

The City of Klamath Falls, Oregon, a municipal corporation (City) and Wells Fargo Bank (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 upon a portion of the Main Street right-of-way in the City of Klamath Falls at 601 Main Street. This permit is granted for the limited purpose of erection of a canopy with illuminated signage 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, City Planning and building regulations; and
- 2) Prior to placement of support posts, or of any future modification, Grantee shall have Grantee's contractor contact and coordinate location of posts with City's Engineering office to assure protection of geothermal heating lines located in the sidewalk.
- 3) Grantee shall submit the as-built construction plans to the City's Public Works 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 15 day of Sept, 1997.

CITY OF KLAMATH FALLS

By:

City Manager

Attest:

City Recorder

WELLS FARGO BANK

By:

Maurice Laughlin

Title:

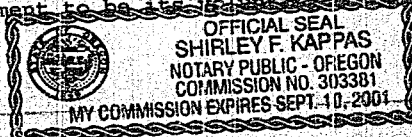
Attest:

Title

STATE OF OREGON } ss.  
COUNTY OF KLAMATH

On the 15 day of September, 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:

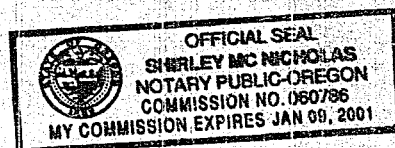


Shirley F. Kappas  
Notary Public for Oregon

STATE OF OREGON } ss.  
COUNTY OF KLAMATH  
MULTNOMAH

On the 9th day of September, 1997, personally appeared Maurice Laughlin acting in his/her official capacity as AVP/Property Mgr. for Wells Fargo Bank and acknowledged said instrument to be his/her/their voluntary act and deed.

BEFORE ME:



Shirley Mc Nicholas  
Notary Public for PORTLAND  
My Commission Expires: 1-9-2001

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of City of Klamath Falls the 30th day of September A.D. 19 97 at 3:20 o'clock P. M., and duly recorded in Vol. M97 of Deeds on Page 32138

Return: City Recorder

500 Klamath Ave.  
KFO 97601By Bernetha G. Letsch, County Clerk

FEE \$10.00

97 SEP 30 P 3:20