strohecker City Clerk

The foregoing is accepted by:

\* John S. Montano  
(Signature(s) of Permittee)

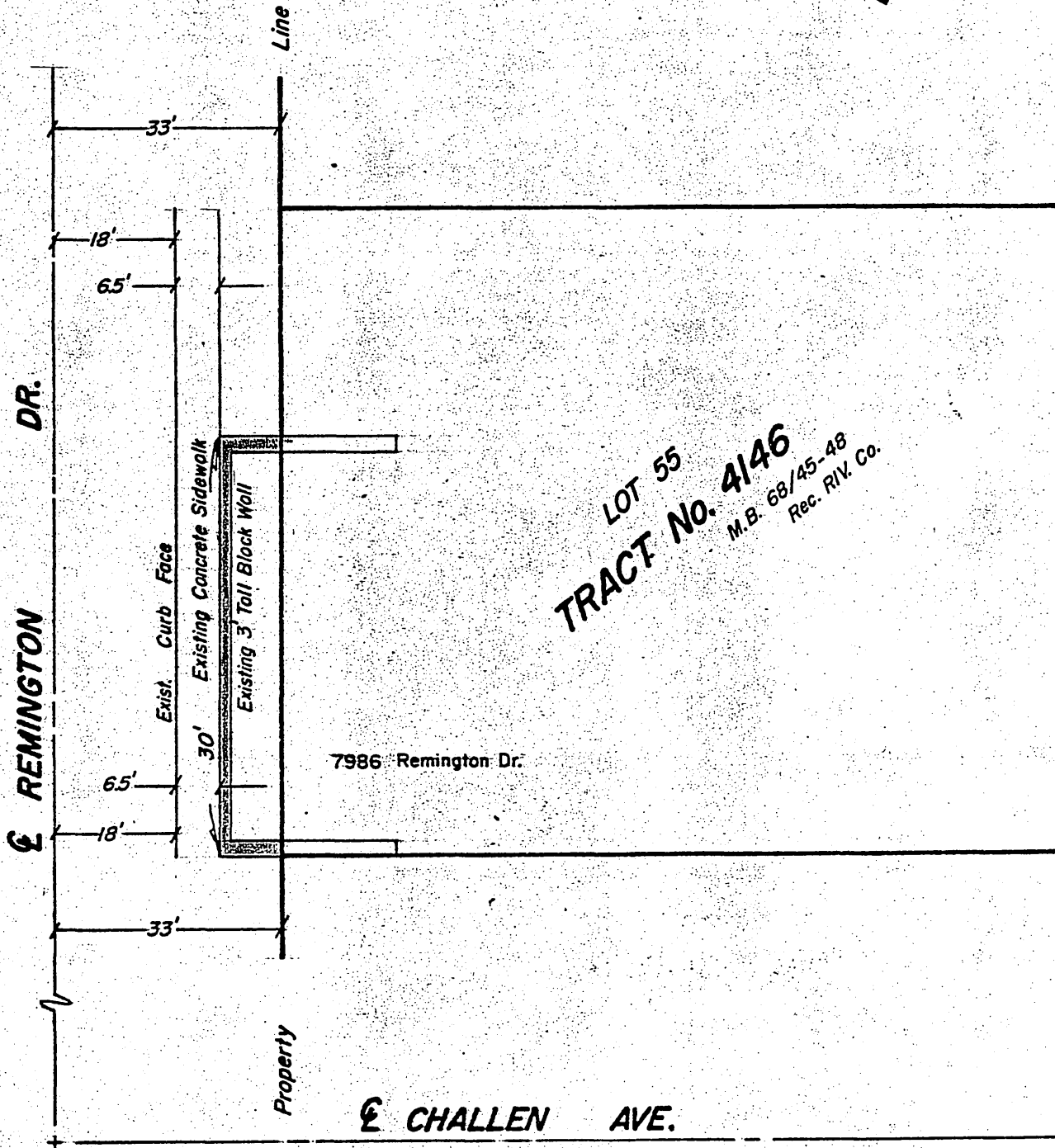
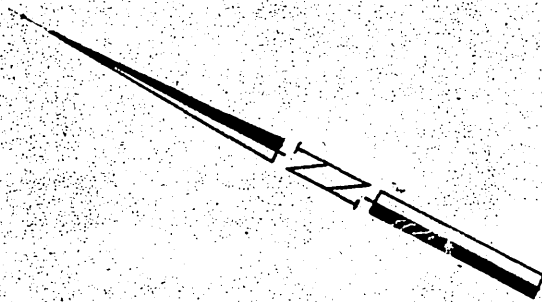
APPROVED AS TO CONTENT  
[Signature]  
Department Head

APPROVED AS TO FORM  
[Signature]  
City Attorney

CITY MANAGER APPROVAL  
[Signature]  
City Manager

# exhibit "A"

no scale



## • CITY OF RIVERSIDE, CALIFORNIA •

THIS PLAT IS SOLELY AN AID IN LOCATING THE PARCEL(S) DESCRIBED IN THE ATTACHED DOCUMENT. IT IS NOT A PART OF THE WRITTEN DESCRIPTION THEREIN.

SHEET 1 OF 1

6/9-6

SCALE: 1" =

DRAWN BY W.F. DATE 6/8/73

SUBJECT Encroachment Permit - 7986 Remington Dr. E-410