

ENCROACHMENT PERMIT

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

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

**A portion of Third Street and a portion of Commerce Street lying north and west of Lots 1 and 28 in Block 2 of White's Addition as shown by map on file in Book 6 at page 48 thereof, Records of San Bernardino 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 building encroaching from .3 of a foot to 1.5-feet into the right of way of Third Street and Commerce Street.**

1A. The Permittee, by acceptance of the benefits hereunder, acknowledges the specific attention called to the provisions of Paragraph three (3) and four (4) of this permit by the letter to Mr. David Olsan from J. F. Martinek dated August 28, 1972, attached hereto as Exhibit B and made a part of this document.

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: Sept 1, 1972

CITY OF RIVERSIDE, a municipal corporation

By [Signature], Mayor

Attest Virginia J. Strohecker City Clerk

The foregoing is accepted by:

David [Signature]  
(Signature(s) of Permittee)

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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

APPROVED AS TO CONTENT  
[Signature]  
Department Head

APPROVED AS TO FORM  
John Woodhead  
City Attorney

CITY MANAGER APPROVAL  
David [Signature]  
City Manager





J. F. MARTINEK  
PUBLIC WORKS DIRECTOR  
AND CITY ENGINEER  
3870 Mulberry Street  
Riverside, California 92507  
Ph. 787-7560

DIVISIONS:  
BUILDING INSPECTION  
Ph. 787-7361  
ENGINEERING & INSPECTION  
Ph. 787-7341  
TRAFFIC & PARKING  
Ph. 787-7366

August 28, 1972

Mr. David Olsan  
4190 Central Avenue  
Riverside, California 92506

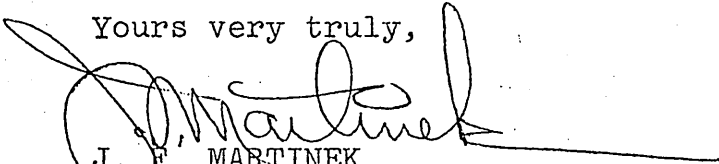
Dear Mr. Olsan:

Your request for an encroachment permit on Commerce Street and Third Street has been processed and approved by our department and will be sent to the City Manager and Mayor for their approval.

I would like, however, in light of your letter to Mayor Lewis, dated August 21, 1972, to especially point out to you the provisions of paragraph three (3) and four (4) on page 2 of the Encroachment Permit.

I cannot say at this time when these provisions may be evoked, but I want you to be aware of them.

Yours very truly,

  
J. F. MARTINEK  
Public Works Director

JFM:br

Copy attached to Encroachment Permit

Exhibit B