

## ENCROACHMENT PERMIT

That the City of Klamath Falls, Oregon, a municipal corporation, (City), and Mr. Dan Collins, (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 North 9th Street right-of-way in the City of Klamath Falls, and is granted for the limited purpose, a concrete retaining wall, steps and hand rails in front on 712 North 9th Street, (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; and
- 2) 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; and
- 3) 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 18th day of March, 1991.

CITY OF KLAMATH FALLS

GRANTEE

By: W. D. A. Murphy  
Council President Pro-tem

Dan Collins  
Dan Collins  
712 North 9th Street

ATTEST: E. D. Fritz  
City Recorder

Exhibit "A"

5308

ENCROACHMENT REQUEST  
DAN COLLINS

9<sup>TH</sup> STREET

SIDEWALK

27 1/2"

NOTE: YELLOW AREA  
EXISTS NOW, STEPS TO  
BE ADDED WITH APPROVAL  
2 1/2" Ø STEEL PIPE HANDRAIL  
TO BE SET IN WALL

HOUSE 712 N. 9<sup>TH</sup>

STATE OF OREGON,  
County of Klamath ss.

Filed for record at request of:

City of Klamath Falls  
on this 26th day of March A.D., 19 91  
at 9:17 o'clock A.M. and duly recorded  
in Vol. M91 of Deeds Page 5307  
By Evelyn Biehn County Clerk  
By Pauline Mullendore Deputy.

Fee, \$33.00

AFTER RECORDING RETURN TO:  
Klamath Falls City Recorder  
P. O. Box 237  
Klamath Falls, OR 97601