

ENCROACHMENT PERMIT

Vol. M01 Page 49942

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

City hereby gives and grants to Grantee, their heirs, successors and assigns, upon the terms and subject to the conditions hereinafter set forth, non-exclusive permission to encroach upon the easterly 12 feet of the Austin Street right-of-way in the City of Klamath Falls, commencing at a point approximately 6 feet north of the southerly lot line of Lot 3, Block 6 of Tract 1163 of the Campus View development (2614) Almond Street), according to the official plat thereof, and continuing southerly approximately 96 feet to an existing catch basin located in said right-of-way (as shown on the attached map, Exhibit "A"). This permit is granted for the limited purpose of installing a 4" storm drain line from the parking lot catch basin located on said Lot 3, Block 6 to the Almond Street catch basin described above 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 install the storm drain line at a depth that will not conflict with a future driveway that may be constructed on the adjacent property to the south (Lot 4, Block 6). Grantee shall also maintain and clean the proposed 4" storm drain line to its connection with the existing catch basin located in Almond Street.

Grantee agrees to pay to the City, as compensation for the privileges herein granted, the sum of Eighty-One Dollars (\$81.00), 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.

The rights, covenants and obligations set forth in this permit shall bind, burden and benefit each party's heirs, successors and assigns.

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 17 day of August, 2001.

CITY OF KLAMATH FALLS

GRANTEE

By: [Signature]
City Manager

David Harold Panossian
David Harold Panossian

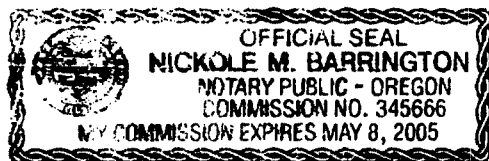
Attest: [Signature]
City Recorder

Teresa Panossian
Teresa Panossian

STATE OF OREGON } ss.
COUNTY OF KLAMATH

On the 4th day of September, 2001, personally appeared Jeffrey D. Ball 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:



[Signature]
Notary Public for Oregon

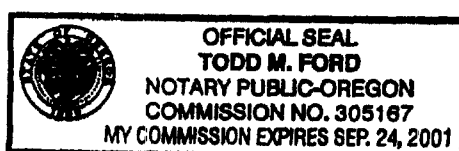
STATE OF OREGON } ss.
COUNTY OF KLAMATH

On the 17th day of August, 2001, personally appeared David Harold Panossian and Teresa Panossian and acknowledged said instrument to be their voluntary act and deed.

BEFORE ME:

Todd M. Ford
Notary Public for Klamath Falls
My Commission Expires: 9-24-01

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



For an acknowledgment in an individual capacity:

