

04-11-94P03:56 RCVD

ENCROACHMENT PERMIT

That the City of Klamath Falls, Oregon, a municipal corporation, (City), and Mr. James L. Yahne, (Grantee), 212 Lewis Street, Klamath Falls, Oregon, 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 on to the Lewis Street right-of-way in the City of Klamath Falls, and is granted for the limited purpose of constructing an observation deck on the upper story of the house at 212 Lewis Street. Deck will extend no more than ten (10) feet from house. All footings to be no more than five (5) feet from house, (as shown on the attached map), marked 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 4th day of April, 1994.

CITY OF KLAMATH FALLS

GRANTEE

By: Ray Budge

Director of Public Works

By: James Yahne

James L. Yahne
212 Lewis Street
Klamath Falls, OR 97601

ATTEST: Elisa D. Gutz

City Recorder

AFTER RECORDING, RETURN TO:

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

By