

ENCROACHMENT PERMIT

That the City of Klamath Falls, Oregon, a municipal corporation, (City), and Mr. Truman Passmore, Klamath Cold Storage, Inc., (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 Spring Street right-of-way, adjacent to Lots 1 thru 5, Block 20, Railroad Addition in the City of Klamath Falls, and is granted for the limited purpose of constructing four (4) truck docks at 30 degree angles which encroach ten (10) feet into Spring Street right-of-way (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

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 17th day of June, 1991.

CITY OF KLAMATH FALLS

GRANTEE

By:

George C. Flitcraft
Mayor

Truman Passmore
Mr. Truman Passmore
President, Klamath Cold Storage

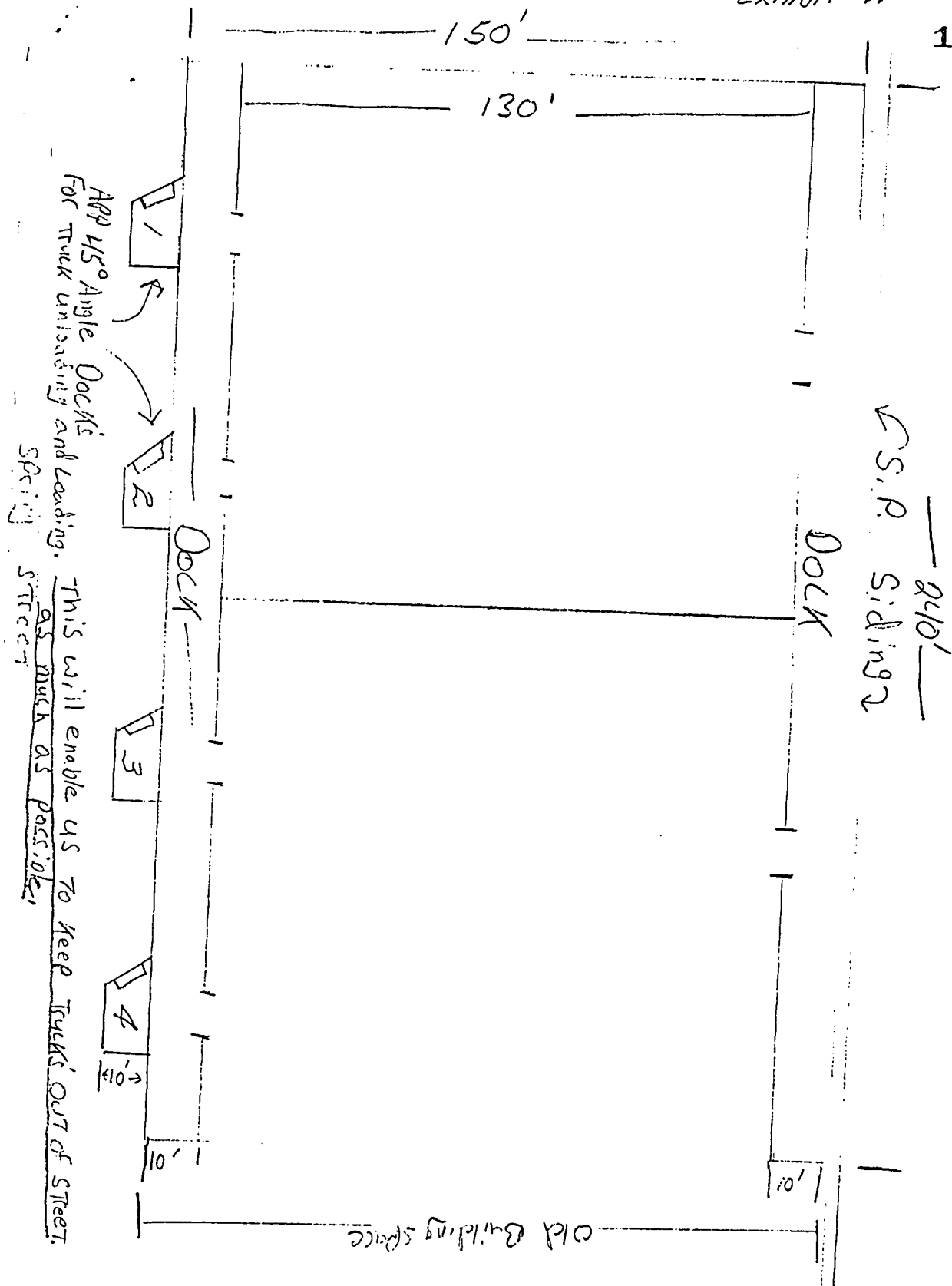
ATTEST:

Elena Ortiz
City Recorder

After Recording Return to:
City Recorder
P.O. Box 237
Klamath Falls, OR 97601

Exhibit "A"

14492



STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of City of Klamath Falls the 25th day of July A.D. 19 91 at 9:43 o'clock AM., and duly recorded in Vol. M91 of Deeds on Page 14491.

FEE \$33.00

Evelyn Biehn, County Clerk

By Richard M. Mueland