

ENCROACHMENT PERMIT

Pursuant to Resolution No. 11065 of the City of Riverside, permission is hereby granted to Birth Development Company, Inc.  
3750 Arlington Avenue  
Riverside, CA 92506

its heirs and assigns, hereinafter referred to as "Permittee" to use and occupy the following described property. All that portion of Lot "A" (Wilding Place) adjacent to Lot 42, and that portion of Lot "D" (Tiffany Drive) adjacent to Lots 16 and 17, both of Tract 9078-2, as shown by map on file in Book 93 of Maps, at Pages 30 and through 32 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: To construct and maintain variable height retaining walls encroaching into said Wilding Place and Tiffany Drive as shown on attached Exhibit "A" and "B", and made a part hereof, by this reference.

1a. The footing for the wall adjacent to Lots 16 and 17 shall not be more than 2 feet below grade, at the back of 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: April 11, 1978

CITY OF RIVERSIDE, a municipal corporation

By Al Brown Mayor

Attest Alice A. Lane City Clerk

The foregoing is accepted by:

(Signature(s) of Permittee)

Charles W. Ware

Charles W. Ware Vice President

APPROVED AS TO CONTENT

Robert C. Walker  
Department Head

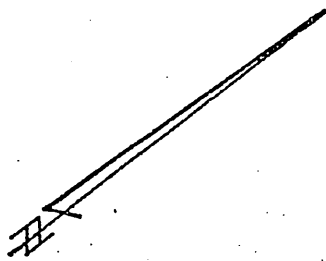
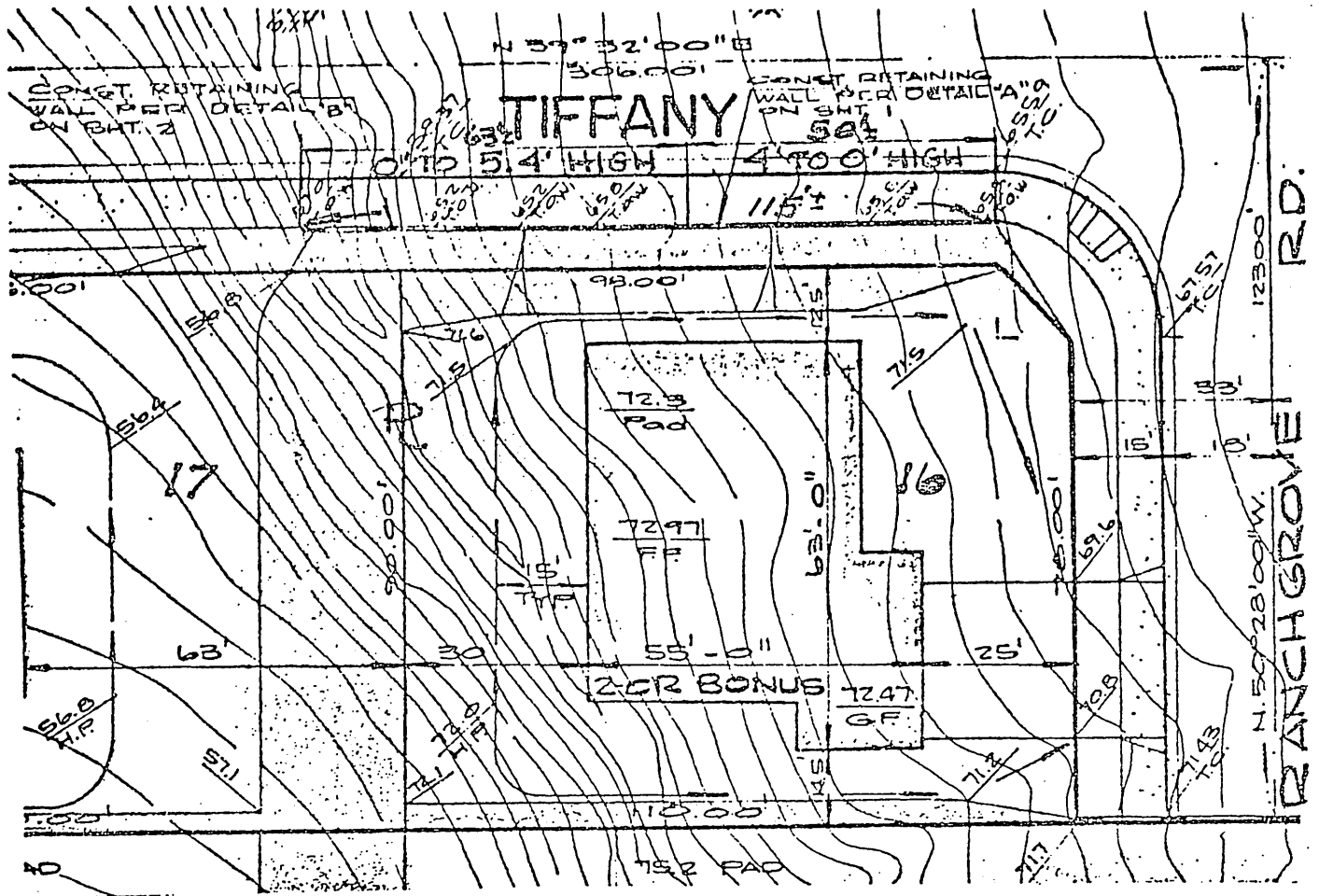
APPROVED AS TO FORM

