

04 JUL 14 4:45:45

Returned @ Counter

AFTER RECORDING RETURN TO:

City Recorder
500 Klamath Avenue
Klamath Falls, OR 97601

GRANTEE:

Brandon Foster
333 Jefferson Street
Klamath Falls, OR 97601

GRANTOR:

City of Klamath Falls
500 Klamath Avenue
Klamath Falls, OR 97601

CLERK'S STAMP:

State of Oregon, County of Klamath
Recorded 07/14/2004 9:45 A m
Vol M04 Pg 45832 - 34
Linda Smith, County Clerk
Fee \$ 31 0 0 # of Pgs .3

REVOCABLE LICENSE & ENCROACHMENT PERMIT

The City of Klamath Falls, Oregon, a municipal corporation (City) and Brandon Foster (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 500 block of North 4th Street and the alley right-of-way behind 333 Jefferson Street in the City of Klamath Falls (as shown on the attached map Exhibit "A"). This license/permit is granted for the limited purpose of constructing and installing a chain link fence 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; Grantee shall obtain a fence permit from the Planning Department prior to installing the fence; 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 be responsible for the maintenance of the fence for all expenses for removal of the fence, if required under this license/permit, and for restoration 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. Grantee agrees that City shall not be responsible for damage to any structures within the right-of-way caused by or related to City's legitimate use of the right-of-way.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed this 6th day of July, 2004.

CITY OF KLAMATH FALLS

GRANTEE

By: [Signature]
City Manager

By: [Signature]

Attest: [Signature]

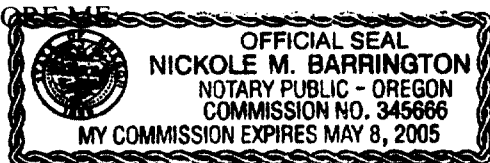
City Recorder

STATE OF OREGON } ss.

County of Klamath

On the 14th day of July, 2004, 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:



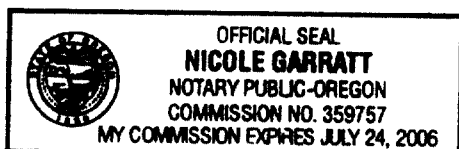
Nickole M. Barrington
Notary Public for Oregon
My Commission Expires: 5-8-2005

STATE OF OREGON } ss.

County of ~~Klamath~~ Clackamas

On the 6th day of July, 2004, personally appeared Brandin Foster and he she acknowledged that said instrument was signed and to be of his her voluntary act and deed.

BEFORE ME:

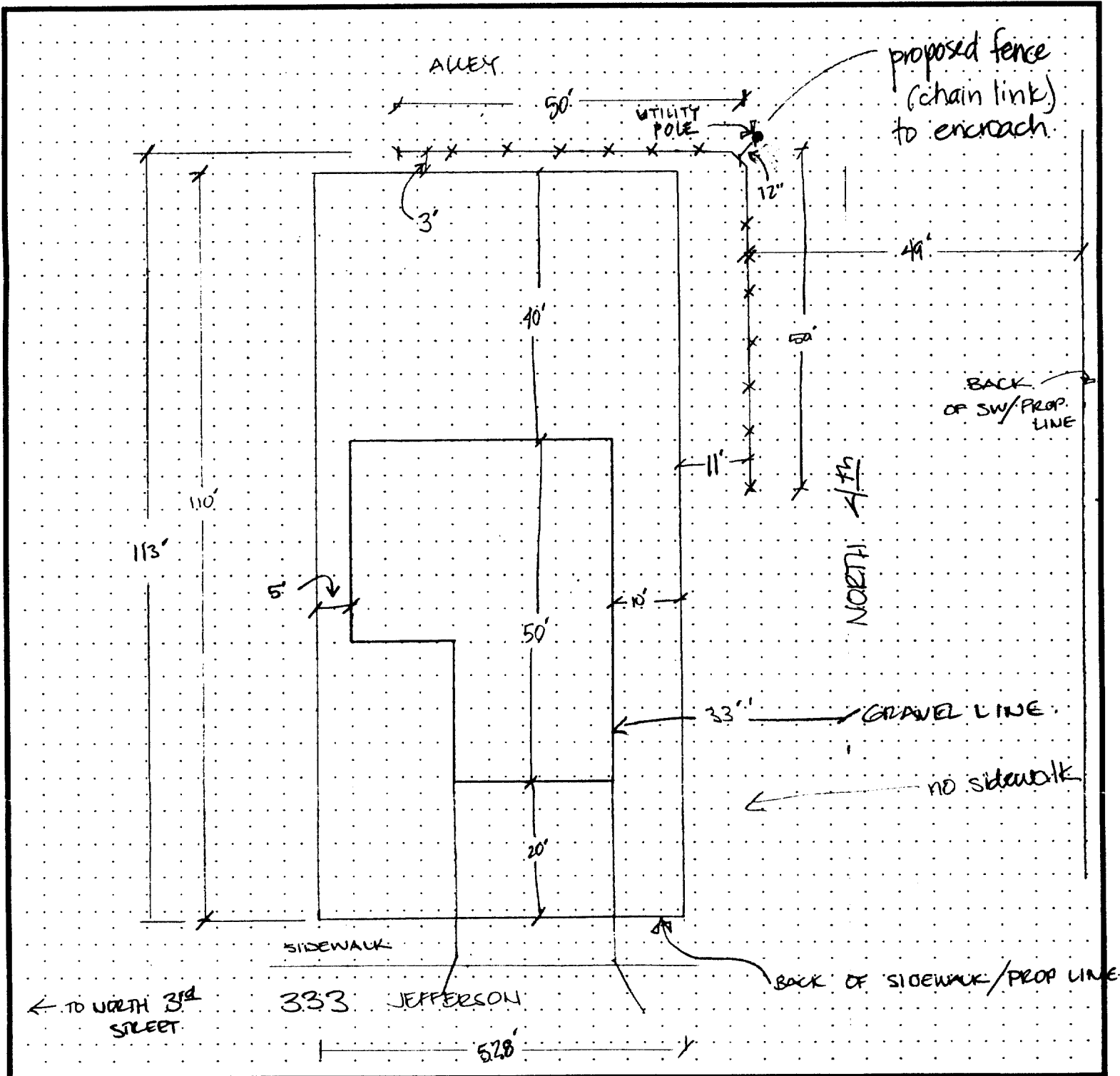


Nicole Garratt
Notary Public for Oregon
My Commission Expires July 24, 2006

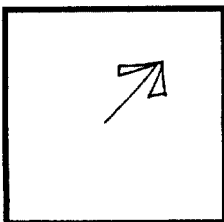
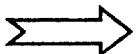
SITE PLAN FORM CITY OF KLAMATH FALLS PLANNING DEPARTMENT

45834

A site plan is required for several land use applications. This form is provided for this purpose, although site plans are not restricted to this form. Please review the reverse side of this form for site plan requirements. Property owners are responsible for accurately locating property lines. The City strongly recommends hiring a licensed surveyor, prior to building, to locate property lines. Revised April 2004.



Please draw an arrow in box at right to indicate NORTH.



Applicant Name(s): BRANDON / MARTY FOSTER
 Site Address (if known): 333 JEFFERSON
 Map & Tax Lot Number(s): 3809 - 32BA - 12000
 Scale: 1" (4 squares) = 20' (1 square = 5') or: 1" = 20'
 Date: 28 APRIL 04 ☐ Check box if this plan is a revision of an earlier version