

ENCROACHMENT PERMIT

Pursuant to Resolution No. 11065 of the City of Riverside, permission is hereby granted to Magnon/Wells Fargo Building Partnership
1533 Spruce St., Ste. 300
Riverside, CA 92507

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

That portion of the public street rights of way of Main Street and Eleventh Street lying adjacent to the southwesterly line of Lot 13 and the southeasterly line of Lots 9 through 13, inclusive, as shown by map of C.J. GILL'S RESUBDIVISION of Block 10, Range 7, recorded in Book 5, Page 71 of Maps, records of San Bernardino County, California, as shown on the attached Exhibit "A",

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:

Construction and maintenance of a building overhang encroaching a maximum of 8.00 feet into said public street rights of way of Main and Eleventh Streets as shown on the attached Exhibit "A".

1a. Issuance of this permit shall not constitute any approvals by the Planning Department for variances, setbacks, building permits, design review, etc.

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: May 4, 1989

CITY OF RIVERSIDE, a municipal corporation

By George Osborne Mayor Pro Tempore

Attest ALICE A. HARE City Clerk

The foregoing is accepted by:

BY Karen E. Oakley
ASSISTANT CITY CLERK

Raymond Magnon
(Signature(s) of Permittee)
Raymond Magnon, General Partner

MAGNON/Wells Fargo Building Partnership

1533 Spruce Street - Suite 300

Riverside, California 02507

APPROVED AS TO CONTENT
Barry Beal
Department Head

APPROVED AS TO FORM
John Woodhead
City Attorney

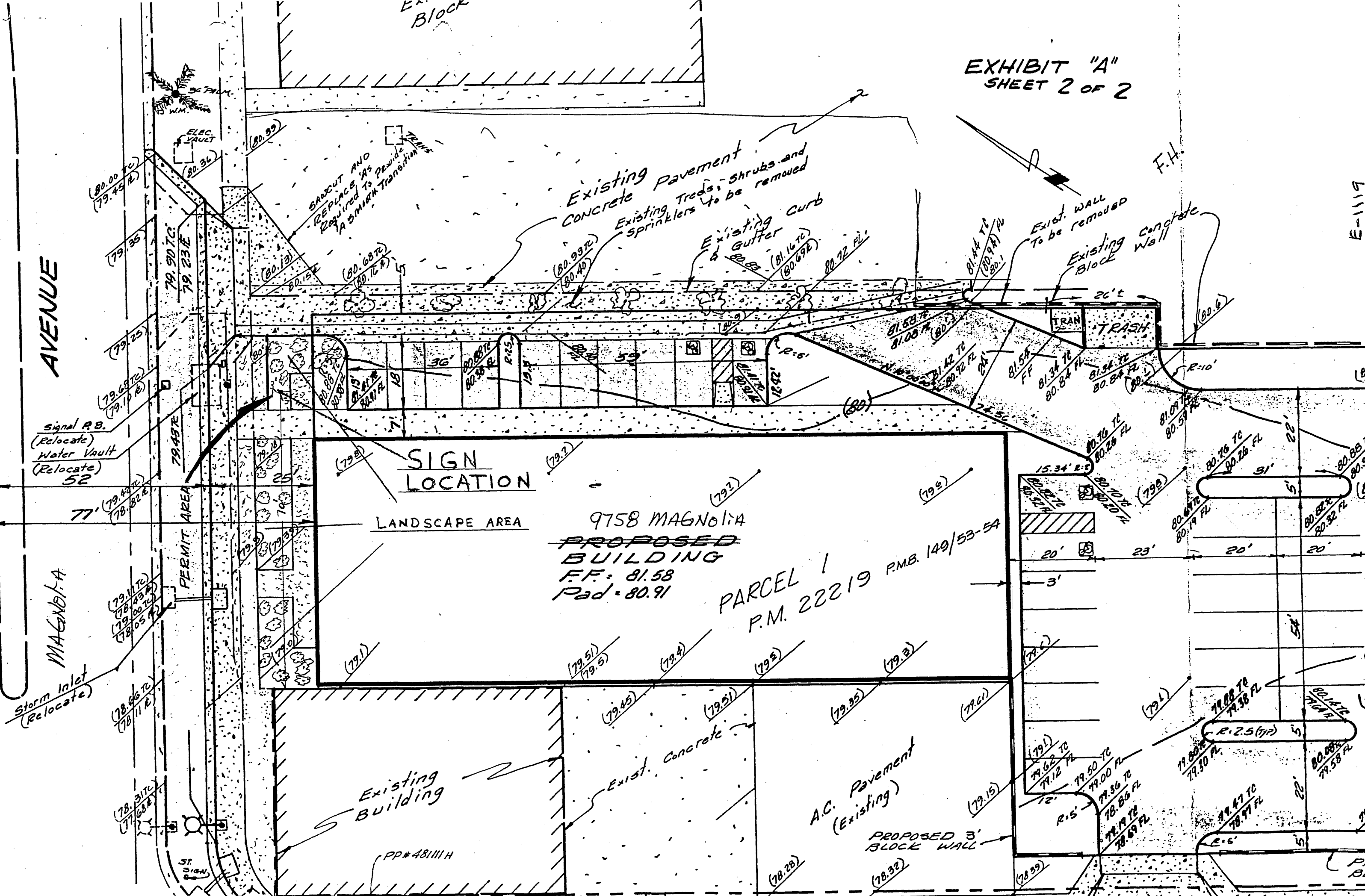
CONCURS WITH
Robert C. Muse
Planning Department

CITY MANAGER APPROVAL
Robert E. Feront
City Manager

EXHIBIT "A"
SHEET 2 OF 2

AVENUE

Block



SIGN LOCATION

LANDSCAPE AREA

9758 MAGNOLIA
~~PROPOSED~~
BUILDING
F.F. = 81.58
Pad = 80.91

PARCEL 1
P.M. 22219 P.M.B. 149/53-54

Existing Building

Exist. Concrete

A.C. Pavement (Existing)

PROPOSED 3' BLOCK WALL

Existing Pavement Concrete
Existing Treads, shrubs and Existing Curbs and Gutter
Existing Block Wall
Existing Block Wall
Existing Concrete

TRAN TRASH

F.H.

E-1119

MAGNOLIA

PERMIT AREA

ST. SIGN

PP#481111H

P. 84