

ENCROACHMENT PERMIT

Pursuant to Resolution No. 11065 of the City of Riverside, permission is hereby granted to Fred L. Borst  
172 Landale Lane  
El Cajon, California 92021

his heirs and assigns, hereinafter referred to as "Permittee" to use and occupy the following described property. That certain 15 feet of public right of way and property commonly known as University Avenue, 99 feet wide, Ninth Street, 66 feet wide and Main Street, now a pedestrian mall, 99 feet wide lying adjacent to Parcel 1 of Parcel Map 14855, on file in Book 75 of Parcel Maps, at Page 37 and 38 thereof, records of Riverside County California as shown on the attached Exhibit "A", Sheet 1 of 3.

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 a two-story building with a second story balcony and structural supports, overhang, and appurtenances encroaching into said public ownership a maximum of 15 feet as shown on Sheets 2 and 3 of Exhibit "A" attached hereto.

1a. Permittee, Fred L. Borst, as of the date of this permit, does not own or have legal title to the herein-described property to which this permit applies, and, therefore, this permit is approved and issued subject to and contingent on Permittee, Fred L. Borst, obtaining ownership or legal title to the herein-described property subsequent to the date of this permit.

1b. Existing services and fire hydrants within the proposed 15' encroachment area will have to be cut back by City Forces at developers expense. This shall be coordinated with developers construction.

1c. Permittee shall protect and/or relocate existing underground traffic signal and street lighting conduits within the University Avenue right of way.

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. Revocation may occur only if permittee is in default of this Agreement.

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. 24, 1981

CITY OF RIVERSIDE, a municipal corporation

By Terry R. Temple Mayor  
Attest Alice C. Hale Pro Tempore City Clerk

The foregoing is accepted by:

[Signature]  
(Signature(s) of Permittee)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

APPROVED AS TO CONTENT

[Signature]  
Department Head, Public Works Dept.

