

ENCROACHMENT PERMIT

Pursuant to Resolution No. 11065 of the City of Riverside, permission is hereby granted to Mr. George W. Jackman  
4591 Toyon Road  
Riverside, California

their 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 Colorado Ave. easterly of Toyon Road as shown by map on file in Book 37 of Maps at pages 72 and 73 thereof, Records of Riverside County, California and a portion of Lot 79 of "Halecrest Homes No. 2" as shown by map on file in Book 37 of Maps at pages 72 and 73, 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 variable 8 inch tall to 3 foot tall retaining wall and a 6 foot tall wall to be built over a portion of the proposed retaining wall as shown by Exhibit "A" attached hereto and made a part of this document.

1.A Permittee acknowledges that the proposed Right of Way of Colorado Avenue is 88 feet, requiring an additional 4 foot wide strip of property to be acquired from the permittees land. At such time as the street is widened, the permittee agrees to remove his improvements from the existing City Right of Way and either replace it at the proposed Right of Way line or allow the City to construct standard slopes behind the future sidewalk.

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: Aug 8, 1973

CITY OF RIVERSIDE, a municipal corporation

By [Signature] Mayor

Attest [Signature] City Clerk

The foregoing is accepted by:

[Signature]  
(Signature(s) of Permittee)

APPROVED AS TO CONTENT

[Signature]  
Department Head

APPROVED AS TO FORM

[Signature]  
City Attorney

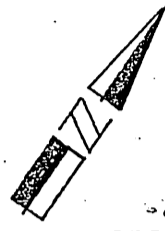
CITY MANAGER APPROVAL

[Signature]  
City Manager

# EXHIBIT 66 99 A

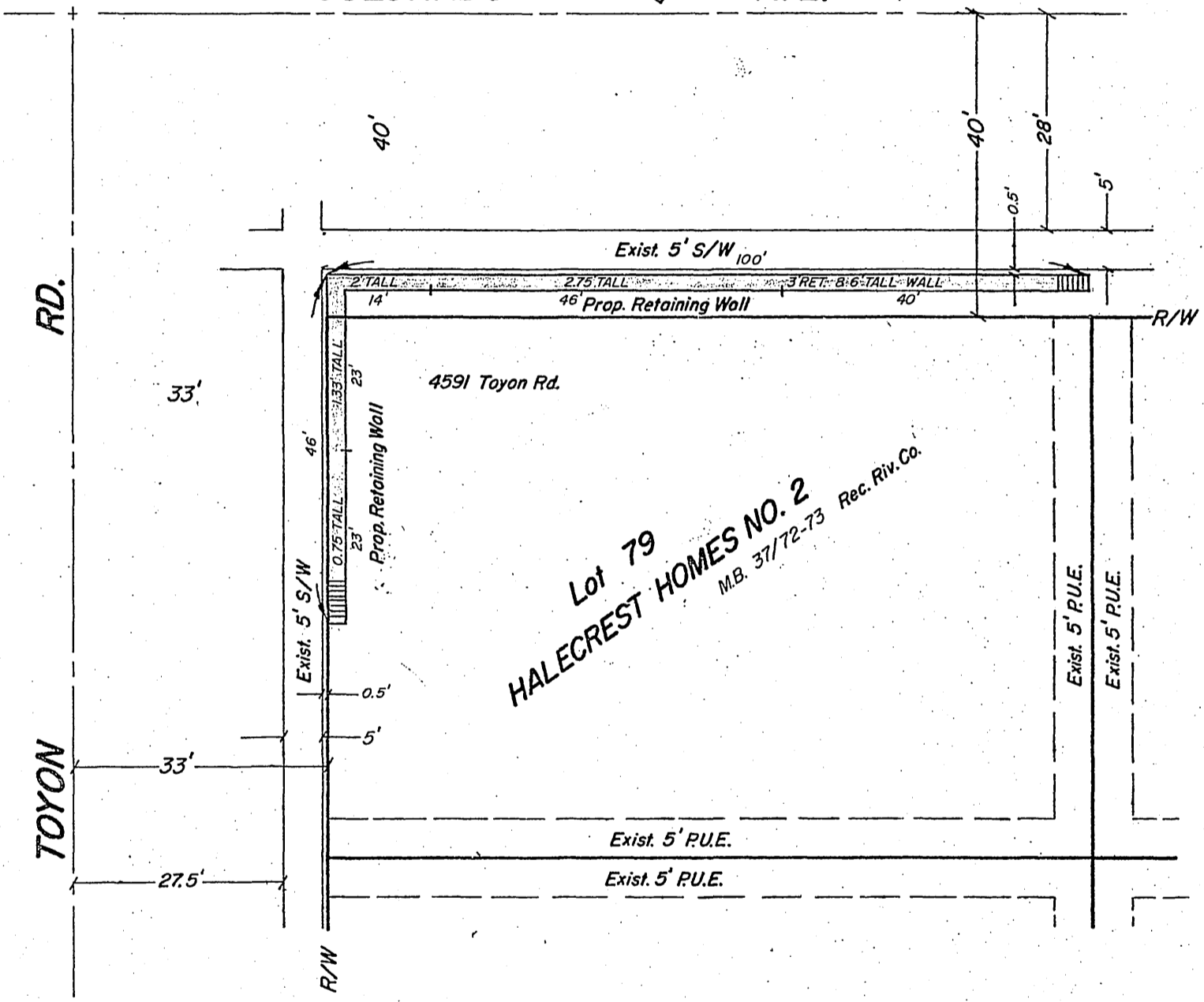
no scale

COLORADO AVE.



RD.

TOYON



## 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

5/3-2

SCALE: 1" =

DRAWN BY WE DATE 5 / 30 / 73

SUBJECT Encroachment Permit - 4591 Toyon Rd.

E-428