

## ENCROACHMENT PERMIT

Vol M99 Page 17213

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

City hereby gives and grants to Grantee, his 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 the City of Klamath Falls at the rear of 621-625 Main Street, Klamath Falls, Oregon (as shown on the attached map Exhibit "A"). This permit is granted for the limited purpose of constructing new rear entry stairs 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) 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.
- 3) Grantee shall cause the existing power pole to be relocated at City's adjoining parking lot at a location approved of by City Engineering.

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 24<sup>th</sup> day of March, 1999.

CITY OF KLAMATH FALLS

GRANTEE

By: James R. Keller  
City Manager

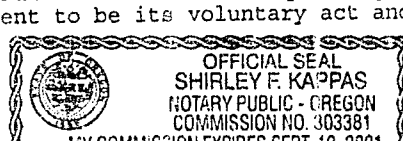
Mike Moore  
Mike Moore  
2924 Front Street  
Klamath Falls, OR 97601

Attest: Elisa Olson  
City Recorder

STATE OF OREGON } ss.  
COUNTY OF KLAMATH }

On the 25<sup>th</sup> day of March, 1999, personally appeared James R. Keller and Elisa D. Olson, 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

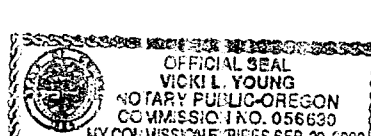
STATE OF OREGON } ss.  
COUNTY OF KLAMATH }

On the 24<sup>th</sup> day of March, 1999, personally appeared Mike Moore and acknowledged said instrument to be his/hers/their voluntary act and deed.

BEFORE ME:

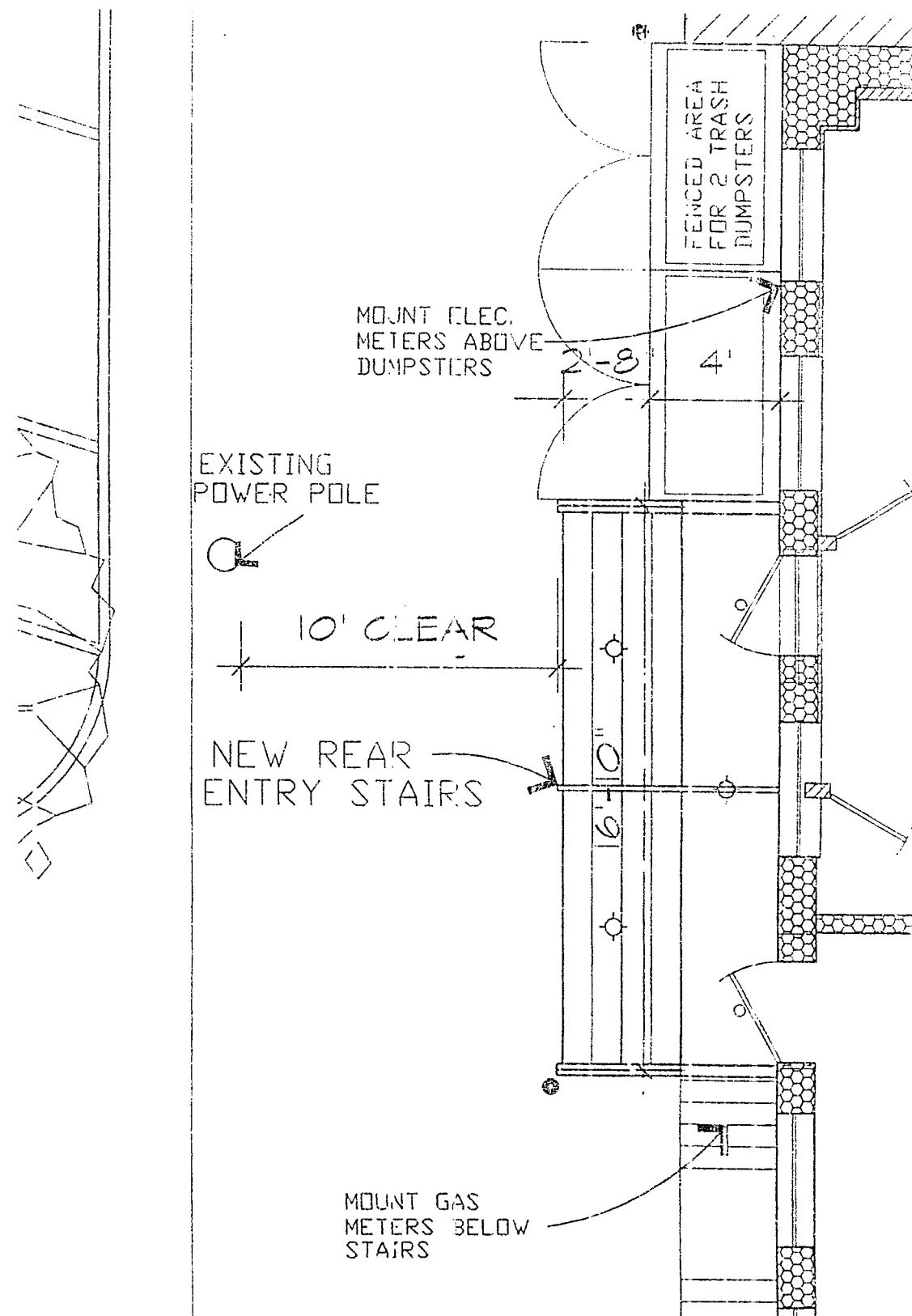
Vicki Young  
Notary Public for Oregon  
My Commission Expires: 9-20-2001

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





17214



SUBWAY - REAR ENTRY  
REVISED 1/20/99  
N.S.

Exhibit A

State of Oregon, County of Klamath  
Recorded May 5, 1999, at 11:41 A.M.  
at the referenced page, Vol. M99.  
Linda Smith, County Clerk  
Fee \$ 15.00

Linda Smith