

The City of Klamath Falls, Oregon, a municipal corporation (hereinafter referred to as "City") and Adine Wyr of 807 Lippincott 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 Grantee, her successors and assigns, upon the terms and subject to the conditions hereinafter set forth in this agreement, permission to encroach upon a 206.72 square foot portion of the Lippincott Avenue public right-of-way adjacent to Lot 2, Block 7, Riverside Addition to the City of Klamath Falls, Klamath County, Oregon, as shown on attached Exhibit "A", which is incorporated herein by this reference, for the purpose of the maintenance and repair of an existing concrete retaining wall, no part of which shall be extended into public right-of-way beyond the encroachment area.

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 death or injury to persons, or damage to property incurred in any manner whatsoever growing out of Grantee's use 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 retaining wall herein authorized and restore the public right-of-way in accordance with 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 28 day of September, 1981.

CITY OF KLAMATH FALLS

By

George C. Feltre
Mayor

Attest:

Donald Smith
Recorder

GRANTEE

Adine Wyr
Adine Wyr

ckg
After Recording, Return To:
City of Klamath Falls
City Recorder
P.O. Box 237
Klamath Falls, OR 97601

INDIVIDUAL ADDITION TO KLAMATH FALLS, OREGON

18067

WESTVOLD & ASSOCI
ENGINEERING & SURVEY
2333 SUMMERS LANE
KLAMATH FALLS, OREGON

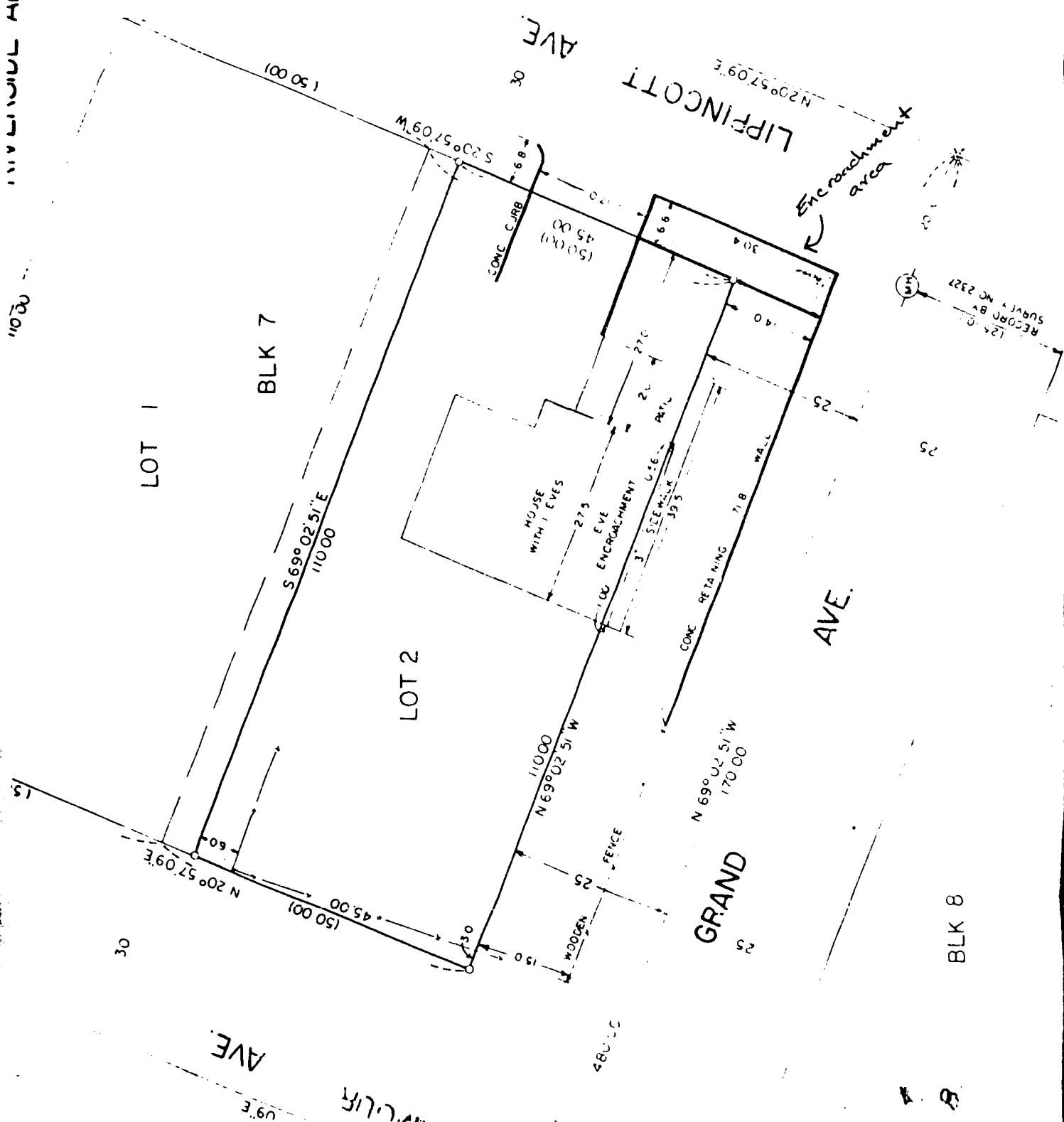
SURVEYED FOR	MICHAEL L SCH
SURVEYED BY	J L W
MAPPED BY	J L W
CHECKED BY	E R R

SCALE 1"=20'

LEGEND

- FOUND 1.2" PIN AS PER SURVEY NO 2327
- SET 5/8" PIN, 4/4" IN
- △ SET 1/4" NAIL

Exhibit A



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 18066.

Fee \$ 8.00

EVELYN DIEHN
COUNTY CLERK

By *[Signature]* deputy