

27275

RESOLUTION NO. 2481

Vol. 77 Page 5119

A RESOLUTION AUTHORIZING MR. PAUL SANDOVAL, JR., 1844 IDAHO STREET, KLAMATH FALLS, OREGON, TO ENCROACH UPON A PORTION OF IDAHO STREET RIGHT-OF-WAY.

WHEREAS, Mr. Paul Sandoval, Jr. of 1844 Idaho Street, Klamath Falls, Oregon, has petitioned the City Council of the City of Klamath Falls, Oregon, to grant an encroachment permit, and

WHEREAS, the Idaho Street right-of-way is adjacent to the northeasterly property line of Lot 2, Block 77, Buena Vista Addition to the City of Klamath Falls, Oregon, and

WHEREAS, Mr. Paul Sandoval, Jr.'s home, situated upon the aforesaid lot, does encroach eight feet upon said Idaho Street right-of-way, and

WHEREAS, the City Council of the City of Klamath Falls, Oregon, through its own investigation has determined that an encroachment permit may be granted to Mr. Paul Sandoval, Jr. for use of said eight foot portion of said Idaho Street right-of-way without unduly or significantly affecting the City's best interests.

NOW, THEREFORE, THE CITY OF KLAMATH FALLS, OREGON, RESOLVES AS FOLLOWS:

Mr. Paul Sandoval, Jr., 1844 Idaho Street, Klamath Falls, Oregon, is hereby authorized to encroach upon a portion of the Idaho Street right-of-way as described below:

A portion of the Idaho Street right-of-way, said portion being an eight foot wide strip contiguous with the northeasterly line of Lot 2, Block 77, Buena Vista Addition to the City of Klamath Falls, Oregon, as shown on the attached map.

Said encroachment shall be granted under the following provisions:

1. Said permission shall carry a non-refundable fee of twenty-five dollars (\$25.00).
2. Said permission shall be revocable upon six months written notice by the City of Klamath Falls and it shall be non-exclusive.
3. Mr. Paul Sandoval, Jr. or future owners of the building at 1844 Idaho Street 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 at said encroachment area.
4. Mr. Paul Sandoval, Jr. or future owners of the building at 1844 Idaho Street shall be responsible for damages to any person injured whose injury is caused by said encroachment. The owner, or future owner, shall take all reasonable precautions to insure the safety of the public upon the affected portion of the Idaho Street right-of-way.
5. The City shall file the encroachment permit with the County Clerk.

5120

Passed by the Common Council of the City of Klamath Falls, Oregon, this 8th day
of February, 1977.

Presented to the Mayor and by him approved and signed this 9th day of
February, 1977.

George C. Hines
Mayor

Harold J. Derrah
Recorder

ATTEST:

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

I, Harold J. 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 8th day of February, 1977, and thereafter approved
by the Mayor and attested by the City Recorder.

Harold J. Derrah
Recorder

ACCEPTANCE

The undersigned does hereby accept the terms and conditions of this resolution.

Dated this 14 day of FEBRUARY, 1977.

Paul J. Sandoval, Jr.
Mr. Paul J. Sandoval, Jr.

STATE OF OREGON, COUNTY OF KLAMATH, ss.

and for record xxxxxxxxxxxx

this 28th day of March, A. D. 1977, at 3:07 o'clock P.M. and

duly recorded in Vol. M77 of DEEDS on Page 5119

FEE \$ 6.00

Wm. D. MILNE, County Clerk
Hazel D. Inague

*Per
City of Klamath Falls
226 So 5th
City*

6/26/77