

## ENCROACHMENT PERMIT

That the City of Klamath Falls, Oregon, a municipal corporation, (City), and Mr. James Myers, (Grantee), 135 Lincoln 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 upon the Lincoln Street right-of-way adjacent to 135 Lincoln Street, in the City of Klamath Falls, and is granted for the limited purpose of constructing a four (4) foot high chain link fence, (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.

This is to replace the previous encroachment permit recorded September 2, 1993, Volume M93, Page 22317 in name of previous property owner.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed this 27 day of August, 1994.

CITY OF KLAMATH FALLS

GRANTEE

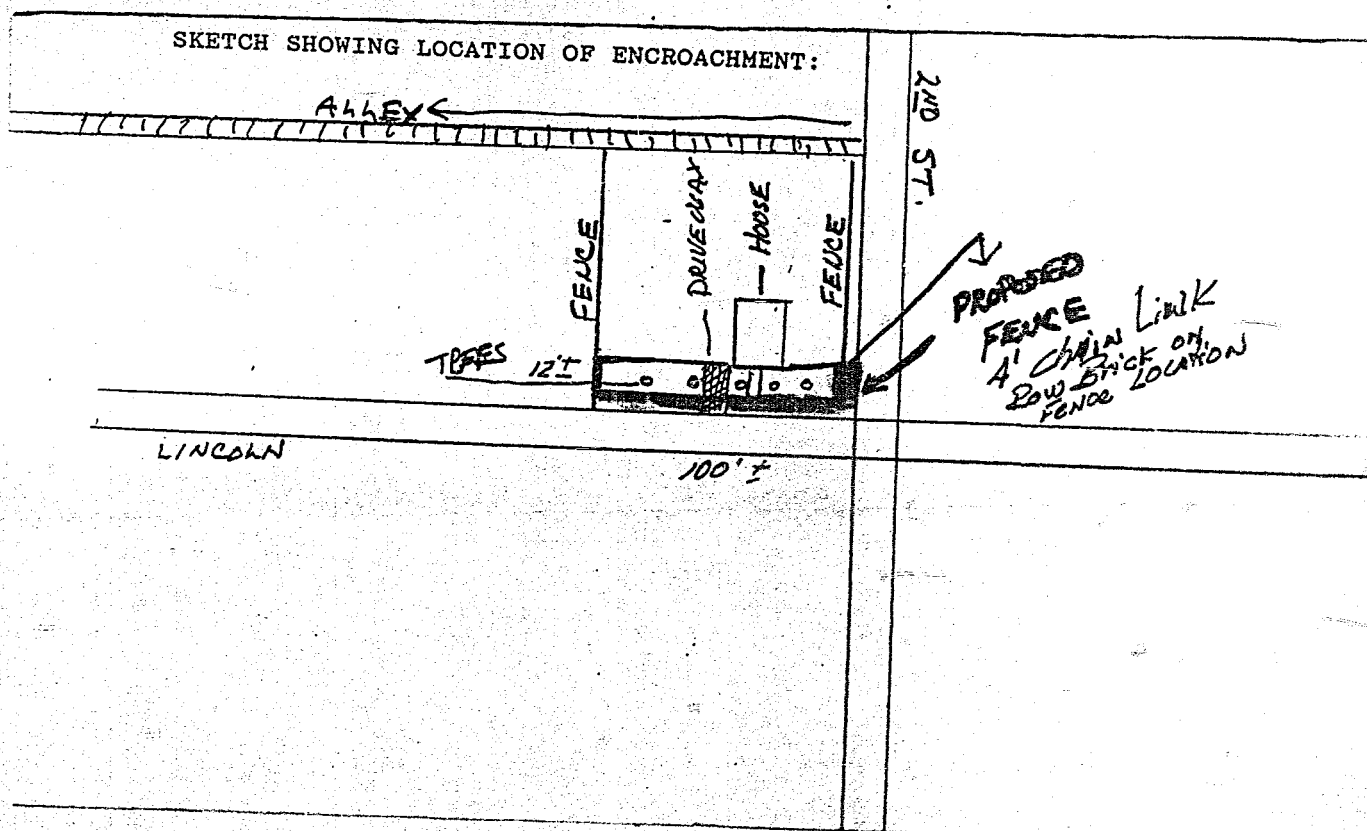
By: Ray Bidgarey (dw)  
Director of Public Works

By: James Myers  
James Myers  
135 Lincoln Street  
Klamath Falls, OR 97601

ATTEST: Elwood Fritz  
City Recorder

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

EXHIBIT "A"



STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of City of Klamath Falls the 13th day of Sept A.D., 19 94 at 9:43 o'clock A M., and duly recorded in Vol. M94 of Deeds on Page 28770.

FEE \$15.00

Evelyn Biehn County Clerk  
By Darlene Millersore