

37373

ENCROACHMENT PERMITVol. M91 Page 23844

The City of Klamath Falls, Klamath Falls, Oregon, a municipal corporation (City) and Richard Bogatay, 621 Loma Linda, Klamath Falls, Oregon, (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 the northwesterly eight (8) feet of that property conveyed to the City of Klamath Falls by Deed Volume M90-23662, for the purpose of constructing and maintaining concrete steps at entrances to adjoin buildings and landscaping.

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.

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 with the land 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 area in accordance with the directions of the City's Director of Public Works within sixty (60) days.

IN WITNESS WHEREOF, the parties hereto caused this agreement to be executed this 4th day of November, 1991

CITY OF KLAMATH FALLS

BY: Morgan C. Flitcraft
MayorATTEST: Lisa D. Gutz
City Recorder

RICHARD BOGATAY

Richard H. BogataySTATE OF OREGON, ss.
County of Klamath

Filed for record at request of:

City of Klamath Falls
on this 14th day of Nov. A.D., 19 91
at 2:15 o'clock P. M. and duly recorded
in Vol. M91 of Deeds Page 23844.
Evelyn Biehn County Clerk
By Pauline M. Mendenhall Deputy.

Fee, \$28.00

AFTER RECORDING RETURN TO:

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

2000