

2001 FEB -6 PM 2:33

ENCROACHMENT PERMIT

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

City hereby gives and grants to Grantee, her heirs, successors and assigns, upon the terms and subject to the conditions hereinafter set forth, non-exclusive permission to encroach upon a portion of a public utility easement right-of-way in the City of Klamath Falls on Lot 13, Block 7, Tract 1152-North Hills (as shown on the attached map Exhibit "A"). This permit is granted for the limited purpose of a building encroachment 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; and
- 3) Grantee shall not expand the encroachment shown on Exhibit A.

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 be perpetual and run with the property.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed this 5th day of May, 2000.

CITY OF KLAMATH FALLS

GRANTEE

By James R. Keller x Doris J. Weddle
City Manager

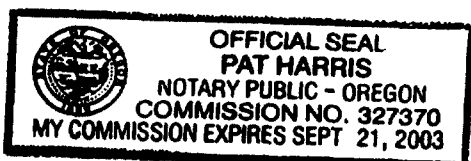
Attest: Elisa D. Olson
City Recorder

STATE OF OREGON } ss.
COUNTY OF KLAMATH }

On the 5 day of May, 2000, 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:

Pat Harris
Notary Public for Oregon



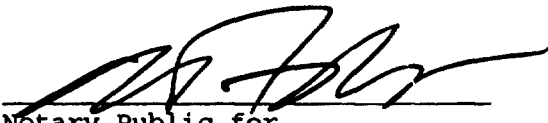
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OG
Pt. - Doris J. Weddle

STATE OF OREGON
COUNTY OF KLAMATH } ss.

On the 18 day of July, 2000, personally appeared
Dorris L. Weddle and acknowledged said instrument to be her
voluntary act and deed.

BEFORE ME:

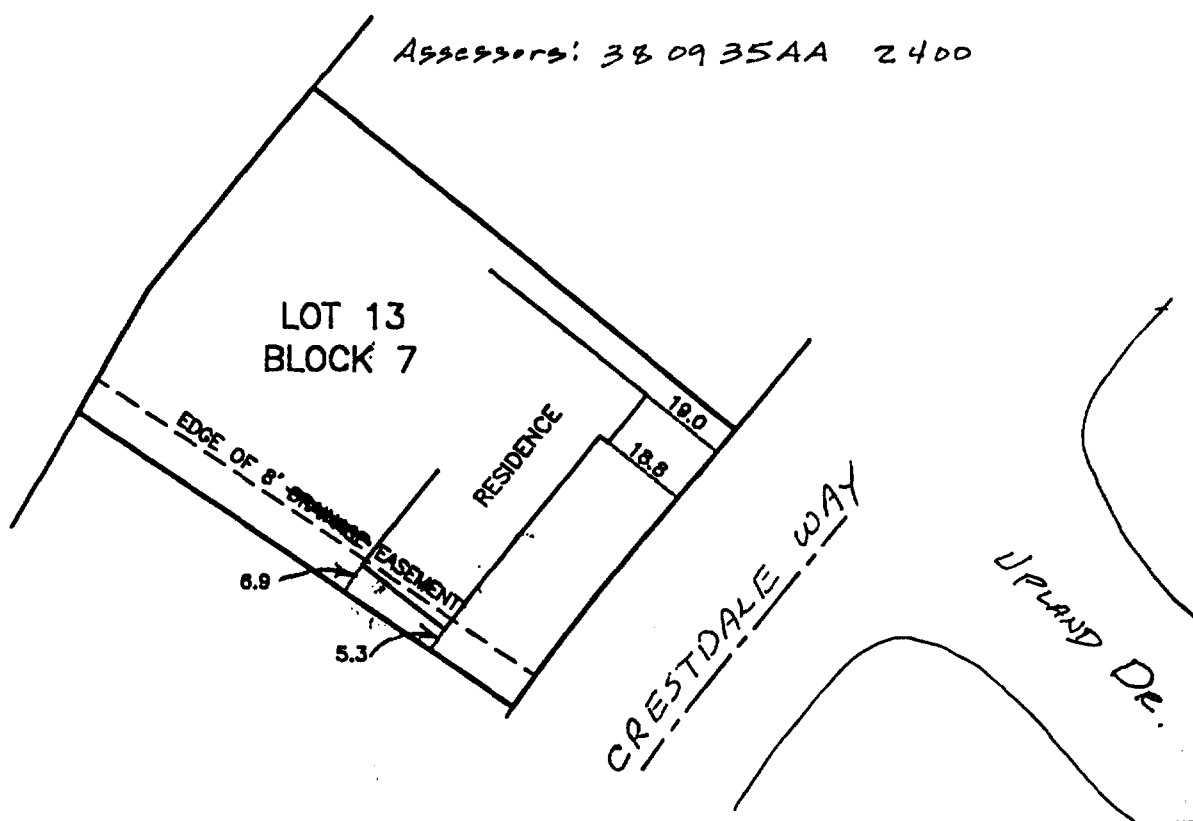



Notary Public for _____

My Commission Expires: _____

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

EXHIBIT "A"

ENCROACHMENT PERMIT APPLICATION
(\$50.00 Permit Fee - Refundable if Denied)DATE: 3-8-2000 *gjd*NAME: TRU-LINE SURVEYING, INC. PHONE: 884-3691ADDRESS: 2333 SUMMERS LANE, KIAMATH FALLS, OR. 97603LOCATION OF PROPOSED ENCROACHMENT: UTILITY EASEMENT ONLOT 13, BLOCK 7 OF "TRACT 1152 - NORTH HILLS"
280 CRESDALE WAYARE YOU THE PROPERTY OWNER? NO, SUBMITTED FOR STEVE PETTIT
9450 E BECKER LN #1073 Scottsdale, AZ. 85260SKETCH SHOWING LOCATION OF ENCROACHMENT: PHONE 1-480-314-9502

State of Oregon, County of Klamath
Recorded 02/06/01, at 2:33p. m.
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Linda Smith,
County Clerk Fee\$ 31.00