

The City of Klamath Falls, Oregon, a municipal corporation (hereinafter referred to as "City") and Molatore's Motel, Inc., an Oregon corporation (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, its successors and assigns, upon the terms and subject to the conditions hereinafter set forth in this agreement, permission to encroach upon a portion of the Center Street public right-of-way adjacent to Lot 5, Block 32, Original Town (said encroachment area is more particularly described in Exhibit A, attached hereto and incorporated herein by this reference) for the purposes of landscaping, providing parking space, placing, in conformance with the City's zoning ordinance, a sign advertising Grantee's motel, and of maintaining said uses, no part of which shall be extended into public right-of-way beyond the encroachment area.

Grantor expressly reserves the right to construct and maintain a sidewalk around all or a portion of the perimeter of said encroachment area adjacent to the street(s).

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 its sign from the encroachment area within thirty (30) days.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed this just day of November, 1982.

CITY OF KLAMATH FALLS

By

[Signature]
Mayor Pro-Tem

Attest:

[Signature]
Recorder

MOLATORE'S MOTEL, INC.

By

[Signature]

Attest:

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

Beginning at the northwesterly corner of Lot 5, Block 32, Original Town as shown on the official plat thereof on file in the office of the County Clerk, Klamath County, Oregon; thence S.50°55'E., 80.0 feet along the westerly line of said Lot 5; thence S.39°05'W., 26.29 feet; thence N.63°14'W., 29.55 feet to the beginning of a curve concave to the east having a radius of 43.00 feet; thence northeasterly, 67.32 feet along said curve through a central angle of 89°42' to the point of beginning.

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record .

this 23rd day of November A. D. 19 82 at 3:43 o'clock P. M., and
duly recorded in Vol. M82, of Deeds on Page 15633

By EVELYN BIEHN, County Clerk
Bernetha A. Helich

Fee \$8.00