

96 JAN -4 P1:51

## ENCROACHMENT PERMIT

That the City of Klamath Falls, Oregon, a municipal corporation, (City), Wilfred E. Brazil, 522 Van Ness Street, (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 four (4) feet in to the alley right of way adjacent to Lot 1, Block 55, Lakeview Addition, in the City of Klamath Falls, and is granted for the limited purpose of constructing a wood fence, (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 29 day of December 1995.

CITY OF KLAMATH FALLS

GRANTEE

By: Ron Kropp  
Director of Public Works

By: Wilfred E. Brazil  
Wilfred E. Brazil  
522 Van Ness Street  
Klamath Falls, OR 97601

ATTEST: Elsa D. Ortiz  
City Recorder

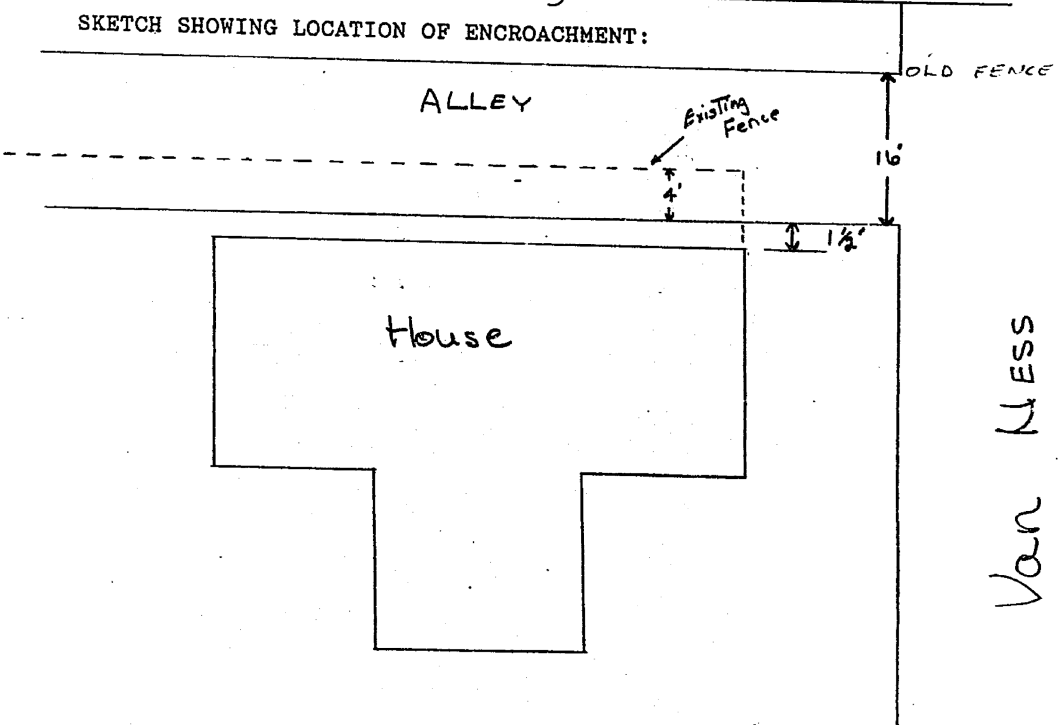
AFTER RECORDING, RETURN TO:  
City Recorder  
City of Klamath Falls  
P.O. Box 237  
Klamath Falls, OR 97601

## EXHIBIT "A"

## ENCROACHMENT PERMIT APPLICATION

NAME: WILFRED E. BRAZIL DATE: 9-30-95ADDRESS: 522 VAN NESSLOCATION OF PROPOSED ENCROACHMENT: VAN NESS STREET  
ALLEY WAYARE YOU THE PROPERTY OWNER? YES

SKETCH SHOWING LOCATION OF ENCROACHMENT:

\$50.00 PERMIT FEE PAID \$50.00DATE: 9-29-95APPROVED: Kent Calahan DATE: 10-26-95

DENIED: \_\_\_\_\_ DATE: \_\_\_\_\_

RESTRICTIONS: \_\_\_\_\_

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of City of Klamath Falls the 4th day  
of Jan A.D., 19 96 at 1:51 o'clock P M., and duly recorded in Vol. M96,  
of Deeds on Page 314

FEE \$15.00

By Bernetha G. Leisch County Clerk  
Supette Flutag