

ENCROACHMENT PERMIT

Pursuant to Resolution No. 11065 of the City of Riverside, permission is hereby granted to Owens Illinois Inc.

Lily Division

P.O. Box 933

Riverside, CA 92502

its heirs and assigns, hereinafter referred to as "Permittee" to use and occupy the following described property.: That certain 10 inch VCP public sewer lying within the right of way of Palmyrita Avenue between Iowa Avenue and the westerly right of way of the AT&SF RR in the unincorporated territory of Riverside County, adjacent to the City Limits of Riverside, said sewer authorized by County Encroachment Permit No. 627-121 dated July 23, 1962 and shown by City Plan No. S-108 consisting of 3 sheets, the original being on file at the City Department of Public Works, 3870 Mulberry Street, Riverside California 92507. Said property, street, and sewer are shown on Exhibit "A", also attached hereto and made a part of this document.

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 private sewer laterals connecting the permittee, presently under County jurisdiction, to the public sewer system of the City of Riverside, subject to:

(a) All connections shall be to the specifications of the City of Riverside.

(b) The Permittee shall provide all necessary plans, City and County permits, and pay all required fees including but not limited to:

- 1) 1,630 ft frontage at \$7.50 per FF or \$12,225.00
- 2) 403,151 sq. ft. of building area under roof at \$110 per 3,000 sq. ft. of building area under roof or \$14,782.00
- 3) Additional "Front Foot" or "Sq. Ft." fees for any expansion of building area or property acquisition since 9-10-74.

(c) If at the end of 18 months from the date of this permit, the Permittee is not annexed to the City of Riverside, this permit shall be revoked and the Permittee shall be required to disconnect said private laterals from the sewer at his own expense and to the specifications of the City of Riverside. The above-mentioned fees paid to the City shall be returned to the Permittee.

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 21, 1975

CITY OF RIVERSIDE, a municipal corporation

By [Signature] Mayor

Attest ALICE A. HARE City Clerk

BY [Signature]
ASSISTANT CITY CLERK

The foregoing is accepted by:

[Signature]
(Signature(s) of Permittee)

Plant Manager,
Owens Illinois, Inc., Lily Division

APPROVED AS TO CONTENT

[Signature]
Department Head

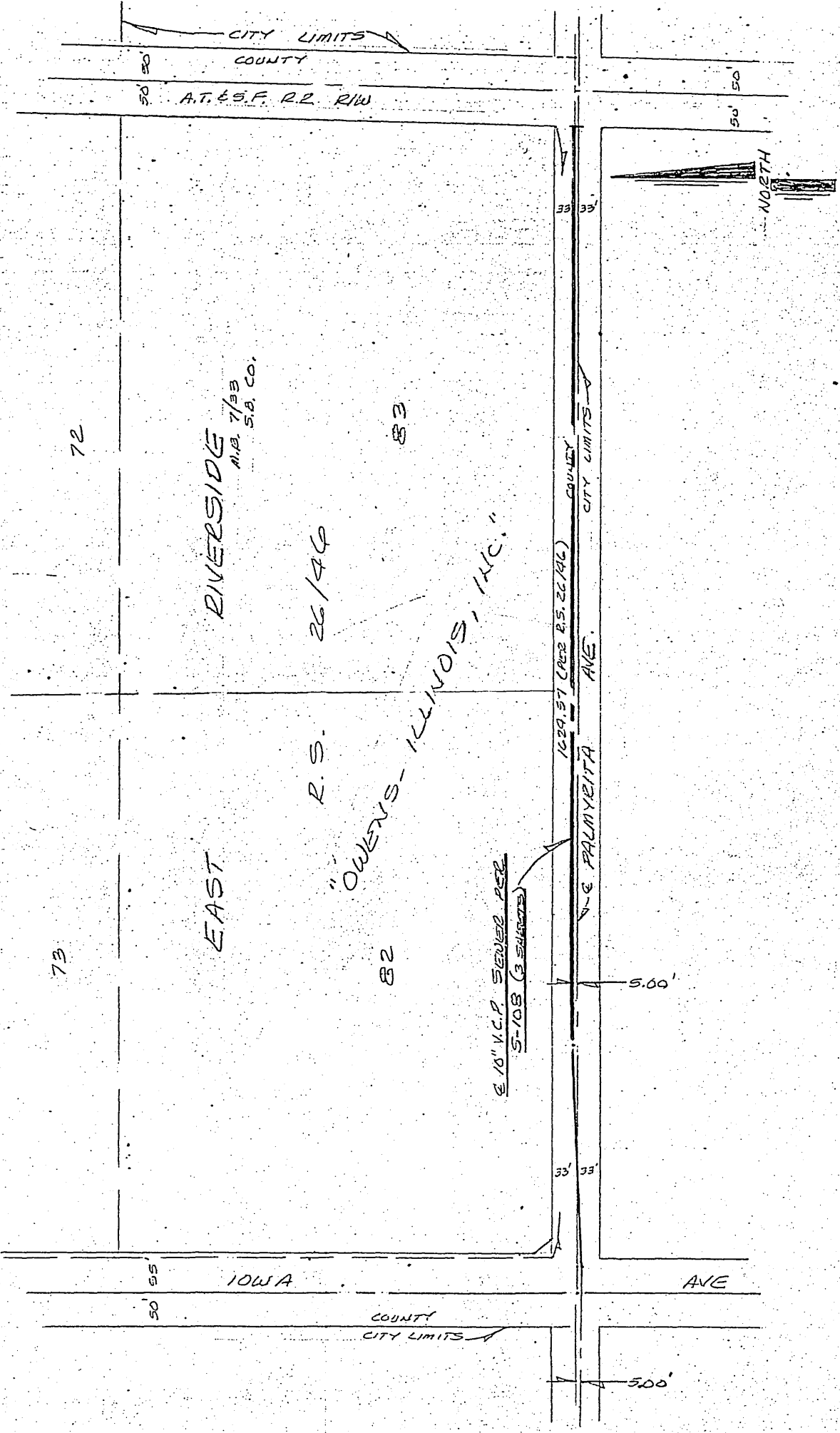
APPROVED AS TO FORM

[Signature]
City Attorney

CITY MANAGER APPROVAL

[Signature]
City Manager

EXHIBIT 'A'



• CITY OF RIVERSIDE, CALIFORNIA •

SHEET 1 OF 1

12/12

SCALE: 1" = 200'

DRAWN BY WF DATE 4/30/79

SUBJECT: Encroachment Permit -