John Woodhead  
City Attorney

CITY MANAGER APPROVAL

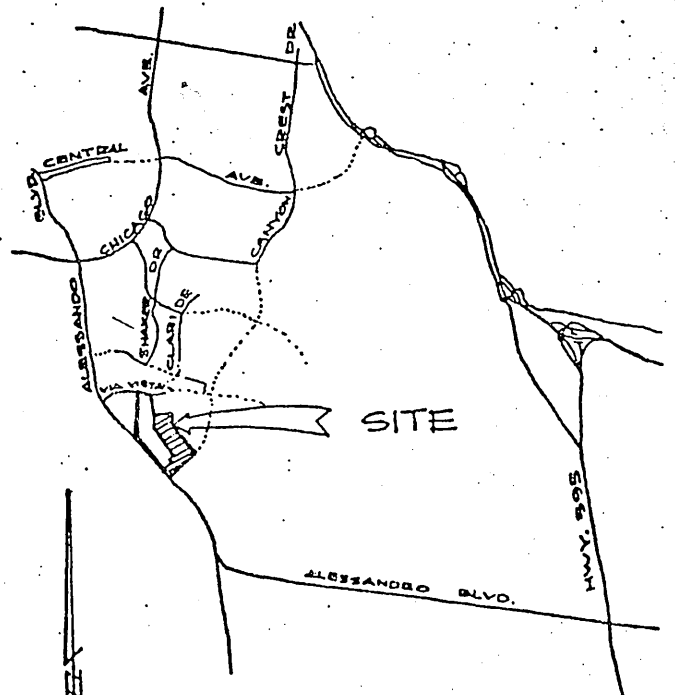
Joseph P. Suzette  
City Manager

# EXHIBIT 'A'



## LEGEND

 INDICATES AREA OF ENCROACHMENT



## LOCATION MAP

NO SCALE

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SHEET 2 OF 2

11-25

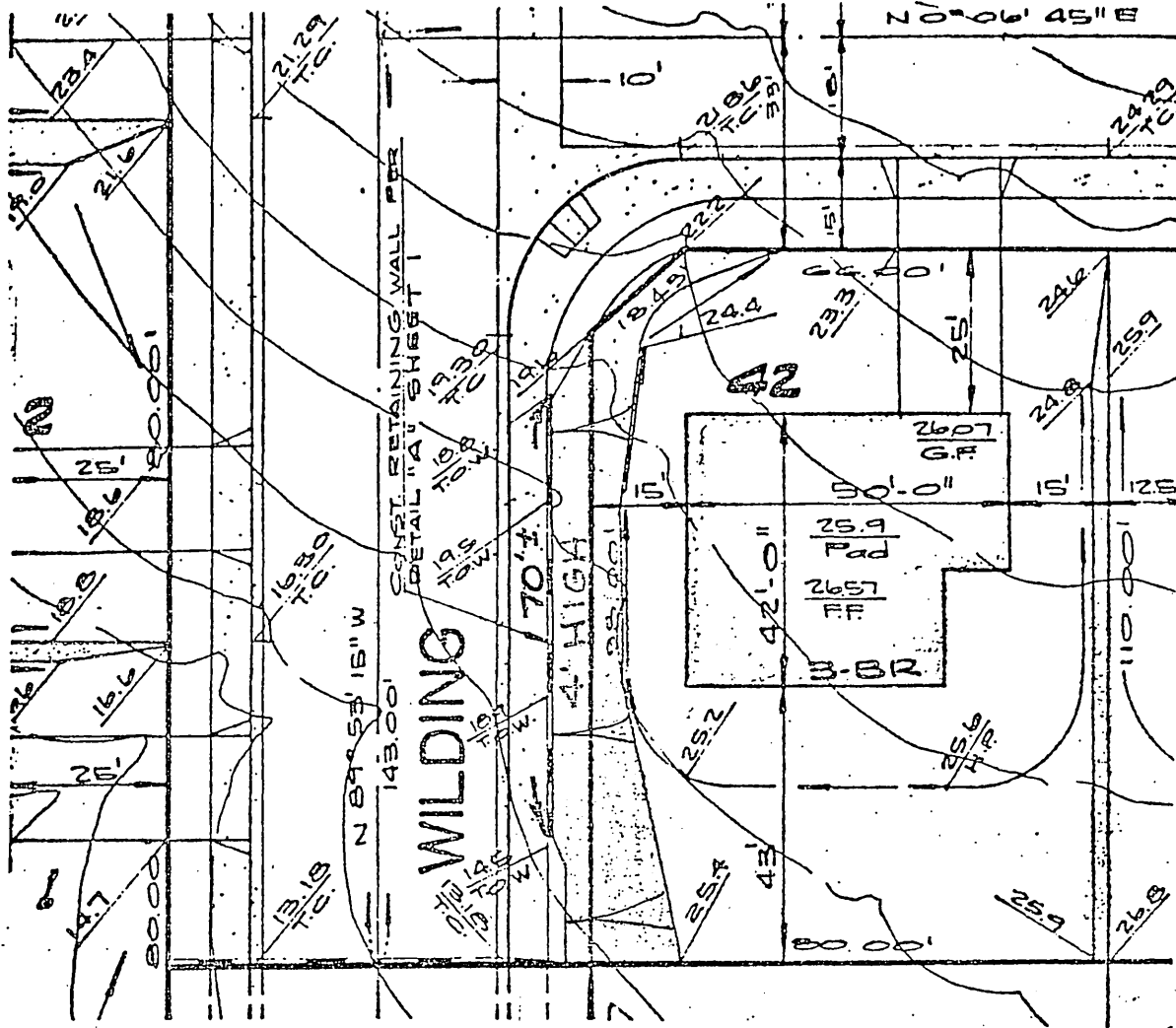
SCALE: 1" = 30'

