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ENCROACHMENT PERMIT

That the City of Klamath Falls, Oregon, a municipal corporation, (City), and Paul Goebel, 1345 Pacific Terrace, Klamath Falls, OR 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 into the alleyway behind 1401 Esplanade, 1407 Esplanade and 1409 Esplanade in the City right-of-way in the City of Klamath Falls, and is granted for the use of the alley adjacent to their property as a parking lot (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 22nd day of May, 1997.

CITY OF KLAMATH FALLS

GRANTEE

By: Ron Kraap
Director of Public Works

By: Paul Goebel
Paul Goebel
1345 Pacific Terrace
Klamath Falls, OR 97601

ATTEST: Shirley Kaggas
Deputy City Recorder

AFTER RECORDING, RETURN TO:

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

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