

2011-012921

Klamath County, Oregon

AFTER RECORDING RETURN TO:

City Recorder
500 Klamath Avenue
Klamath Falls, OR 97601



00110344201100129210030036

11/18/2011 12:52:33 PM

Fee: \$47.00

GRANTEE:

Klamath Falls City Schools
1336 Avalon Street
Klamath Falls, OR 97603

GRANTOR:

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

REVOCABLE LICENSE & ENCROACHMENT PERMIT

The City of Klamath Falls, Oregon, a municipal corporation (City) and Klamath Falls City Schools, a political subdivision of the State of Oregon (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 unimproved Addison Street right-of-way in the City of Klamath Falls at 1700 California Street (as shown on the attached map Exhibit "A"). This license/permit is granted for the limited purpose of adding a concrete storm water discharge structure and approximately 89' of a 5' tall chain link fence in that same designated area 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; as of 3/7/11 the storm drainage system has been constructed in accordance with the signed plan set and site construction permit; and
- 3) Grantee shall be responsible for the maintenance of the concrete discharge control structure, storm drainage system & fence and for all expenses for removal of the concrete discharge control structure, storm drainage system and 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 20th day of October, 2011.

City of Klamath Falls

By: [Signature]
City Manager

Attest: [Signature]
City Recorder

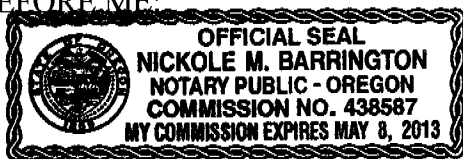
Klamath Falls City Schools (District #1)

By: [Signature]
Name: Patricia M. Baldini
Title: Business Manager

STATE OF OREGON)
) ss.
County of Klamath)

On the 21st day of October, 2011, personally appeared Rick Whitlock 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:

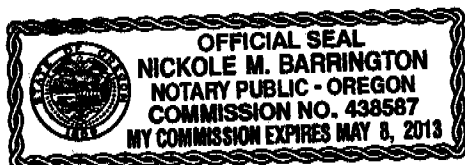


STATE OF OREGON)
) ss.
County of Klamath)

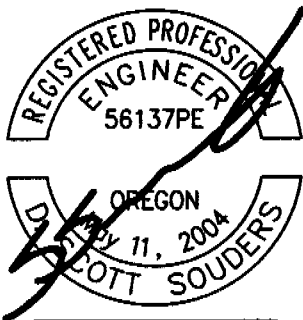
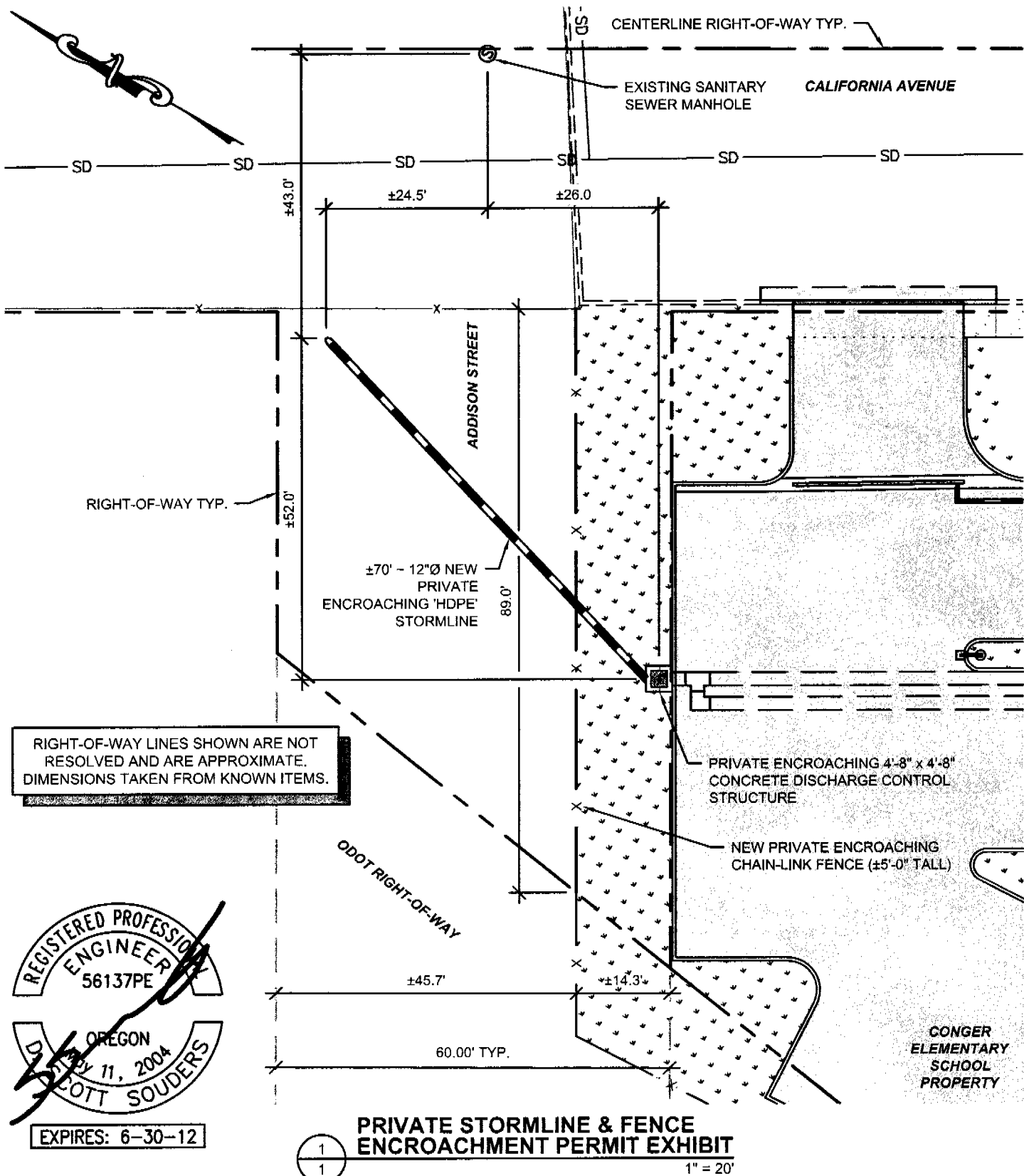
[Signature]
Notary Public for Oregon
My Commission Expires: 5-8-2013

On the 20th day of October, 2011, personally appeared Patricia M. Baldini, who, being first duly sworn, did acknowledge that he^(she) is the Business Manager of the Klamath Falls City Schools (District #1), that the foregoing instrument was signed on behalf of the Klamath Falls City Schools (District #1), that he^(she) is authorized to execute this instrument and that this instrument is the voluntary act and deed of that entity.

BEFORE ME:



[Signature]
Notary Public for Oregon
My Commission Expires: 5-8-2013



EXPIRES: 6-30-12



ZCS
ZBINDEN • CARTER • SOUDERS
ENGINEERING INC.
 900 Klamath Avenue, Klamath Falls, OR 97601
 (541) 884-7421 phone fax (541) 883-8804

KLAMATH FALLS CITY SCHOOLS

CONGER CAFETERIA ADDITION
1700 CALIFORNIA AVENUE

PROJECT NO:	K-4979-10
DRAWN:	JDM
CHECKED:	DSS
DATE:	03-01-11
ENCROACHMENT PERMIT EXHIBIT	
1 OF 1	

Exhibit A