[Signature]  
Department Head, Public Utilities

APPROVED AS TO FORM

[Signature]  
City Attorney

[Signature]  
Department Head, Redevelopment Agency

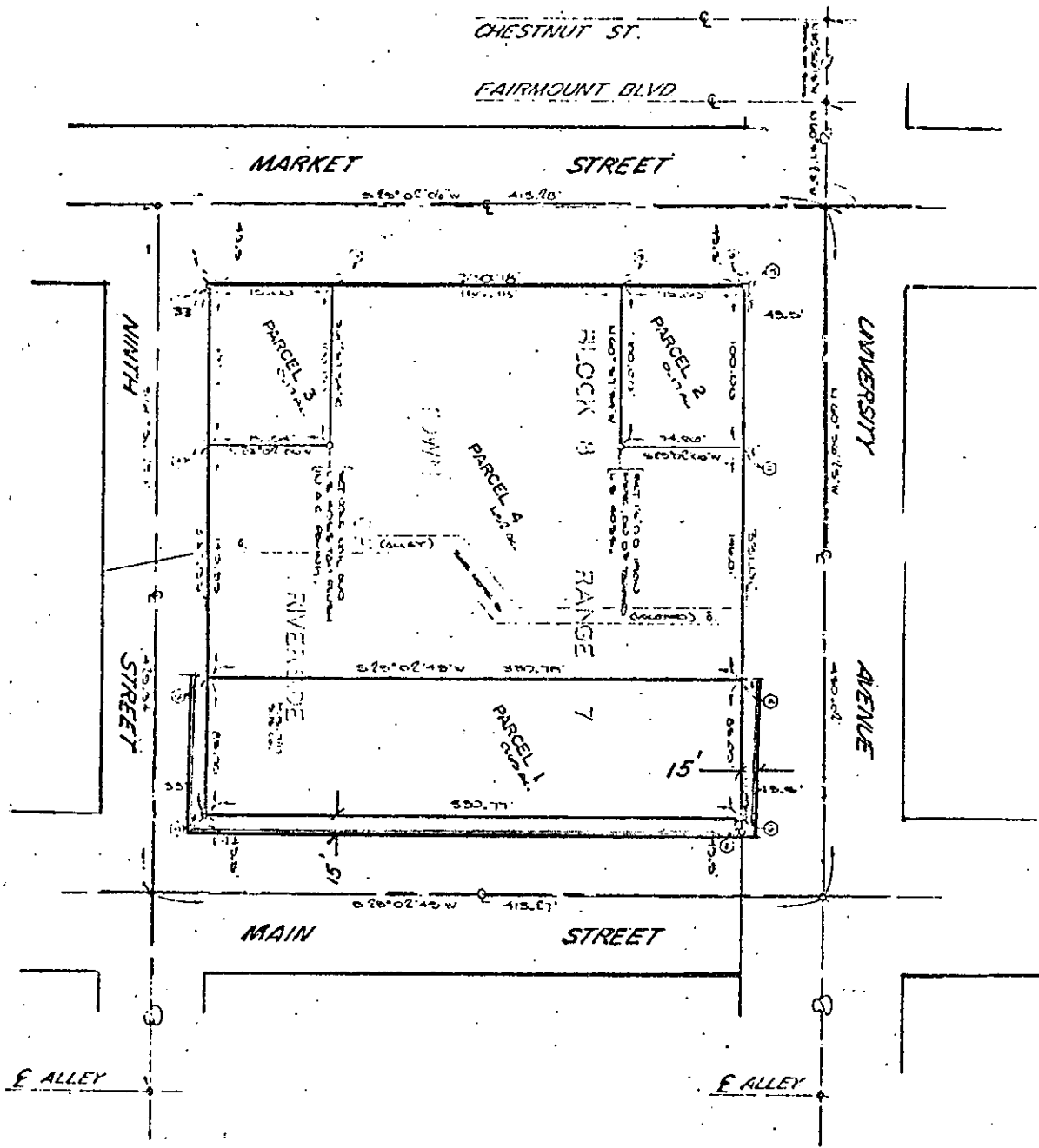
CITY MANAGER APPROVAL

[Signature]  
City Manager

[Signature]  
Department Head, Fire Department

[Signature]  
Department Head, Parks Department

# EXHIBIT 'A'



· CITY OF RIVERSIDE, CALIFORNIA ·

POR. BLK 8 R 7 M.B. 7/17

SHEET 1 OF 3 CB 1/B

SCALE: 1" = 100'

DRAWN BY E.F. DATE 8/8/80

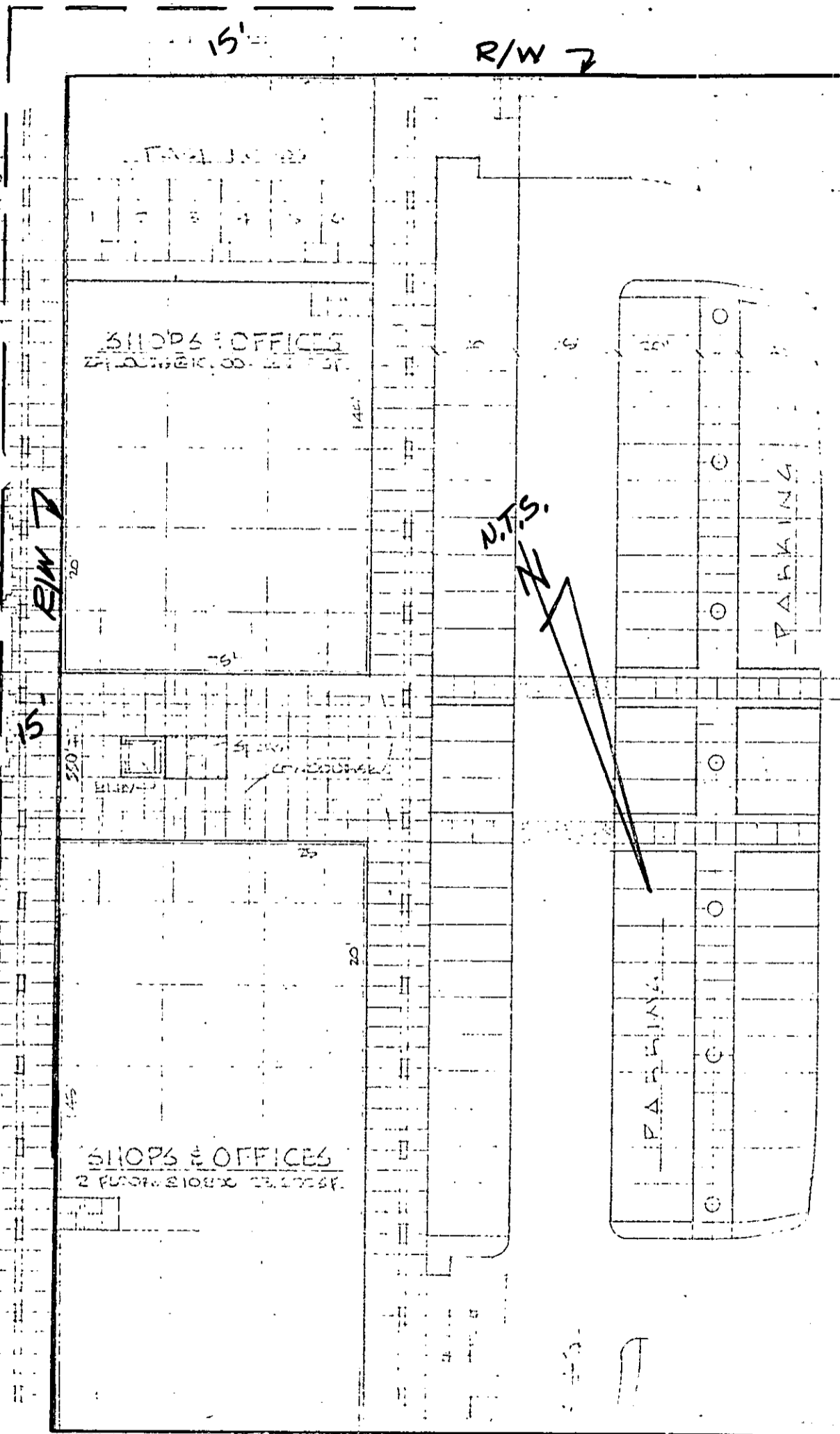
SUBJECT: Encroachment Permit - 3801 - 3883 Main St.