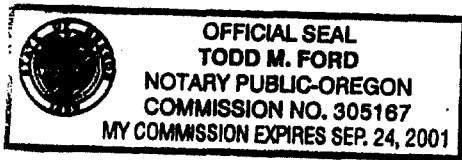
State of Oregon

*This acknowledgement is attached to an
encroachment permit dated 8-17-01.*

County of Klamath

This instrument was acknowledged before me on August 20, 2001 by _____

TERESA PANLOSSIAN



Todd M. Ford
Signature of notarial officer

Branch Manager
Title

My commission expires: 9-24-01

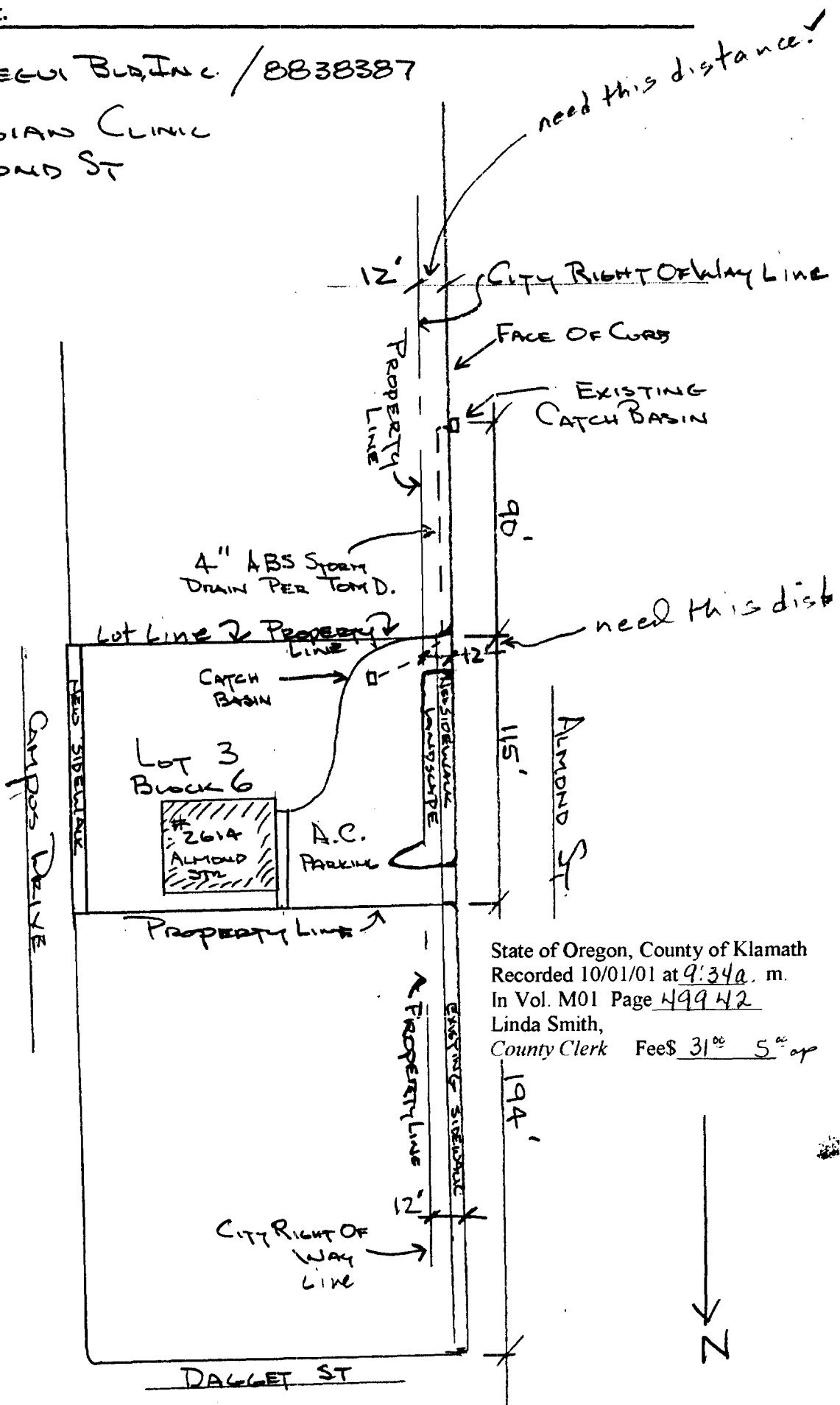
ONE-SHEET PLOT PLAN

(Illustrate the proposed structure encroachment)

Drawn by: ED BEVERLY Date: 5/10/01 Scale: 1"=60'

1. List all Dimensions: Distance to Property Lines, Curbs, Sidewalks.
2. Dimension **ALL WORK**.
3. Show Main Building with Address.
4. Lettering shall be Legible (line work shall be drawn with a straight edge).
5. List Street Names.
6. North Arrow.
7. List or Identify Materials of Encroached Structure.
8. Computer generated drawings may be submitted on a separate 8 1/2"x14" sheet.

AMUCHASTEGUI Bldg, Inc. / 8838387
 DR PANOSSIAN CLINIC
 2614 ALMOND ST



State of Oregon, County of Klamath
 Recorded 10/01/01 at 9:34 a. m.
 In Vol. M01 Page 49942
 Linda Smith,
 County Clerk Fee\$ 31⁰⁰ 5⁰⁰ or