

AFTER RECORDING RETURN TO:

City Recorder
500 Klamath Avenue
Klamath Falls, OR 97601

CLERK'S STAMP:

State of Oregon, County of Klamath

Recorded 07/11/2002 10:28 a m.Vol M02. Pg 39371-73

Linda Smith, County Clerk

Fee \$ 21.00 # of Pgs 3**ENCROACHMENT PERMIT**

The City of Klamath Falls, Oregon, a municipal corporation (City) and David H. Panossian and Teresa R. Panossian, husband and wife, (Grantee) for and in consideration of the covenants and conditions hereinafter set forth, agree as follows:

City hereby gives and grants to Grantee, its successors and assigns, upon the terms and subject to the conditions hereinafter set forth, non-exclusive permission to encroach upon a portion of the generally east side of the Almond Street right-of-way in the City of Klamath Falls at 2614 Almond Street (as shown on the attached map Exhibit "A"). This permit is granted for the limited purpose of placing two (2) single-fixture anodized bronze parking lot lights, including necessary wire and conduit, and a planter box (all as depicted on Exhibit "A") 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;
- 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 be responsible: for the maintenance of the planter, lights, fixtures, conduit and wire; for payment of all utilities associated with the lights and planter; for all expenses for removal of all right-of-way improvements as required under this permit; and for restoration of the right-of-way damaged by such 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.

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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 28th day of June, 2002.

CITY OF KLAMATH FALLS

GRANTEE, David H. Panossian and Teresa R. Panossian

By: [Signature]

City Manager

By: [Signature]

David H. Panossian

Attest: [Signature]

City Recorder

STATE OF OREGON } ss.

County of Klamath

On the 28th day of June, 2002, 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
My Commission Expires: 9-10-05

STATE OF OREGON } ss.

County of Klamath

On the 5th day of July, 2002, personally appeared David H. Panossian and Teresa R. Panossian and acknowledged said said instrument to be their voluntary act and deed.

BEFORE ME:



[Signature]
Notary Public for Oregon
My Commission Expires: Oct. 29, 05

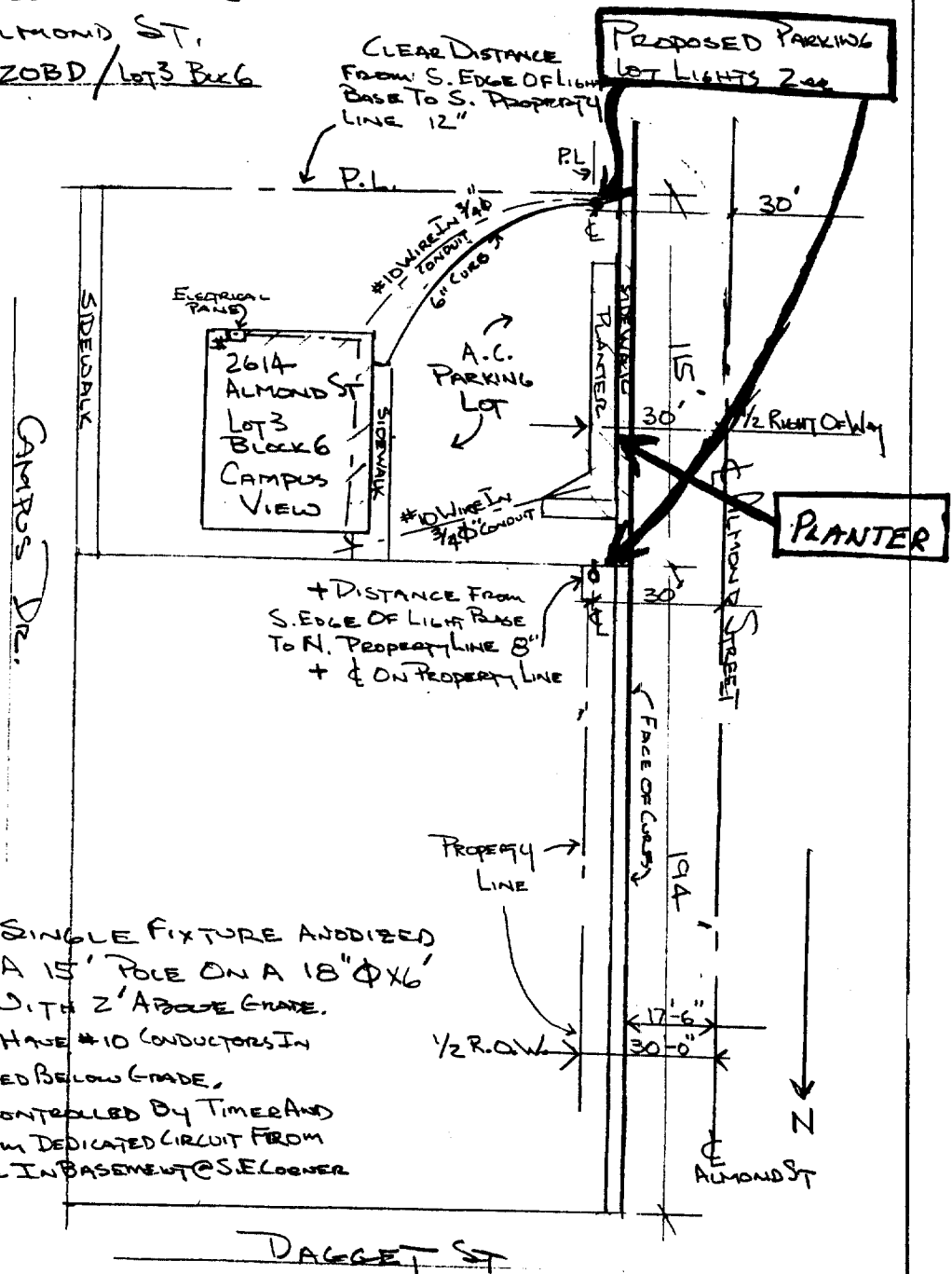
ONE-SHEET PLOT PLAN

(Illustrate the proposed structure encroachment)

Drawn by: ED BEVERLY Date: 6/4/02 Scale: 1"=40'

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.
 MAP 3809-ZOBD / LOT 3 Bk 6

**NOTES**

- * #1) SHOE BOX SINGLE FIXTURE ANODIZED BRONZE ON A 15' POLE ON A 18" ϕ X 6' SONOTUBE WITH 2' ABOVE GRADE.
- #2) BOTH FIXTURES HAVE #10 CONDUCTORS IN 3/4" ϕ CONDUIT FED BELOW GRADE.
- #3) LIGHTS TO BE CONTROLLED BY TIMER AND PHOTOCELL FROM DEDICATED CIRCUIT FROM ELECTRICAL PANEL IN BASEMENT @ S.E. LOOPER OF BUILDING.