

ENCROACHMENT PERMIT

That the City of Klamath Falls, Oregon, a municipal corporation, (City), and Jeff W. Ryder, J.D., D.C., 432 Walnut Avenue, 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 two (2) feet in the right-of-way of Walnut Avenue adjacent to 432 Walnut Avenue, in the City of Klamath Falls, and is granted for the limited purpose of placing two (2) brick planters; one (1) on each side of entry 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 12 day of September, 1994.

CITY OF KLAMATH FALLS

GRANTEE

By: Ray Budgey
Director of Public Works

By: Jeff W. Ryder
432 Walnut Avenue
Klamath Falls, OR 97601

ATTEST: Elisabeth
City Recorder

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

Exhibit "A"

30448

ENCROACHMENT PERMIT APPLICATION

NAME: Jeff W. Ryder, J.D., D.C.

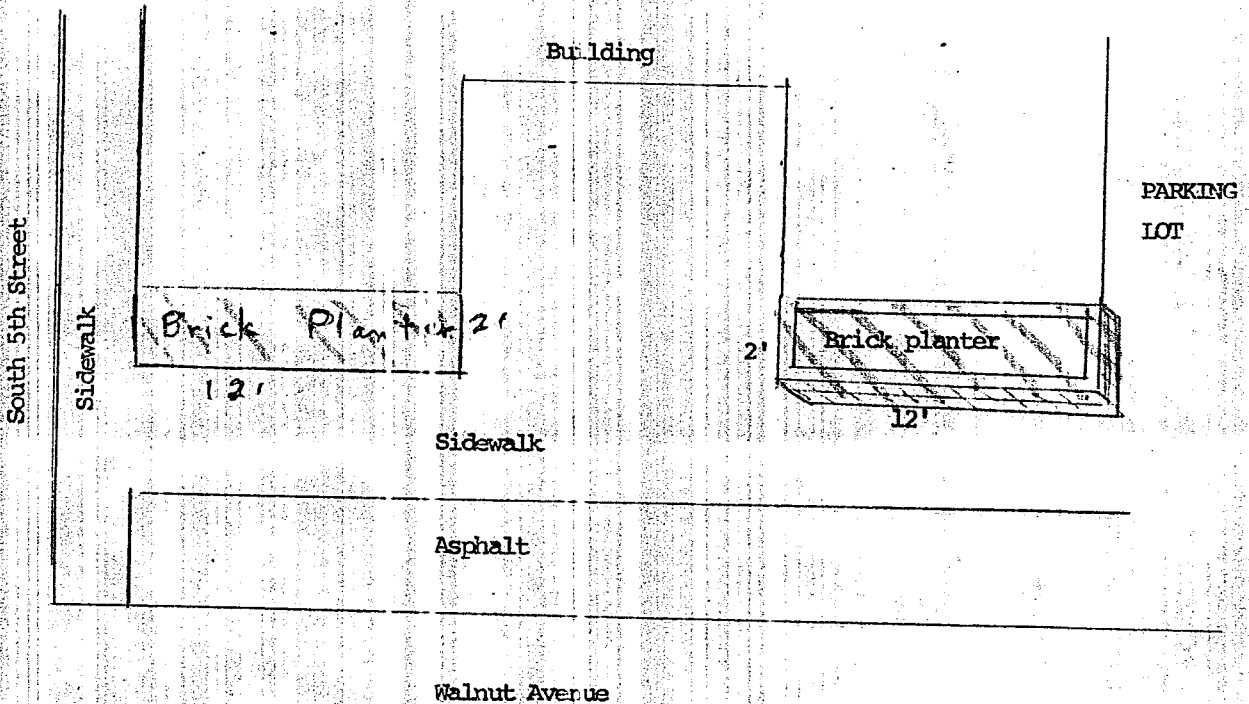
DATE: 9-7-94

ADDRESS: 432 Walnut Ave., Klamath Falls, OR 97601

LOCATION OF PROPOSED ENCROACHMENT: Brick planter in front of building;
right side as you face the building.

ARE YOU THE PROPERTY OWNER? Yes.

SKETCH SHOWING LOCATION OF ENCROACHMENT:



\$50.00 PERMIT FEE PAID

DATE:

APPROVED:

Ray Bidjary

DATE:

9-7-94

DENIED:

DATE:

RESTRICTIONS:

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of City of Klamath Falls the 28th day
of Sept A.D., 19 94 at 1:44 o'clock P M., and duly recorded in Vol. M94,
of Deeds on Page 30447.

FEE \$15.00

Evelyn Biehn County Clerk

By Pauline Mullenbore