

68358

ENCROACHMENT PERMIT

Vol. M80 Page 21056

The City of Klamath Falls, Oregon, a municipal corporation (City) and ROD ALLRED of Klamath Falls (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, non-exclusive permission to encroach upon a portion of the alleyway between Auburn and Erie Streets in Block 46 of the Hillside Addition to the City of Klamath Falls for the purpose of placement of a geothermal line two feet into the alleyway from Lot 7 of Block 46 to Lot 9 of Block 46 at a depth of 3 to 5 feet (as shown on the attached map as Exhibit "A" according to the following conditions:

- 1) Grantee shall comply with all relevant local, state and federal regulations pertaining to Grantee's use of the area, including but not limited to, City Planning and building regulations; and
- 2) Grantee shall submit the construction plans for approval to the City's Public Works Department prior to construction and shall conform to any modifications or restrictions imposed by the Department.

Grantee agrees to pay to the 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 shall run from year to year unless terminated. It may be terminated upon sixty (60) days written notice by either party. Upon termination, Grantee shall remove all structures herein authorized and restore the public right-of way in accordance with the directions of the City's Director of Public Works within sixty (60) days.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed this 16 day of September, 1986.

CITY OF KLAMATH FALLS

ROD ALLRED
ROD ALLRED

BY: Harold C. Danfue
MAYOR PRO TEM

ATTEST: Donna D. Nohlmeier
CITY RECORDER

RETURN TO: CITY RECORDER
P.O. BOX 237
KLAMATH FALLS, OR 97601

LI 3 11
PH 3 17
61 NOV 19 1986

9/21/86

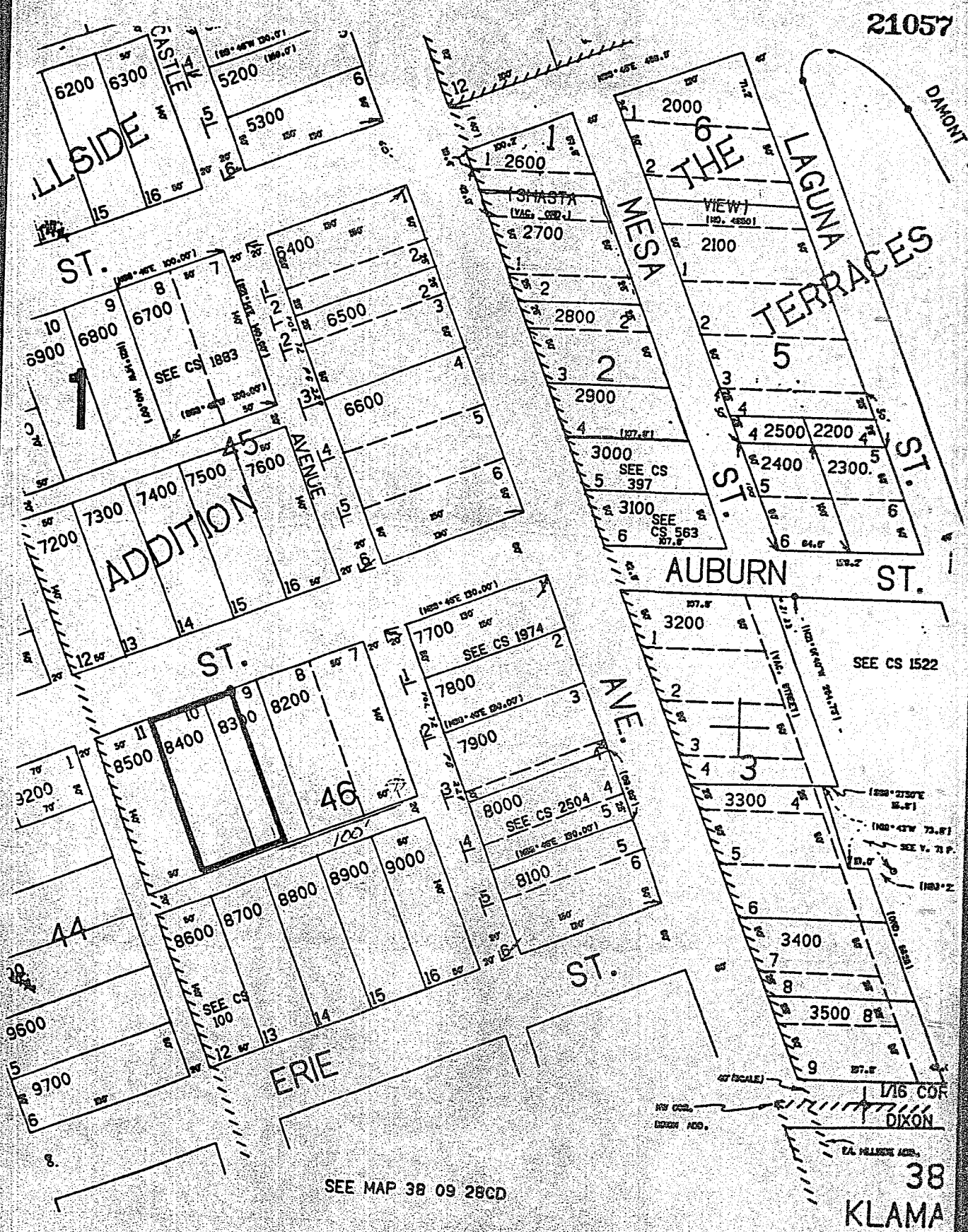


Exhibit A

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of _____
 of _____ November _____ A.D. 19 86 at 3:17 o'clock P M., and duly recorded in Vol. 1886
 of _____ Deeds on Page 21056

FEE \$9.00

Evelyn Biehn, County Clerk
 By _____