

ENCROACHMENT PERMIT AGREEMENT

The City of Klamath Falls, Oregon, a municipal corporation (hereinafter referred to as "City") and John Rodenberg of 1004 Newcastle, 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 the Grantee, his 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 Manzanita Street right-of-way seven feet back of the curb adjacent to Lots 15 and 16, Block 40, Hillside Addition, for the purpose of constructing a retaining wall.

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 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 27th day of October, 1983.

CITY OF KLAMATH FALLS

By Norm C. Elmer  
Mayor

Attest: Garrett Fowler  
Recorder

GRANTEE

John H. Rodenberg  
John Rodenberg

STATE OF OREGON, )  
County of Klamath )  
Filed for record at request of

on this 21st day of Nov., A.D. 19 83  
at 9:06 o'clock A M, and duly  
recorded in Vol. MS3 of Deeds  
Page 19901

EVELYN BIEHN, County Clerk

By Ann Smith DeputyFee 4.00

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AH 9  
17 NOV 21  
'83

ck  
4.00

ret. Donna W.  
City of K.F.  
Box 227  
K.F. O.