

The City of Klamath Falls, Oregon, a municipal corporation (City) and David and Christine Bruce-Aijian (Grantee) for and in consideration of the covenants and conditions hereinafter set forth, agree as follows:

City hereby gives and grants to Grantee, their successors and assigns, upon the terms and subject to the conditions hereinafter set forth, non-exclusive permission to encroach upon a portion of Mount Pitt Street right-of-way in the City of Klamath Falls at 2503 California, Lots 8 & 9, Block 16, Buena Vista Addition in the City of Klamath Falls, Klamath County (as shown on the attached map Exhibit "A"). This permit is granted for the limited purpose of a fence 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 obtain utility locates prior to construction and shall not enclose the gas meter without permission from Avista Gas.

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 24th day of June, 1999.

CITY OF KLAMATH FALLS

GRANTEE

By:

James R. Kelle  
City Manager

David Bruce-Aijian  
David Bruce-Aijian

Attest:

Elisa D. Olson  
City Recorder

Christine Bruce-Aijian  
Christine Bruce-Aijian

STATE OF OREGON ) ss.  
COUNTY OF KLAMATH

On the 24th day of June, 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.

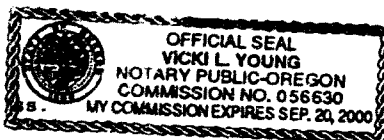
BEFORE ME:

Shirley F. Kagan  
Notary Public for Oregon

STATE OF OREGON ) ss.  
COUNTY OF KLAMATH

On the 25 day of JUNE, 1999, personally appeared David Bruce-Aijian 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

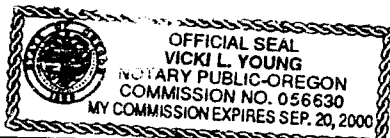
STATE OF OREGON )  
COUNTY OF KLAMATH

On the 25 day of JUNE, 1999, personally appeared Christine Bruce-Aijian and acknowledged said instrument to be her 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



State of Oregon, County of Klamath  
Recorded 7/12/99, at 3:24 p.m.  
In Vol. M99 Page 27812  
Linda Smith,  
County Clerk

Fees 10 - KK

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