

ENCROACHMENT PERMIT

Pursuant to Resolution No. 11065 of the City of Riverside, permission is hereby granted to Mr. Edward W. Hubler
7667 Key West 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 existing public right of way of KEY WEST DRIVE and MONTGOMERY STREET located adjacent to Lot 17 of TRACT NO. 4147 as shown by map on file in Book 72 of Maps, pages 53-55, 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 construction and maintenance of a 3-foot-high chain link fence located within the public right of way of KEY WEST DRIVE and MONTGOMERY STREET as shown by Exhibit "A" attached hereto and made a part of this document.

1A. The permittee hereby agrees to allow ingress and egress to the enclosed right of way for access, maintenance or construction of any existing or future proposed utilities.

1B. This Permit is issued for the purpose of allowing a chain link fence to remain in the public right of way until such time that the right of way is needed for future improvements.

1C. The existing water meter located within the KEY WEST DRIVE right of way shall not be enclosed by the proposed chain link fence.

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: March 18, 1974

CITY OF RIVERSIDE, a municipal corporation
By Haynes W. Johnson Mayor Pro Tempore
Attest Virginia J. Stroecker City Clerk

The foregoing is accepted by:

Edward W. Hubler
(Signature(s) of Permittee)

APPROVED AS TO CONTENT

[Signature]
Department Head

APPROVED AS TO FORM

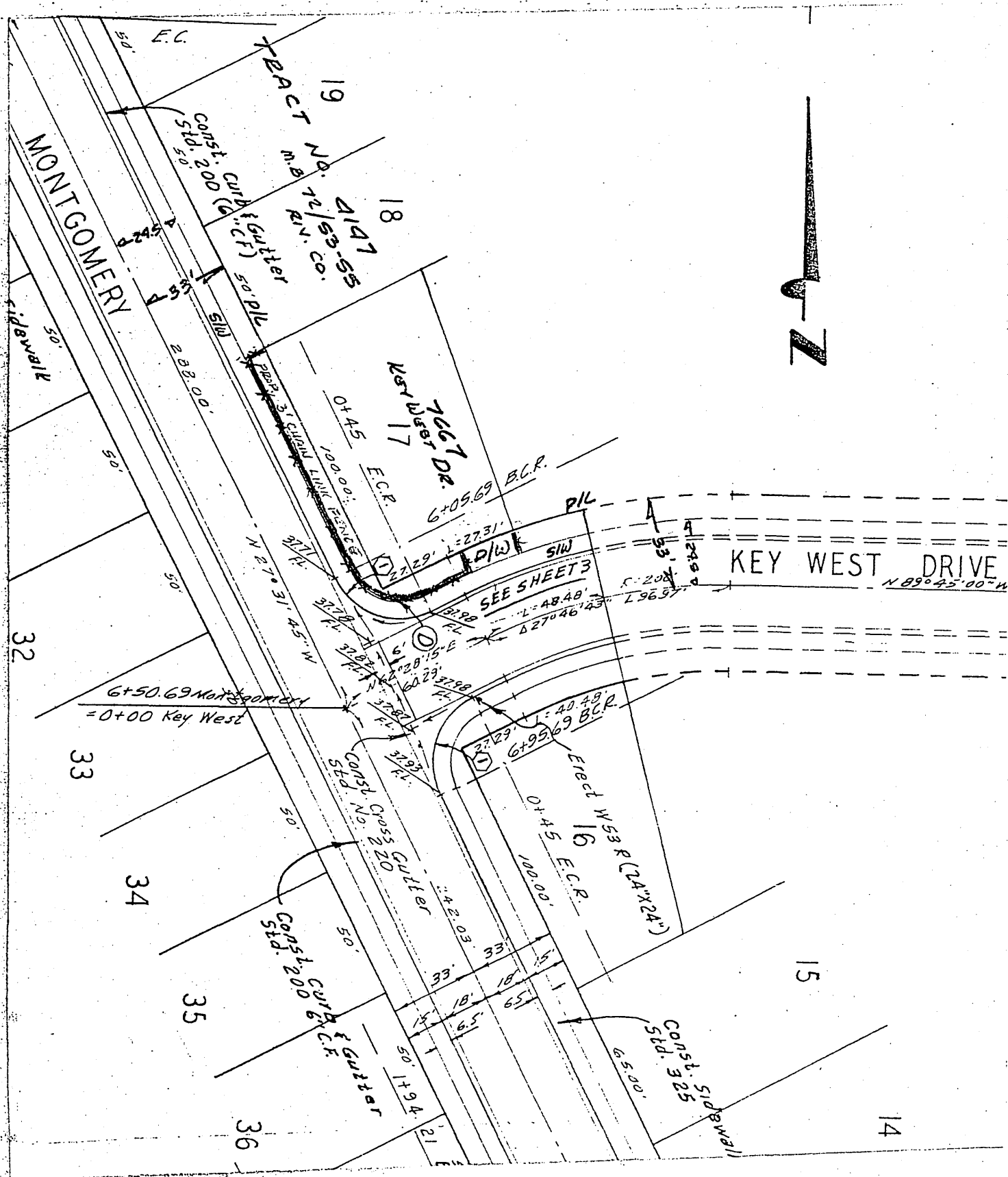
[Signature]
City Attorney

CITY MANAGER APPROVAL

[Signature]
City Manager

16 99 EXHIBIT A

NO SCALE



CITY OF RIVERSIDE, CALIFORNIA

SHEET 1 OF 1 6/9-5

SCALE: 1" = NONE DRAWN BY H.E. DATE 2/27/79 SUBJECT: ENCROACHMENT PERMIT - 7667 KEY WEST DR. 5-446