

ENCROACHMENT PERMIT

The City of Klamath Falls, Oregon, a municipal corporation (City) and Virginia Jones, 1931 Painter, Klamath Falls, Oregon (Grantee) for and in consideration of the covenants and conditions hereinafter set forth, agree as follows:

City hereby gives and grants to Grantee, her heirs successors and assigns, upon the terms and subject to the conditions hereinafter set forth, non-exclusive permission to encroach upon a portion of the alley right-of-way in Block 13, Hillside Addition in the City of Klamath Falls between Lots 17 & 18, Block 13, Hillside Addition (as shown on the attached map Exhibit "A"). This permit is granted for the limited purpose of running geothermal water lines between the two lots and is subject to the following conditions:

- 1) Grantee shall comply with all relevant local, state and federal regulations pertaining to Grantee's use of the area, including but not limited to the City's Geothermal Management Act.
- 2) Prior to construction, Grantee or Grantee's contractor shall obtain an excavation permit from City Public Works and comply with the conditions therein.
- 3) Grantee shall submit the as-built construction plans to the City's Public Works Department and shall conform to any modifications or restrictions imposed by the Department.

Grantee agrees to pay to the City, as compensation for the privileges herein granted, the sum of Fifty Dollars (\$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 the public's 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 11th day of JUNE, 1997.

CITY OF KLAMATH FALLS

GRANTEE

By:

City Manager

Virginia Jones

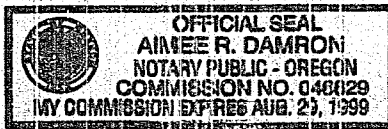
Attest:

City Recorder

STATE OF OREGON } ss.
COUNTY OF KLAMATH }

On the 11th day of JUNE, 1997, personally appeared James R. Keller and Elisa D. Fritz, who, each being first duly sworn, did say that the former is the City Manager and the latter is the City Recorder of the City of Klamath Falls, an Oregon municipal corporation, and that the instrument was signed on behalf of said municipal corporation; and each of them acknowledged said instrument to be its voluntary act and deed.

BEFORE ME:

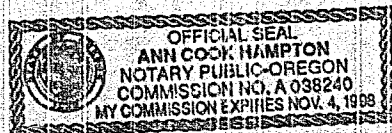


Aimee R. Damron
Notary Public for Oregon

STATE OF OREGON } ss.
COUNTY OF KLAMATH }

On the 11th day of JUNE, 1997, personally appeared Virginia Jones and acknowledged said instrument to be her voluntary act and deed.

BEFORE ME:



Ann Cook Hampton
Notary Public for OREGON
My Commission Expires: 11-04-98

After recording return to:
City Recorder
500 Klamath Avenue
Klamath Falls, OR 97601

97 JUN 25 P3:26

NTS

Tacitic Terrace

13

Paints

序

Block 13

July

← 20' →
Row

70

North

Elidorado

20

Painter 54

ALLEN

Filed for record at request of City of Klamath Falls the 25th day
of June A.D., 19 97 at 3:26 o'clock P. M., and duly recorded in Vol. M97
of Deeds on Page 19812

By Bernetha G Letsch, County Clerk
Kittler Ross