

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

City hereby gives and grants to Grantee, his heirs, successors and assigns, upon the terms and subject to the conditions hereinafter set forth, non-exclusive permission to encroach upon a portion of Owens Street right-of-way in the City of Klamath Falls at 1551 Owens Street (as shown on the attached map Exhibit "A"). This permit is granted for the limited purpose of constructing head in parking spaces to service the site's business use and is subject to the following conditions:

- 1) The parking area shall be paved and stripped and pedestrian sidewalk access provided between the building and the parking spaces.
- 2) 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
- 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 13 day of May, 1998.

CITY OF KLAMATH FALLS

By: James R. Keller
City Manager

GRANTEE

Ernie Sessom
ERNIE SESSOM

Attest: Shirley Kappas
City Recorder

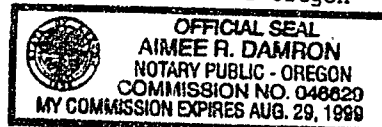
STATE OF OREGON }
COUNTY OF KLAMATH } ss.

On the 13th day of May, 1998, personally appeared James R. Keller and Shirley Kappas 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 }
COUNTY OF KLAMATH } ss.

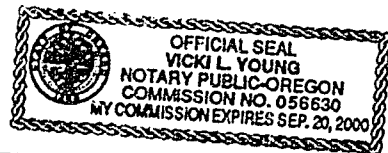


On the 13 day of May, 1998, personally appeared Ernie Sessom and acknowledged said instrument to be his voluntary act and deed.

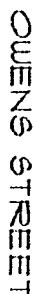
BEFORE ME:

Vicki L. Young
Notary Public for Oregon
My Commission Expires: 9-20-2000

AFTER RECORDING RETURN TO:
City Recorder
500 Klamath Avenue
Klamath Falls, OR 97601



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By Kathleen Ross Bernetha G. Letsch, County Clerk

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