

COUNTY OF RIVERSIDE, STATE OF CALIFORNIA  
RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

**ENCROACHMENT PERMIT**

City of Riverside  
P. O. Box 826  
Riverside, California

Riverside, California

31 July, 1973

In compliance with your request of 3 July, 1973  
and subject to all the terms, conditions and restrictions written below or printed as general or special provisions on any part of this form

PERMISSION IS HEREBY GRANTED TO THE CITY OF RIVERSIDE to construct and maintain a 12" VCP sewer, crossing of Arlington Channel at the A.T. & S.F. R.R. as detailed on Tract 4603 sewer extension plans #S-935 dated April 13, 1973 revised June 12, 1973.

Attention is directed to general provisions #8 and the attached letter dated 27 July 1973, from William D. Gardner pertaining to future moving of installation.

This permit is to be strictly construed and no work other than that specifically mentioned above is authorized hereby. Performance of the work shall be deemed to be acceptance by the Permittee of all terms and conditions of this permit.

This permit shall be void unless work herein contemplated shall have been completed before 1 November, 1973.

RECOMMENDED FOR APPROVAL:

By K.L. Edwards  
DESIGN  
By [Signature]  
RIGHT OF WAY  
By [Signature]  
PERMIT ENGINEER

APPROVED:

[Signature]  
JOHN W. BRYANT  
CHIEF ENGINEER

CB5/34-1

ER-1 ER1

## GENERAL PROVISIONS

1. ACCEPTANCE OF PROVISIONS. It is understood and agreed by the Permittee that the performance of any work authorized under this permit shall constitute an acceptance of the provisions contained herein, and failure to comply with said provisions shall result in revocation of this permit by the Riverside County Flood Control and Water Conservation District.

2. NO PRECEDENT ESTABLISHED. This permit is granted with the understanding that this action is not to be considered as establishing any precedent on the question of the expediency of permitting any certain kind of encroachment to be erected within right of way of the Riverside Flood Control and Water Conservation District.

3. KEEP PERMIT ON THE WORK. This permit shall be kept at the site of the work and must be shown to any representative of the Riverside County Flood Control and Water Conservation District.

4. PERMITS FROM OTHER AGENCIES. The party or parties to whom this permit is issued shall, whenever the same is required by law, secure the written order or consent to any work hereunder from the Public Utilities Commission of the State of California or any other public Board having jurisdiction, and this permit shall be suspended in operation unless and until such order or consent is obtained.

5. CLEAN UP RIGHT OF WAY. Upon completion of the work, all brush, timber, scraps and material shall be entirely removed and the right of way left in as presentable condition as before work started.

6. STANDARDS OF CONSTRUCTION. All work shall conform to recognized standards of construction.

7. SUPERVISION OF GRANTOR. All the work shall be done subject to the supervision of, and to the satisfaction of, the Riverside County Flood Control and Water Conservation District.

8. FUTURE MOVING OF INSTALLATION. It is understood by the Permittee that whenever construction, reconstruction or maintenance work on the right of way may require, the installation provided for herein shall, upon request of the Riverside County Flood Control and Water Conservation District, be immediately moved by, and at the sole expense of, the Permittee.

9. LIABILITY FOR DAMAGES. The Permittee is responsible for all liability for personal injury or property damage which may arise out of work herein permitted, or which may arise out of failure on the Permittee's part to perform his obligations under this permit in respect to maintenance. In the event any claim of such liability is made against the Riverside County Flood Control and Water Conservation District, or any officer or employee thereof, Permittee shall defend, indemnify and hold them and each of them harmless from such claim.

10. MAKING REPAIRS. The permittee shall replace and restore the right of way at the place of the excavation to its condition prior to the making of the excavation.

11. CARE OF DRAINAGE. If the work herein contemplated shall interfere with the established drainage, ample provision shall be made by the Permittee to provide for it as may be directed by the grantor.

12. MAINTENANCE. The permittee agrees by the acceptance of this permit to exercise reasonable care to maintain properly any encroachment placed by it in the right of way and to exercise reasonable care in inspecting for and immediately repairing and making good any injury to any portion of the right of way as a result of the work done under this permit, including any and all injury to the right of way which would not have occurred had such work not been done or such encroachment not placed therein.

13. PERFORMANCE WARRANTY. Bond may be required of the permittee whenever in the judgment of the Riverside County Flood Control and Water Conservation District, it becomes necessary or advisable to guarantee performance.

14. DURATION. This permit may be cancelled by the Riverside County Flood Control and Water Conservation District upon thirty days written notice to permittee.

## SPECIAL PROVISIONS

1. INSPECTION FEE REQUIRED BY GRANTOR. The permittee shall deposit a sum in the amount of \$ 300.00 with the Riverside County Flood Control and Water Conservation District at least five working days prior to the anticipated start of work covered by this permit. Said amount is to cover the estimated cost of inspection, investigation, testing, etc., by the District of the work proposed under the permit.

2. NOTICE OF BEGINNING OF WORK. The permittee shall advise the Chief Engineer in writing of the anticipated start of work covered by this permit. Said notice shall be delivered to the office of the Riverside County Flood Control and Water Conservation District at least five working days prior to the start of work.

*Open John Ruppert's  
phone conversation with  
DM on 8/10/73 @  
10:51 A.M.  
JRM*



Today is July 27, 1973,  
and it's a great day!

J. F. MARTINEK  
PUBLIC WORKS DIRECTOR  
AND CITY ENGINEER  
3870 Mulberry Street  
Riverside, California 92507  
Ph. 787-7560

DIVISIONS:  
BUILDING INSPECTION  
Ph. 787-7361  
ENGINEERING & INSPECTION  
Ph. 787-7341  
TRAFFIC & PARKING  
Ph. 787-7366

Mr. John W. Bryant, Chief Engineer  
Riverside County Flood Control District  
P. O. Box 1033  
Riverside, California 92502

Re: Tract 4603 Sewer Extension

Dear Mr. Bryant:

Your letter of July 25, 1973, to City Manager Dan Stone requesting a written assurance that the City will bear the expense of relocating a sanitary sewer at your Arlington Channel crossing, has been referred to me for reply.

This letter will constitute the City's written assurance that we will relocate the sewer at such future time that your plans have been completed and you have a project for improving the Arlington Channel. This assurance is, of course, subject to the same conditions regarding any future commitment involving funds--namely that funds are available and that the Council will appropriate them for the relocation. I don't see the slightest doubt that this would be accomplished since it is similar to so many other routine projects of this nature.

Incidentally, I suggested on the phone to Ken Edwards that your encroachment permit could have written into it a paragraph providing that the City will relocate the sewer in the future prior to your Arlington Channel improvement.

I would appreciate your issuing the encroachment permit as soon as possible, since this is becoming a matter of some urgency.

Yours very truly,

J. F. MARTINEK  
Public Works Director

By William D. Gardner  
WILLIAM D. GARDNER  
Chief Public Works Engineer

WDG:br  
cc: Daniel E. Stone