

ENCROACHMENT PERMIT

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

1356 Tigertail Drive
Riverside, CA 92506

his heirs and assigns, hereinafter referred to as "Permittee" to use and occupy the following described property. All that portion of a public right of way adjacent to the northerly property line of Lot 9 of Whitegate Subdivision Number 1 as shown by map on file in Book 33 of Maps at Page 27 thereof records of Riverside County California, hereinafter referred to as Right of Way Number 1; and all that portion of a public right of way adjacent to the southerly property line of Lot 8 of Tract 8126 as shown by map on file in Book 108 of Maps at Page 89 thereof records of Riverside County California hereinafter referred to as right of way Number 2.

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: To maintain two existing 5 foot high wooden gates encroaching into said right's of way numbers one and two a maximum of 14 feet as shown by attached Exhibit 'A' made a part hereof by this reference.

1b. Permittee hereby agrees to assume responsibility for said gates, as specified in the minutes of the City Council of The City of Riverside dated 3/4/80.

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: April 10, 1980 CITY OF RIVERSIDE, a municipal corporation
By Sam Rigati Mayor Pro Tempore
Attest Alice A. Lane City Clerk

The foregoing is accepted by:

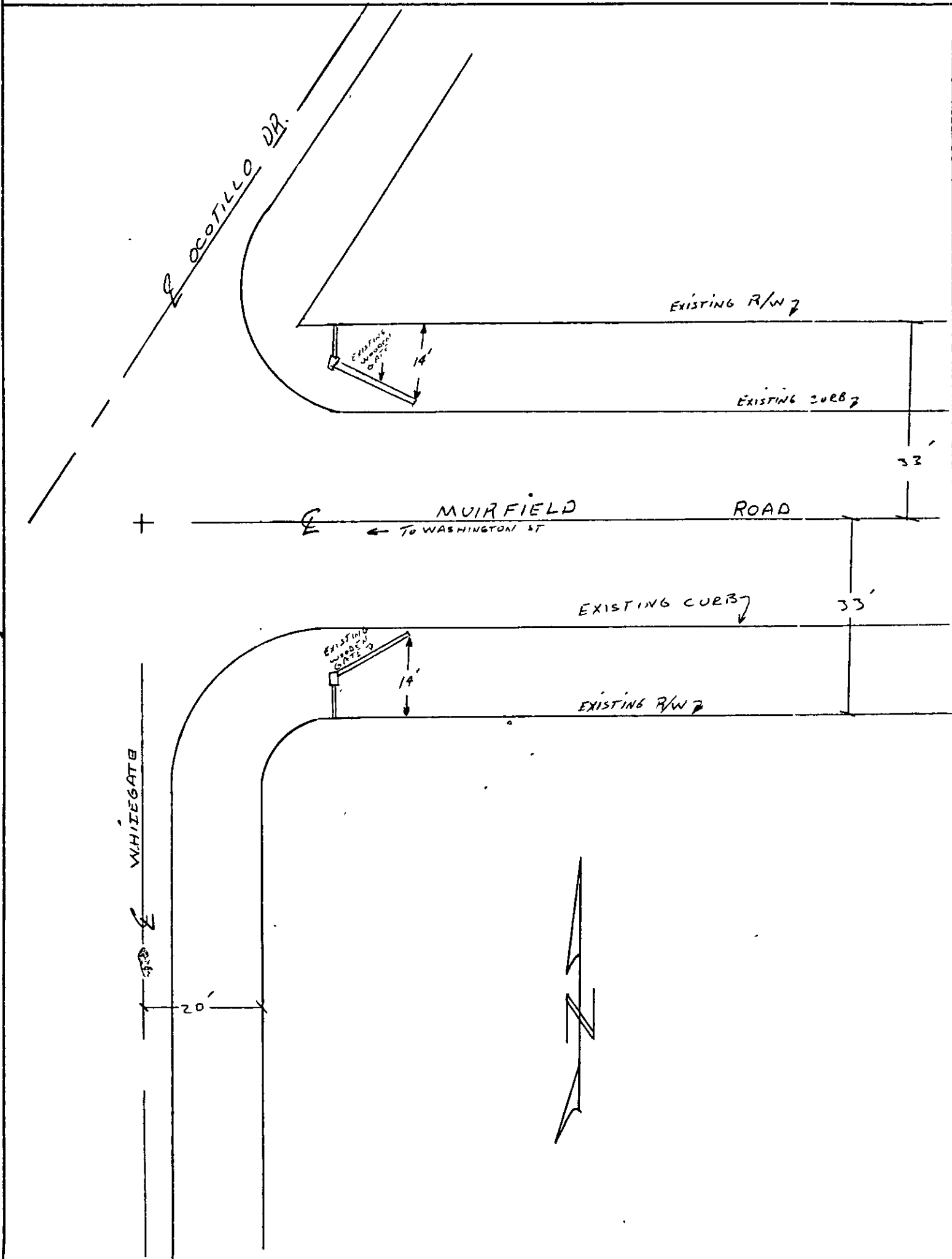
Joseph J. Storto
(Signature(s) of Permittee)
JOSEPH J. STORTO

APPROVED AS TO CONTENT
William B. Gardner
Department Head

APPROVED AS TO FORM
John Woodhead
City Attorney

CITY MANAGER APPROVAL
Robert E. Lemont
City Manager

EXHIBIT 'A'



• CITY OF RIVERSIDE, CALIFORNIA •

WHIZGATE SUB #1 MAP 33/27

SHEET 1 OF 1

CB 5/70

SCALE 1" = 20'

DRAWN BY DRE DATE 3/11/80

SUBJECT: Encroachment Permit -

E-749

JOSEPH J. STORTO, INC.

ATTORNEY AT LAW

MAIN OFFICE:
3783 TIBBETTS STREET
RIVERSIDE, CALIFORNIA 92506
TELEPHONE 714/682-2531

JOSEPH J. STORTO

RAMON X KAGAN

April 7, 1980

Robert C. Wales
Public Work Director
City of Riverside
3900 Main Street
Riverside, California 92522

RE: Encroachment Permit White Gate Subdivision # 1

Dear Mr. Wales:

I have informed all of the residence of "White Gates"
1. That an encroachment permit will soon be issued by the City.

Several people have offered to help maintain the Gates.

In discussing the matter among ourselves we thought that before doing anything to the Gates at this moment we would wait until the subdivider adjacent to "White Gates" finished his wall around the "White Gate" then we would decide what should be done to make it fit his wall.

We would like the area of the Gates to look dignified and fit in with his decor even though he flatly refused to cooperate with us.

Any substantial change will be cleared through your office.

Sincerely,

Joseph J. Storto
Joseph J. Storto

JJS/bjs

cc: Robert Bowers

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Assistant	Info/Action
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