

ENCROACHMENT PERMIT

The City of Klamath Falls, Oregon, a municipal corporation (City) and Ken Swanson 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 heirs, successors and assigns, upon the terms and subject to the conditions hereinafter set forth, non-revocable, exclusive permission to encroach upon a portion of the public utility easement located in Lot 13, Block 1 of Tract 1091 Lynnewood, in the City of Klamath Falls at 1190 Wild Plum Drive (as shown on the attached map Exhibit "A" and Legal Description on Exhibit "B"). This permit is granted for the limited purpose of the house structure encroachment shown on the Exhibits.

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.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed this 13th day of July, 1999.

CITY OF KLAMATH FALLS

GRANTEE

BY:

James R. Keller
City Manager

Ken Swanson
Ken Swanson

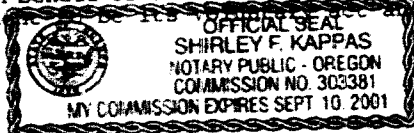
Attest:

Elisa D. Olson
City Recorder

STATE OF OREGON } ss.
COUNTY OF KLAMATH }

On the 13th day of July, 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 13th day of July, 1999, personally appeared Ken Swanson and acknowledged said instrument to be his/her/their voluntary act and deed.

BEFORE ME:



Shirley F. Kappas
Notary Public for Oregon
My Commission Expires: 9-10-01

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

Owner
Dennis A. Ensor, L.S. W.R.E.

29915

TRU SURVEYING, INC. LINE


TELEPHONE (541) 884-3691
2333 SUMMERS LANE • KLAMATH FALLS, OREGON 97603

APRIL 8, 1999

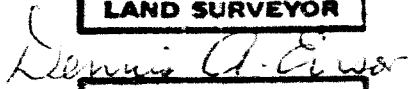
LEGAL DESCRIPTION OF
HOUSE ENCROACHMENT (EAVES) INTO
UTILITY EASEMENT

DESCRIPTION OF THE EAVES OF HOUSE INTO THE UTILITY EASEMENT
IN LOT 13, BLOCK 1 OF "TRACT NO. 1091 -- LYNNWOOD", A DULY
RECORDED SUBDIVISION, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST EASTERLY CORNER OF SAID UTILITY
EASEMENT FROM WHICH THE LOT CORNER COMMON TO LOTS 14, 15 AND SAID
LOT 13 BEARS S16°05'33"W 16.00 FEET AND N73°54'27"W 16.00 FEET;
THENCE ALONG SAID EASEMENT LINE, N73°54'27"W 10.97 FEET AND
N39°00'00"W 8.30 FEET TO THE POINT OF SAID EAVE ENCROACHMENT;
THENCE ALONG SAID EAVE ENCROACHMENT S16°34'35"W 6.30 FEET,
S73°25'25"E 17.83 FEET TO A POINT ON THE EAST LINE OF SAID
EASEMENT AND N16°05'33"E 1.70 FEET TO THE POINT OF BEGINNING WITH
BEARINGS AND DIMENSIONS BASED ON THE CENTERLINE MONUMENTS IN WILD
PLUM DRIVE.


DENNIS A. ENSOR O.L.S. 2442

REGISTERED
PROFESSIONAL
LAND SURVEYOR


OREGON
JULY 25, 1990
DENNIS A. ENSOR
2442

EXPIRES 12/31/99

Ensor

