

## ENCROACHMENT PERMIT

That the City of Klamath Falls, Oregon, a municipal corporation, (City), and Lew Dodson, 11228 Tamera Dr., 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 with a new 6" curb, asphalt paving, and landscaped area commencing at the South portion of said property and terminating at the North boundary line of California Avenue all in the City right-of-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
- 2) The City will not be responsible for any future maintenance other than snow plowing on the paved section of California Ave. from Nosler, North to end of newly placed pavement.

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 29th day of OCT, 1996.

CITY OF KLAMATH FALLS

GRANTEE

By: Ron Knoop  
Director of Public Works

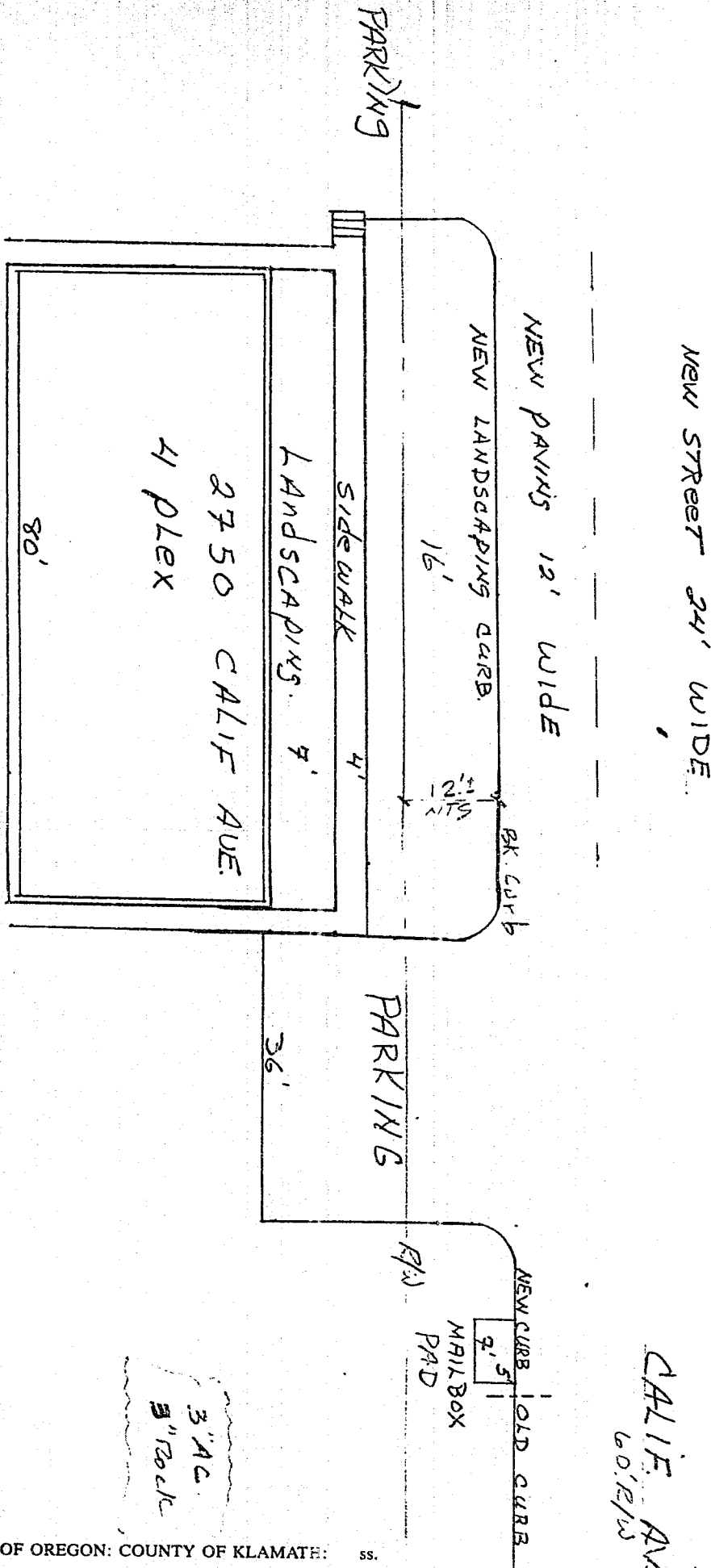
By: Lew Dodson  
Lew Dodson  
1128 Tamera Drive  
Klamath Falls, OR 9760

ATTEST: Elsad Intz  
City Recorder

AFTER RECORDING, RETURN TO:

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

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STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of City Recorder the 19th day of November A.D., 19 96 at 11:59 o'clock A.M., and duly recorded in Vol. M96 of Deeds on Page 36332

FEE \$15.00

Bernetha G. Letsch, County Clerk

By Bernetha G. Letsch