

The City of Klamath Falls, Oregon, a municipal corporation (hereinafter referred to as "City") and Roger and Dellane Rivenes of 1870 Manzanita Street, Klamath Falls, Oregon (hereinafter referred to as "Grantee") for and in consideration of the covenants and conditions hereinafter set forth, agree as follows:

City hereby gives and grants to Grantees, their successors and assigns, upon the terms and subject to the conditions hereinafter set forth in this agreement, non-exclusive permission to encroach upon a portion of the adjoining alley right-of-way for the purpose of installing two 1½" geothermal water line pipes to serve Lot 7, Block 29, Hot Springs Addition to the City of Klamath Falls (Tax Lot 24) according to the following conditions:

- 1) Grantee shall obtain the approval by the City's Department of Public Works of the construction plans within the alley right-of-way prior to construction.
- 2) Grantee shall file completed as-built drawings of the geothermal water line pipes installation with said Department of Public Works.
- 3) The above mentioned pipes shall be limited to serving the above mentioned lot.

Grantee agrees to pay to City as compensation for the privileges herein granted, the sum of \$25.00, receipt of which is hereby acknowledged by City.

Grantee shall save and hold harmless the City from and indemnify the City against any and all liability for or on account of any death or injury to persons, or damage to property incurred in any manner whatsoever growing out of Grantee's use or loss of the privileges herein granted.

This agreement may be terminated upon thirty (30) days written notice by either party. Upon termination, Grantee shall remove the entire water line structure herein authorized and restore the public right-of-way in accordance with the directions of the City's Director of Public Works within thirty (30) days.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed this 5th day of October, 1981.

CITY OF KLAMATH FALLS

By: George C. F. [Signature]
Mayor

ATTEST: [Signature]
Recorder

GRANTEE

Roger Rivenes
Roger Rivenes

Dellane Rivenes
Dellane Rivenes

STATE OF OREGON; COUNTY OF KLAMATH: ss.

I hereby certify that the within instrument was received and filed for record on the 15th day of October A.D., 1981 at 10:11 o'clock A.M., and duly recorded in

Vol M-81 of Deeds on page 18063.

Fee \$4.00

EVELYN BIEHN
COUNTY CLERK
By [Signature] Deputy

AFTER RECORDING, RETURN TO:
City Recorder
City of Klamath Falls
Klamath Falls, OR