

The City of Klamath Falls, Oregon, a municipal corporation (City) and Thomas C. Dickert (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 portions of the Walnut Avenue and South 4th Street rights-of-way in the City of Klamath Falls at 415 Walnut Avenue (as shown on the attached map Exhibit "A"). This permit is granted for the limited purpose of accommodating installation of six (6) irrigation lines running under the sidewalks and into the planting strip areas within said rights-of-way, 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 be responsible for maintenance of the irrigation system, for all expenses of removal of the irrigation system, if required under this permit, and for restoration of the sidewalk and other areas of the right-of-way damaged by maintenance or removal.

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.

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 22 day of October, 2001.

CITY OF KLAMATH FALLS

GRANTEE

By: [Signature]
City Manager

[Signature]
Thomas C. Dickert

Attest: [Signature]
City Recorder

STATE OF OREGON
COUNTY OF KLAMATH } ss.

On the 22nd day of October, 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 [Signature] instrument to be its voluntary act and deed.

BEFORE ME:



[Signature]
Notary Public for Oregon

STATE OF OREGON
COUNTY OF KLAMATH } ss.

On the 19 day of October, 2001, personally appeared Thomas C. Dickert and acknowledged said instrument to be his voluntary act and deed.

BEFORE ME:



[Signature]
Notary Public for Oregon
My Commission Expires: _____

AFTER RECORDING
City Recorder
500 Klamath Avenue
Klamath Falls, OR 97601

ONE-SHEET PLOT PLAN

(Illustrate the proposed structure encroachment)

Drawn by: TOM PICKERT Date: _____ Scale: _____

- 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"

S. 4th St.

Sidewalk

9'2"

7'8"

Driveway

4'7"

2'6"

1'8"

3'4"

3'9" 3'7"

1'8"

Not more than 2'

1'4"

415
Walnut

Walnut Ave.

Alley



Legend

⊕ = center of water meter

— = irrigation pipe 3/4" PVC

10-8-01

to irrigation lines running under the sidewalk

distances are oriented from water meter

13-782 500 SHEETS FILLER 5 SQUARE
42-381 50 SHEETS EYE EASE 5 SQUARE
42-382 100 SHEETS EYE EASE 5 SQUARE
42-383 100 SHEETS EYE EASE 5 SQUARE
42-384 100 SHEETS EYE EASE 5 SQUARE
42-385 100 SHEETS EYE EASE 5 SQUARE
42-386 100 SHEETS EYE EASE 5 SQUARE
42-387 100 SHEETS EYE EASE 5 SQUARE
42-388 100 SHEETS EYE EASE 5 SQUARE
42-389 200 RECYCLED WHITE 5 SQUARE
Made in U.S.A.

