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A RESOLUTION AUTHORIZING MRS. JOSEPH MILLIGAN, 315 ROOSEVELT STREET, KLAMATH FALLS, OREGON, TO ENCROACH UPON THE UERLINGS STREET RIGHT-OF-WAY ADJACENT TO LOT 4, BLOCK 11, FIRST ADDITION.

WHEREAS, Mrs. Joseph Milligan has petitioned the City Council of the City of Klamath Falls, Oregon, to grant an encroachment permit, and

WHEREAS, an encroachment does exist on Uerlings Street right-of-way adjacent to Lot 4, Block 11, First Addition, 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 Mrs. Joseph Milligan to allow the encroachment within the Uerlings Street right-of-way without unduly or significantly affecting the City's best interests, now, therefore,

THE CITY OF KLAMATH FALLS RESOLVES AS FOLLOWS:

Section 1.

Mrs. Joseph Milligan of Klamath Falls, Oregon, is hereby authorized to encroach upon the Uerlings Street right-of-way adjacent to Lot 4, Block 11, First Addition.

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 written notice by the City of Klamath Falls within a reasonable time limit and it shall be non-exclusive.
3. Mrs. Joseph Milligan or future owners of said property 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. Mrs. Joseph Milligan or future owners of said property shall be responsible for damages to any person injured whose injury is caused by said encroachment. The owner, or future owners shall take all reasonable precautions to insure the safety of the public upon the affected portion of the Uerlings Street right-of-way.
5. The City shall file an encroachment permit with the County Clerk.

Passed by the Common Council of the City of Klamath Falls, Oregon, this 5th day of March, 1979.

Presented to the Mayor and by him approved and signed this 5th day of March, 1979.

George C. Fitzgerald
Mayor

ATTEST:

Arnold Senal

City Recorder

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 5th day of March, 1979, and thereafter approved by the Mayor and attested by the City Recorder.

Arnold Senal

City Recorder

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

Dated this 3 day of March, 1979.

Mrs. Joseph Milligan

Mrs. Joseph Milligan

After recording, return to City of Klamath Falls, P.O. Box 237, Klamath Falls, OR 97601
STATE OF OREGON; COUNTY OF KLAMATH; ss.

I hereby certify that the within instrument was received and filed for record on the 29th day of March A.D., 19 79 at 1:14 o'clock P.M., and duly recorded in Vol. M79 of Deeds on Page 6833.

FEE \$3.00

WM. D. MILNE, County Clerk

By *Benedict Hetsch* Deputy

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