

Encroachment Permit Requirements

1. Permittee shall use and occupy the following property only in the manner and for the purposes following:
SEE ATTACHED PERMIT FOR LOCATION INFORMATION
2. Permittee, by acceptance of the benefits hereunder, acknowledges title to the Property to be in the City of Loma Linda and waives any rights to contest the validity of the dedication or grant.
3. Permittee acknowledges that the described Property is **City property and it may become convenient or necessary for a reasonable need of the City** and that accordingly, all rights and privileges of use permitted shall cease and expire upon notice of revocation by the City. Upon the expiration of revocation, Permittee shall, within the time prescribed by the City, remove all improvements or obstructions placed, constructed or maintained by the Permittee **at Permittee's sole cost and expense**. 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 Permittee to the City of Loma Linda and shall constitute a dept owed to the City of Loma Linda.
4. Permittee, by acceptance hereof, waives the right to claim, loss damage or action against the City of Loma Linda arising out of or resulting from revocation, termination, removal of the improvements or any action of the City of Loma Linda, its officers, agents or employees taken in accordance with the terms thereof.
5. Finding and determination by the City Engineer of the City of Loma Linda that the Permittee or its 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 Loma Linda 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 **or use and occupancy** by Permittee or his agents, employees or contractors within the described Property.
7. ***In the event the City Council determines that it is in the best interests of the City of Loma Linda to terminate, remove, or relocate the encroachment within the Property described herein, the Permittee or any successor owner, user or beneficiary of the device, structure improvement shall, at such person's sole cost and expense, terminate, remove, or relocate such encroachment pursuant to the instructions from the City. Such action shall be done and completed without delay and in compliance with the requirements of the City of Loma Linda.***

APPLICANT:

Signature and Title

Date

APPROVED AS TO CONTENT: CITY OF LOMA LINDA:

Signature and Title

Date