

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

ENCROACHMENT PERMIT

City of Riverside
 Public Works Department
 3900 Main Street
 Riverside, CA 92522

Riverside, California

March 16, 1983

Attention: Mr. William D. Gardner
 Chief Public Works Engineer

In compliance with your request of March 1, 1983
 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 Discharge a six foot wide Portland Cement concrete swale into the District's La Sierra Storm Channel, Stage "A", @ Station 36+50, approximately. Said concrete swale is to be constructed as shown on Sheet 1 of 1 of City of Riverside Drawing No. S-1306.

Permittee's attention is called to Special Provision 2 found on the reverse side hereof, requiring 5 days notice prior to commencing work. Notice may be given by calling Coen Couwenberg at 787-2884. In the event Permittee or contractor fails to give proper notice before starting work, Permittee's contractor shall be required to remove the backfill for inspection and/or reconstruction of the work described in this permit, as directed by District's engineer.

Permittee agrees to defend, indemnify and hold harmless the District, its officers and employees from any and all liabilities, claims, demands, debts, suits, actions and causes of action of any kind, nature or sort whatever, including wrongful death, and attorney's fees for the defense of any such action arising out of, or in any manner connected with the installation provided for herein.

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 June 1, 1983.

District Drawing No. 1-151, Sheet 4.

RECOMMENDED FOR APPROVAL:

By Coen Couwenberg
 PERMIT ENGINEER
 By David J. Sheldon
 CHIEF OF OPERATIONS

APPROVED:

Robert A. Nelson
 KENNETH L. EDWARDS
 CHIEF ENGINEER

Action	Date

File 2

VED
 1983
 Pump Sta
 Riverside
 PUBLIC WORKS

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 \$ None 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.

~~*If installation is not completed within either 10 working days after commencing work or such other time as may be specified on the encroachment permit, the permit will be suspended and no work will be allowed until a penalty payment equal to the original inspection fee is paid. This penalty will be assessed for each 10 working days or other specified period until the installation is completed.~~