E-804

NINTH ST

15'

R/W ↘



MAIN STREET Mall

STREET

EASEMENT

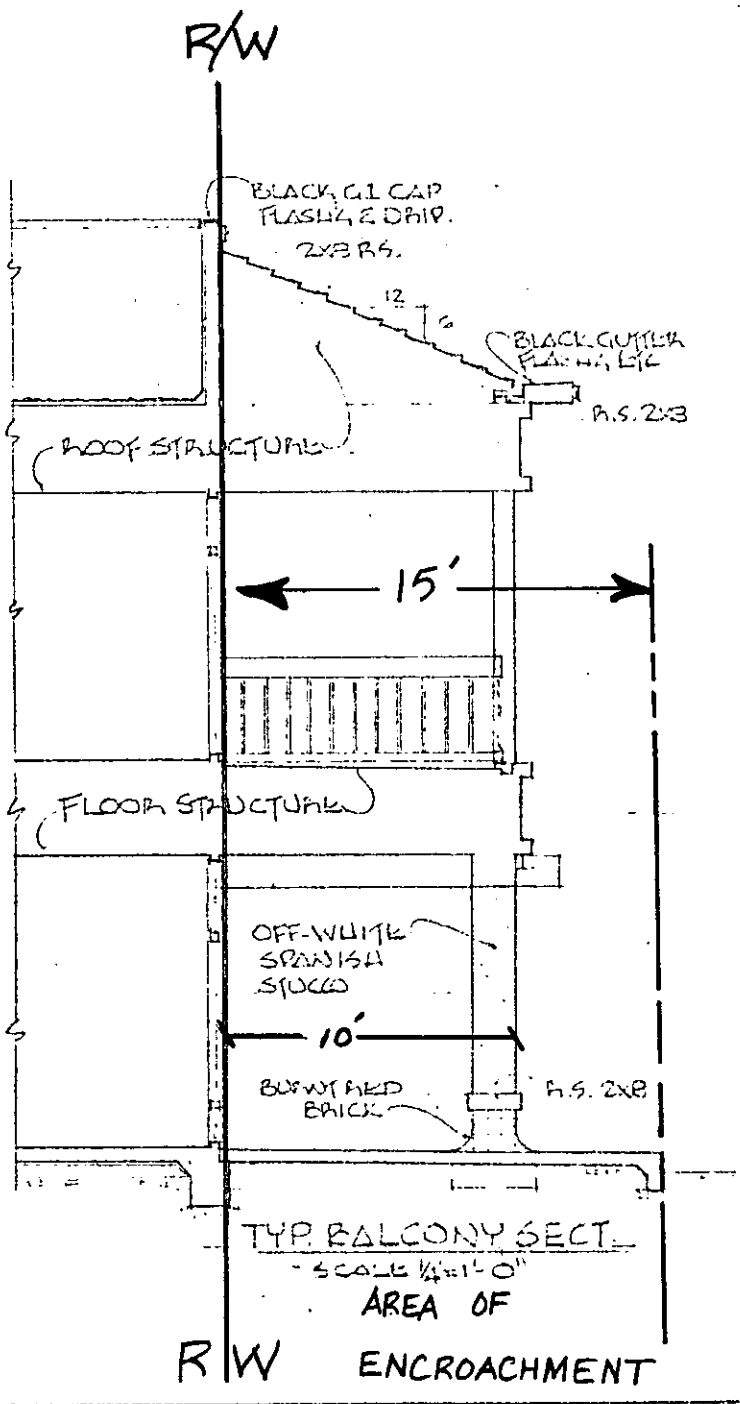
TING MALL

15'

R/W ↘

UNIVERSITY AVENUE

EXHIBIT A (2 of 3)  
E-804



EX 12...

	DRN. NO:	DATE:	SHEET
	J-1	1-1-77	1
RIVERSIDE, CALIFORNIA		JOB NO:	OF SHEETS
		1-77	1

*J*

EXHIBIT A (3 of 3)

E-804