DRAWN BY R.P. DATE 5/15/76

SUBJECT TRACT 907A-2 ENCROACHMENT PERMIT

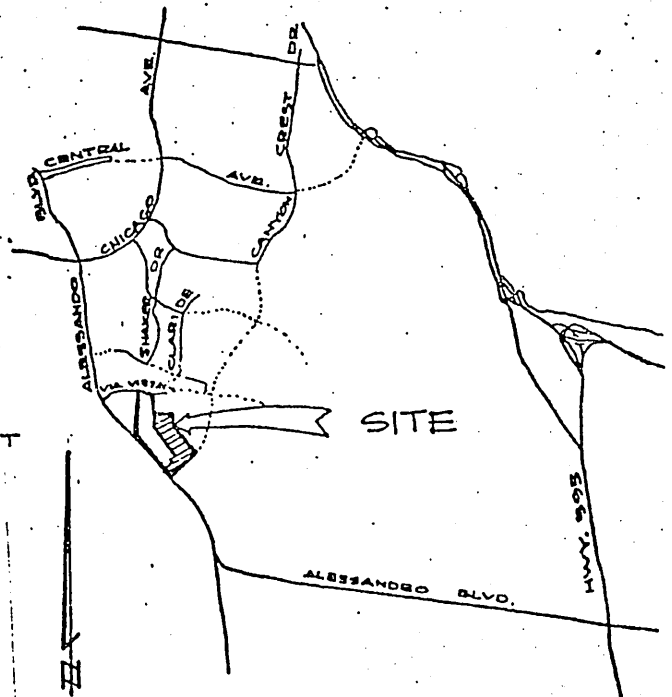
EXHIBIT 'B'

REDLANDS CT.



LEGEND

 INDICATES AREA OF ENCROACHMENT



LOCATION MAP

NO SCALE

• CITY OF RIVERSIDE, CALIFORNIA •

SHEET 1 OF 2

11-25

SCALE: 1" = 30'

DRAWN BY R.P. DATE 3/15/78

SUBJECT TRACT 9078-2 ENCROACHMENT PERMIT