

16439

Vol. m90 Page 12019

ENCROACHMENT PERMIT

The City of Klamath Falls, Oregon, a municipal corporation (City) and William and Suzanne Down (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 six foot (6') portion of the Johnson Street right-of-way. More specifically the encroachment is located seven feet (7') South of the Northeast corner of Lot 2, Block 26, Hillside Addition to the City of Klamath Falls and is granted for the limited purpose of placement of a garage (as shown on the attached map 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 as-built construction plans to the City's Public Works Department 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 \$50.00, 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 21st day of May, 1990.

CITY OF KLAMATH FALLS

GRANTEE

By: George C. Fitz

Mayor

William Down

William Down

Attest: Deirdre D. Fitz

City Recorder

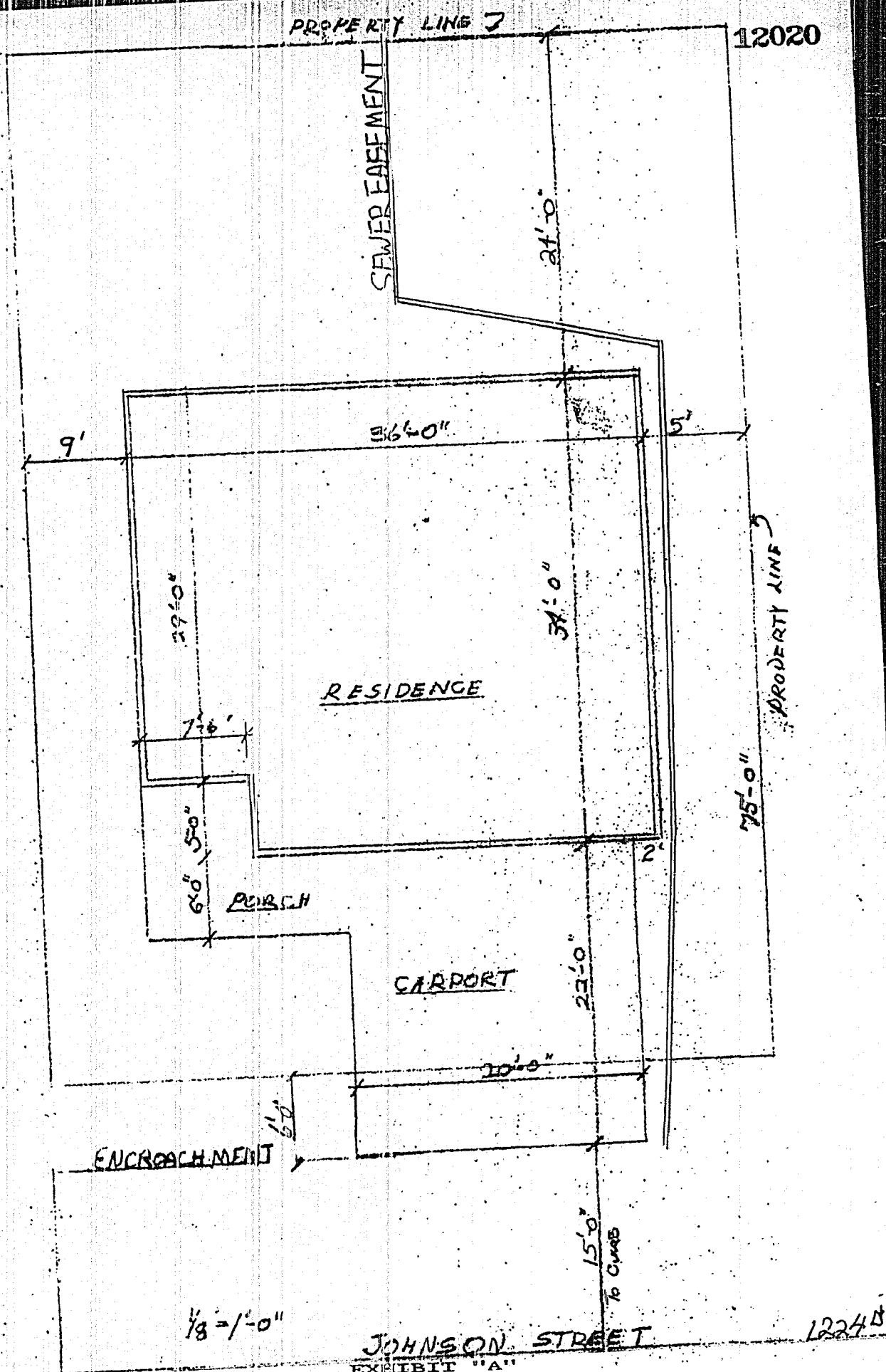
Suzanne Down

Suzanne Down

AFTER RECORDING RETURN TO:

City Recorder
P.O. Box 237
Klamath Falls, OR 97601

90 JUN 12 AM 11 37



STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of City of Klamath Falls the 19th day of June A.D., 19 90 at 11:37 o'clock AM., and duly recorded in Vol. M90 of Deeds on Page 12019

Evelyn Biehn County Clerk
By Doreen M. Mendenhall

FEE \$33.00