

RESOLUTION NO. 2464

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KLAMATH FALLS, OREGON, AUTHORIZING THE MAYOR AND CITY RECORDER TO EXECUTE AN ENCROACHMENT PERMIT FOR KLAMATH WORK ACTIVITY CENTER, PERMITTING ENCROACHMENT UPON A PORTION OF ADAMS STREET RIGHT-OF-WAY.

WHEREAS, Klamath Work Activity Center has petitioned the Common Council of the City of Klamath Falls, Oregon, to grant an encroachment permit allowing the construction of a security fence and pedestrian walkway on the Adams Street right-of-way between Blocks 5 and 6 of the Industrial Addition; and,

WHEREAS, the storage of materials produced by the Klamath Work Activity Center requires an area in excess of that currently available, and pedestrian access to the Center's new residential building is required from the Center's production building, an encroachment of the Adams Street right-of-way is required as shown on Exhibit A; and,

WHEREAS, the Common Council of the City of Klamath Falls, Oregon, through its own investigation has determined that an encroachment permit may be granted to Klamath Work Activity Center for such purposes as described above on the Adams Street right-of-way without unduly or significantly affecting the City's best interest, now, therefore

THE CITY OF KLAMATH FALLS RESOLVES AS FOLLOWS:

Section 1.

That the Mayor and City Recorder by and are hereby authorized to execute an encroachment permit in favor of Klamath Work Activity Center which will allow Klamath Work Activity Center to encroach upon a portion of the Adams Street right-of-way as shown on the attached map marked Exhibit "A" and described below:

That portion of the Adams Street right-of-way between Blocks 5 and 6 of Industrial Addition.

Said encroachment shall be granted under the following provisions:

1. Said permit shall carry a non-refundable permit fee of twenty-five dollars (\$25.00).
2. Said permit shall be revocable and non-exclusive.
3. Klamath Work Activity Center shall hold the City of Klamath Falls and its authorized representatives harmless from claims for damage to personal property placed within the encroachment area which occurs as a result of the City's subsequent use of said encroachment area.
4. That said owner or future owners shall be responsible for the construction, reconstruction, operation and maintenance of said improvements and hold the City harmless for such operations.
5. The City reserves a 16-foot wide easement centered in the existing right-of-way for maintenance of public utilities.

Passed by the Common Council of the City of Klamath Falls, Oregon, this 22nd day of November, 1976.

Presented to the Mayor and by him approved and signed this 22nd day of November, 1976.

George C. Eltough
Mayor

ATTEST:

Arnold Senak
Recorder

19213

STATE OF OREGON,)
COUNTY OF KLAMATH,) SS.
CITY OF KLAMATH FALLS.)

I, Harold Derrah, Recorder for the City of Klamath Falls, Oregon, do hereby certify that the above and foregoing is a true and correct copy of a resolution duly adopted by the City Council of the City of Klamath Falls, Oregon, at a regular meeting held on the 22nd day of November, 1976, and thereafter approved by the Mayor and attested by the City Recorder.

Harold Derrah
Recorder

ACCEPTANCE

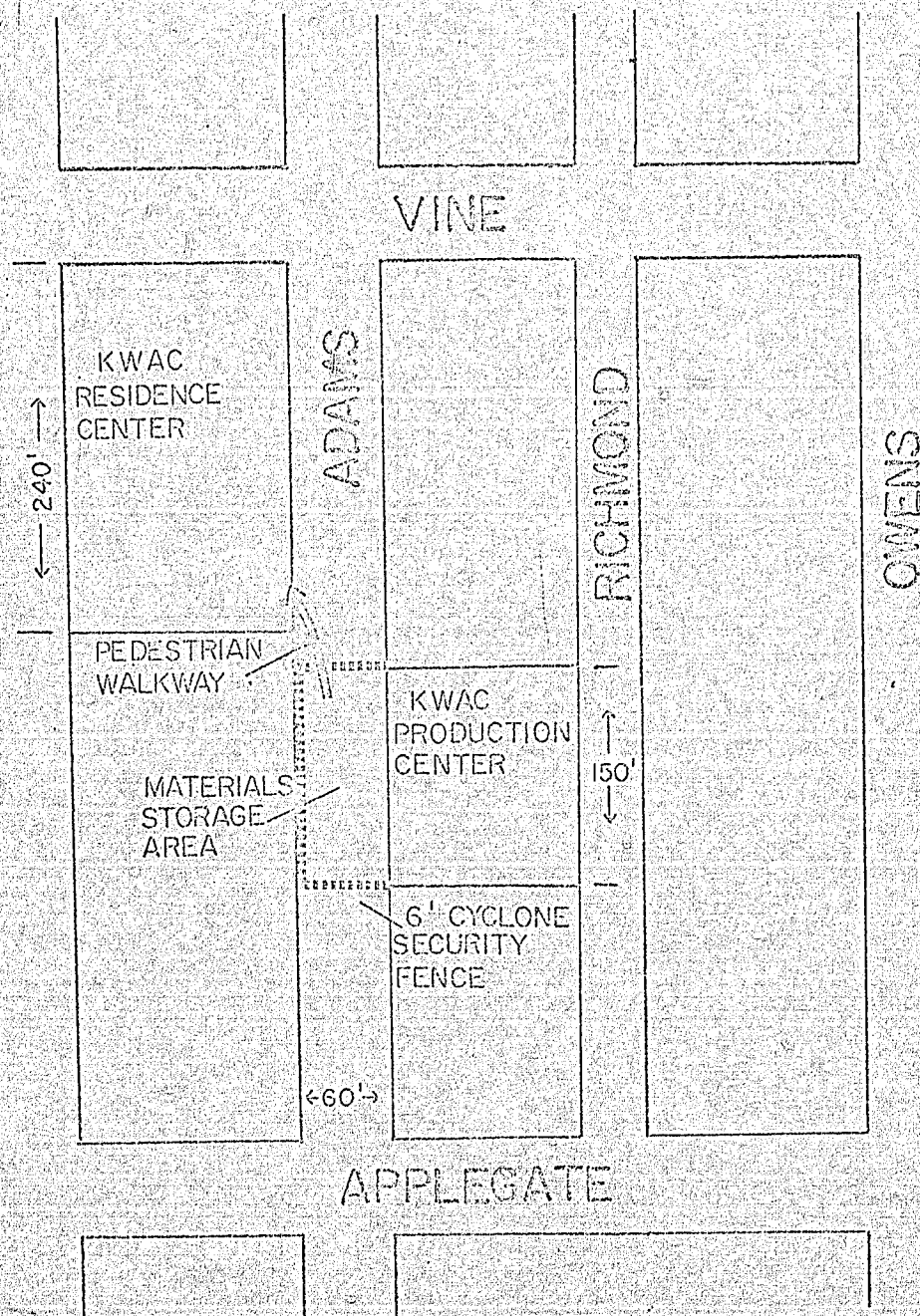
The undersigned does hereby accept the terms and conditions of this resolution.
Dated the 29th day of November, 1976.

Zelda Langdale Director
Klamath Work Activity Center

Ret: City of K Falls
220 2069

19214

EXHIBIT A
ENCROACHMENT PERMIT
FOR
KLAMATH WORK ACTIVITY CENTER
INDUSTRIAL ADDITION



STATE OF OREGON; COUNTY OF KLAMATH; ss.

I hereby certify that the within instrument was received and filed for record on the 30th day of November A.D., 19 76 at 3:40 o'clock P.M., and duly recorded in Vol. M 76, of DEEDS on Page 19212.

FEE 9.00

WM. D. MILNE, County Clerk

By Hazel Owens Deputy