

Original

3701  
A RESOLUTION AUTHORIZING MR. TOM J. O'HARRA OF 611 HILLSIDE STREET, KLAMATH FALLS, OREGON, TO ENCROACH UPON THE HILLSIDE STREET RIGHT-OF-WAY FOR THE PURPOSE OF INSTALLING A GEOTHERMAL WATER LINE PIPE APPROXIMATELY 100 FEET N. W. OF HILLSIDE AND HURON.

m 80 Page 6859

WHEREAS, Mr. Tom J. O'Harra of 611 Hillside Street, Klamath Falls, Oregon, has petitioned the City Council of the City of Klamath Falls, Oregon to grant an encroachment permit, and

WHEREAS, Mr. Tom J. O'Harra proposes to use the Hillside Street right-of-way to place two geothermal water line pipes approximately 100 feet N. W. of Hillside and Huron.

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. Tom J. O'Harra to allow construction within the Hillside 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.

Mr. Tom J. O'Harra of 611 Hillside Street, Klamath Falls, Oregon, is hereby authorized to encroach upon the Hillside Street right-of-way for the purpose of installing two geothermal water line pipes approximately 100 feet N. W. of Hillside and Huron.

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. Mr. Tom J. O'Harra, or future owners of 611 Hillside, 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. Tom J. O'Harra, or future owners of 611 Hillside, 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 Hillside Street right-of-way.
5. Mr. Tom J. O'Harra will file completed as-built drawings of this geothermal water line pipe installation with the Department of Public Works.
6. The City Recorder shall record this resolution with the County Clerk.

Passed by the Common Council of the City of Klamath Falls, Oregon, this  
17 day of March, 1980.

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RESOLUTION NO. 2742

MARCH 17, 1980

V, 8 P. 95

Presented to the Mayor and by him approved and signed this 17 day of March, 1980.

6860

George C. Filcraft  
Mayor

ATTEST:

David L. Smith  
City Recorder

STATE OF OREGON }  
COUNTY OF KLAMATH }  
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 17 day of March, 1980, and thereafter approved by the Mayor and attested by the City Recorder.

Harold Derrah  
City Recorder

ACCEPTANCE

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

Tom J. O'Hara  
Tom J. O'Hara

STATE OF OREGON; COUNTY OF KLAMATH; ss.

and for record at request of City of Klamath Falls,  
this 11th day of April A. D. 1980 at 11:55 o'clock A., and  
filed for record in Vol. M80, of Deeds on Page 6859

City of K. Falls

Wm D. MILNE, County Clerk  
By Bernice A. Hetch

Fee \$7.00